

RESEARCH ARTICLE

On the Path to Democracy in Thailand: Military Reform is the First Step

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Abstract This article describes various aspects of the Thai military as a power bloc and introduces five case studies in countries facing similar situations in order to obtain lessons for military reform. I propose that the army is the main barrier to democratization, and thus, the next transitional government must undertake military reform as its first task. To support this objective, the article introduces relevant literature and background, describes the historical development of the Royal Thai Army (RTA), describes and explains the key characteristics of the RTA, especially the unchecked nature of its power. It then addresses one of the key ways in which the RTA demonstrates its power, through violence. I then review the mechanisms of democratization in South American, Asian, and Eastern European countries that achieved democratic consolidation through various means, including military reform. I suggest that in Thailand, comprehensive military reform will bring about additional institutional reforms, creating professionalism, preventing the situation of a (military) state within a state, and strengthening the supremacy of civilian authority over the military institution. I recommend that military reform can be achieved through demobilization, downsizing, a reduction in conscription, a reduction and auditing of the military budget, abolition of martial law, changes in legislation to severely punish military coups d'état, legislative changes that give people rights to military information, education for the military on non-violent methods of engagement, and reform of the National Security Council as well as the National Intelligence Agency, among other methods. If this can be achieved, a consolidated democracy and sustainable reconciliation may be viable in Thailand.

Keywords Military Bureaucratic Authoritarianism, Democracy, Civilian Supremacy, Military Reform, Thailand

Since the 1932 democratic revolution that overthrew the absolute monarchy in Thailand (known at that time as Siam), the RTA has successfully staged 13 coups and has made another 11 attempts at overthrowing the government (Jiajangpong, 2014). Nguyen (2011) has studied the reasons for the continuing failure of Thai democracy and noted the political polarization

between the politico-economic classes. The wide gulf that exists between the elite classes in Bangkok and the rural villages has also been discussed by Laothamatas (1996) and Phongpaichit and Baker (2000). The causes of military intervention over the decades have been examined (Finer, 1962; Elliott, 1978; Rakson, 2010). Essentially, although it claims to be neutral

and apolitical, the military is a political actor with vested interests, playing an influential role in Thai politics. Particularly after the 2006 coup, its influence increased (Chambers, 2010), bolstered by its claim to be upholding national security in the form of “Nation, Religion, Monarchy, People,” and is now unparalleled by other domestic actors, including the Royal Thai Police (Chambers, 2014). Since 2006, the army has positioned itself in an unprecedentedly hostile manner towards governments elected by landslide victories in the last four general elections. Further, the military was directly involved in the 2010 bloody crackdown on the democratic movement led by rural citizens and the lower-middle class, which was the worst massacre in the history of modern Thai politics (Human Rights Watch, 2011; “Bangkok: This is a massacre,” 2010); the second was the Tak Bai Incident, in Narathiwat, on 25 October, 2004. The crackdown caused 87 confirmed official casualties (Erawan Medical Centre, 2010) and more than a thousand injuries.

Since the Sarit era in the 1950’s, the power of the military has been interwoven with that of the monarchy; with its dominance being ascribed to the simple fact that no civilian institution has been able to develop sufficiently to challenge it (Isarabhakdi, 1989). The power and legitimacy of the military institution in terms of its connection with the monarchy over the years were most recently considered by Chambers and Waitoolkiat (2016). They pointed out that the relationship between the monarchy and military in Thailand at present constitutes a “parallel state” within a state, aimed at maintaining a palace-centered order complete with its own “ideology, rituals, and processes,” which in turn sustains and legitimizes the military. This close relationship with the monarchy protects the military via the country’s *lèse majesté* law (Streckfuss, 2010). In essence, the Thai military sees its role as to intervene whenever it deems there is a security threat to the state. Nordlinger (1977) argued that the military is a fortress to protect the social benefits of traditional elites and the middle class, rather than to safeguard the interests of the people, and the Thai military illustrates this very well, stymying all and any efforts at security sector reform (Chambers, 2013, 2015). The latest military coup (2014) has been

described as “a statist/bureaucratic politic attempt [led by the military] to salvage the cohesiveness of the Thai state apparatus in the face of the societally self-destructive, protracted political class conflict” (Tejapira, 2016, p. 219). Described as a “major” coup by Baker (2016) because of the imposition of a military government, the use of repressive intimidation, the restriction of political debate, and the launch of a comprehensive military-directed “reform” program, it has been followed by the constant harassment, arrest, and imprisonment of identified dissidents, in a form of military authoritarianism not seen since the 1970’s.

Against this backdrop, it is difficult to imagine Thai society returning to democracy or experiencing reconciliation without admitting and addressing the fact that the army is the largest barrier to political development. While the studies mentioned above have examined the reasons for the role of the military institution in Thai politics, this study concentrates on what would need to be done to reform its role in the country and ensure that it comes under the control of a civilian government as a fully professional force, referencing military reform as a means to democratic consolidation in the process. For the purpose of this article, a consolidated democracy is the classic formulation of one which will not revert to authoritarianism without a strong external shock (Linz & Stepan, 1996a, pp. 4-5; 1996b). In addition, this article references five comparative case studies which offer lessons for Thailand.

In this study, I consider the role of the military institution in contemporary Thai politics. I contend that (1) the military’s intervention is the main obstacle to political development, and (2) reform of the military institution is crucial in considering the consolidation of Thai democracy. The article proceeds as follows: first, it discusses the historical development of the Royal Thai Military; second, it examines how the power of the military is unchecked; third, it notes the role of the military as an agent of violence; fourth, it delineates lessons learned on democratic consolidation of some countries; fifth, it offers a proposal on reforming the Thai military institution; and lastly, it presents the conclusion.

Historical Development of the Royal Thai Military

Arising from a fear of being subjected to colonialism, Thailand underwent dramatic changes during the reign of King Rama V (1868-1910), who oversaw the modernization of the country so that it would appear civilized in the eyes of the Western world (Wyatt, 2003). With regard to the military, Thailand's embarrassing loss in the 1893 war with the French, who were intent on occupying Laos and Cambodia, made the country's leaders realize that its own army was very underdeveloped ("Franco-Siamese war 1893," 2014). Previously, Thailand had no modern, professional army and relied upon the deployment of an ancient labor system called *rabob phrai*. After the war with the French, King Rama V initiated many projects to modernize the army. For example, he established the Defence Ministry, created several higher military institutions, called for massive investment in weaponry and military equipment, and enacted a military conscription law. These projects imitated the attributes of Western armies and made the country's army distinct from its civilian institutions. King Rama V was also the Thai army's first commander-in-chief. In fact, the Thai army was established for two reasons. The first was to protect the monarchy from its enemies both from outside and inside (Royal Thai Armed Forces Headquarters, 2009). Secondly, the military was established to extend the King's power throughout the kingdom, which had become centrally governed, through national conscription (Breazeale, 1975). Thus, the Thai army was viewed as being closely related to the King and therefore called "the King's army."

Under the absolute monarchy, power was concentrated in the hands of the King and a few of the traditional elites. Irrational and massive spending by the palace caused frustration and dissatisfaction among some low-ranking military officers who became rebellious to the regime in 1912 during the reign of King Rama VI (Boontanondha, 2016). Twenty years later, the rigid political regime of King Rama VII had still not fully adapted to the changing character of world politics, and this resulted in the 1932 revolution. The People's Party, comprised mainly of new military professionals and civil bureaucrats educated in foreign

countries, took over the business of government. At the beginning of the new regime as a constitutional monarchy, the most important stated objective of the military was to protect the constitution and the rule of law. The military in this era may be thought of as a constitutional military (Phiu-Nual, 1990).

However, the People's Party's lacked mass support, which instead swung behind the royalists and traditional elites. The army eventually came under the sway of the Thai-educated royalists leading to the overthrow of the People's Party in 1947 and the abolition of the constitution which had been influenced by its ideologies. This led to a situation in which the army operated to preserve the status and privilege of the traditional elites. At the same time, the onset of the Cold War and massive American military spending in Thailand in opposition to communism led to a better-equipped Thai military with greater financial capability and a large increase in the number of soldiers. As a direct result, the Thai military governed the country for at least 26 years, between 1947 and 1973. Indirectly, the country has been influenced by the military ever since.

Under military regimes, namely those of Field Marshal Plaek Pibunsonggram (1948–1957), Field Marshal Sarit Thanarat (1958–1963), and Field Marshal Thanom Kittikachorn (1963–1973), several events strengthened the army. The army eradicated two Thai navy rebellions, the Wang Luang rebellion (1949) and Manhattan rebellion (1951). The Thai navy, as opposed to the army, maintained a democratic and constitutional ideology which it had inherited from the People's Party. Towards the end of the Plaek Pibunsonggram regime, the army also irrevocably weakened its chief opponent for political influence, the national police force. Under the Sarit Thanarat regime, the army was unprecedentedly characterized as a sovereign power. Under Article 17 of the Interim Constitution of Thailand, B.E. 2502 (Interim Constitution of Thailand, 1959), the prime minister could concentrate all three branches of government—the legislative, executive, and judiciary. The prime minister also could arrest, imprison, or even execute suspects or wrong-doers without court warrants (Boonbongkarn, 1994). In addition, many key political posts were occupied by senior military officers. Later, under the regime of Thanom Kittikachorn, this power persisted. Riggs

(1966), who studied Thailand in this period, described the Thai government as a bureaucratic polity, a system in which the military and bureaucracy were supreme, rather than one in which the people had any power.

Nevertheless, the military regime briefly declined after the suppression of the 1973 student-led movement demanding a constitutional democracy. Field Marshal Thanom, prime minister at the time of the massacre of 66 students, went into self-exile. As Anderson (1977) argued, Thailand seemed to flirt with democracy for a short period, especially democracy in opposition to communism. In 1976, progressive students were accused of harboring communist ideas. The army and right-wing groups, supported by traditional elites, savagely attacked and suppressed the demonstration of students in the October 6, 1976 massacre at Thammasat University. Officially, 46 students died but unofficial figures put the number at more than 100. Following the massacre, the military state returned between 1976 and 1988.

Power was transferred to a civilian government in 1988, but the next coup occurred in 1991. Many people protested the return of military rule, and in May 1992, referred to as “bloody May,” the army violently suppressed the protests resulting in 52 officially acknowledged deaths, hundreds of injuries, and many disappearances. The army’s political role was severely undermined and delegitimized after its suppression of the people. Afterwards, Thailand seemed to move forward towards a more mature democracy. A highly democratic constitution was promulgated in 1997. Importantly, many people thought that the military would return to its barracks, leaving the political stage. However, not many years later, another putsch was staged, and the military reentered the political realm in force.

In 2001, Thaksin Shinawatra became the first Prime Minister elected under the new constitution. There had been huge changes in Thai society, especially for villagers in rural areas, because of Thaksin’s policies, which for the first time were directed toward the rural poor. With populist policies and injections of money into a variety of projects, many villagers experienced higher incomes and better living standards. However, Thaksin’s management style was characterized by impatient, quick decision making, and an even greater

centralization of power. He was accused of playing “money politics” (Phongpaichit & Baker, 2009) and was unpopular among the traditional elites and the middle classes living in Bangkok and southern Thailand (Pathmanand, 2014). In 2006, the People’s Alliance for Democracy, known colloquially as the yellow shirts, protested against the Thaksin administration, and called for political intervention by the military. Eventually the army carried out a coup d’état while Thaksin was attending a United Nations conference in New York on September 19, 2006.

After the 2006 coup, the military regime designed a new political system which attempted to fully remove the specter of Thaksin and his intimates from Thai politics. The military introduced a new constitution in 2007 with a number of constraints aimed at containing Thaksin and his supporters. Additional measures were employed to limit Thaksin’s power and influence, including judicial verdicts which appeared biased to many people, and appointed Senate and independent judicial entities which seemed to be prejudiced against Thaksin and his supporters. Nevertheless, the 2008 general election proved that most of the Thai people still supported the pro-Thaksin party. Arguing that the leader of the winning party was Thaksin’s nominee, the yellow shirts responded by occupying the country’s international airports. In response, the army not only used state television channels to broadcast messages demanding that the pro-Thaksin government resign, but actively provided security for the yellow shirt protestors. Eventually, the Constitutional Court, another supposedly independent body which was opposed to Thaksin, ruled that the pro-Thaksin parties must be dissolved. After the dissolution of the parties supportive of Thaksin and his associates, the army intervened again to promote Abhisit Vejjajiva, the Democrat Party leader to be the next prime minister, although he had not received a majority of the votes of the people. The military also coerced a faction of the People’s Power Party, a pro-Thaksin party, to assist Abhisit in forming a coalition government (“New face, old anger,” 2008).

At the same time, the people who supported the parties that had won in the preceding election felt that their votes and voices had been ignored and that they were deprived of their political choice. They then took

to the streets under the banner of the United Front for Democracy against Dictatorship, colloquially known as the red shirts. However, their demonstrations were violently suppressed by the military in 2009 and 2010. In the 2011 general election, Yingluck Shinawatra, Thaksin's younger sister, became prime minister. Her government, like that of her brother, was admired and supported by the lower-middle class and the rural people. However, her government, like her brother's, was toppled in 2014.

Protests led by the deputy leader of the Democrat Party, Suthep Thaugsuban, and pushed forward by his People's Committee for Absolute Democracy with the King as Head of State (PCAD), began in late 2013 and continued through Yingluck's dissolution of parliament and organization of new elections. Suthep's protest group consisting of the yellow shirts, including the elite and middle classes in Bangkok and the south, prolonged their protests and obstructed new elections, repeatedly calling for the army to step in and overthrow the government. During the protests, the military set up temporary bunkers throughout Bangkok, at which soldiers were stationed to watch over and support the protestors. On May 20, 2014, Prayuth Chan-ocha, commander in chief of the Royal Thai Army, citing the political impasse as the reason for acting, declared martial law and then launched a coup d'état two days later. Contrary to his claims at the time, there is no doubt that the coup was not a last-minute decision. Not long after the coup, Suthep gave an interview to the Bangkok Post which quoted him as saying: "Before martial law was declared [on May 20], General Prayuth told me that 'you and your masses of PCAD supporters are too exhausted. It's now the duty of the army to take over the task'" (Campbell, 2014, par. 3). Suthep and General Prayuth had long-standing ties stemming from their roles in the suppression of red shirt protestors during the violent clashes in 2009 and 2010.

The Thai army is like militaries in other third world countries which have no faith in democracy and no confidence in the political party system and politicians (Janowitz, 1977). Certainly, the distinctive competencies of the army are a centralized command, hierarchy, discipline, intercommunication, esprit de corps and isolation, and self-sufficiency (Finer, 1962) as well as internal cohesion (Barany, 2013). Under

an organization like this, the Thai military considers itself too strong to be under the control of a civilian government. Importantly, the military leadership believes that the armed forces have the expertise to apply their military structure to politics and economics, and are more competent to do so than an elected civilian government. This regime is identical to the authoritarian military regimes of Latin America under a system of bureaucratic authoritarianism, in which the army believes it has more governing capability than a civilian government (O'Donnell, 1988). Prayuth is basically acting as a dictator, using sweeping powers under Section 44 of the Interim Constitution of Thailand, B.E. 2557 (Interim Constitution of Thailand, 2014) to deal with anything that he thinks is wrong or inconvenient. An example is that, following a referendum which approved a new draft constitution, when the draft was sent to the King for approval, he objected to some provisions. Prayuth said that he would use his power to amend the draft to meet the King's objections; this will result in a form of the constitution on which the public has not voted.

For a military to be apolitical and neutral, it is necessary to create a professional soldier corps, such as one based on the concepts of Huntington (1957). A professional soldier corps is one in which soldiers have an over-reaching responsibility to the society which they serve and are parties to a mutually binding relationship with society. The military is entrusted with evaluating the security of the state and providing expert advice to its leaders. Society must afford some deference to their expertise and institutions. This does not seem to be a state of affairs which can be applied in Thailand.

In Thailand, the military believes that it serves the state, rather than the elected government (Rakson, 2010). In their view, the government uses the services of the army, and in return the military should have an important role over the government. Several famous quotations by Thai military men illustrate this attitude: "Politicians have never helped sustain order better than the army" (Prasai SeviKul, 1974 as cited in Samudavanija, 1982, p. 51); "Thai democracy is like teaching the babies to walk... they cannot look after themselves and need a caretaker. So, the Thai democracy, like a baby, needs a caretaker; the

military” (Ruekdee Chart-U-tit, 1976 as cited in Samudavanija, 1982, p. 52); “Politicians think only of their followers and need to concentrate power but break up unity and vie for better positions without a political ideology, without good intentions for the public; they just think of their personal gain. Politicians don’t know their purpose and do not understand what a real democracy is” (General Jeua Gedsian, 1977 as cited in Samudavanija, 1982, p. 53); “The army is a better representative of the Thai population than politicians” (General Arthit Kamlang-ek, as cited in Phiu-Nual, 1990, p. 110). Even with these examples, without a doubt the best example of this attitude are the words of General Prem Tinnasulanon, a former prime minister (1980–1988) and current president of the Privy Council. It was he who called in the army for a meeting to offer recommendations before the 2006 coup. He said, “Soldiers are like horses and governments are jockeys but not owners. You belong to the nation and His Majesty the King,” (as cited in Cropley, 2008, para. 3).

These ideas are deeply rooted in Thai society. The military regards itself as an autonomous organization, not controlled by a civilian government. Furthermore, it tends to see any civilian government as illegitimate, even though elected by the majority of the population; the elite military officers seem to believe that the voters are mostly rural, uneducated people who lack rationality in their voting decisions and sell their votes. Notably, the army elite are predominantly conservative in their political ideology (Liu, 2014). Thus, an important question is, since they do not recognize the legality of politicians, what kind of politicians will they support when they allow elections to take place? The background of Thai politics shows that the Thai military’s senior officers generally support those politicians who are elected by the traditional elite and the middle classes. This is because the officers themselves are from similar backgrounds, and in Thai society it is who you know and to which family you belong that is important. In recent political history, this has meant the Democrat Party, or the yellow shirts, which is generally a conservative and royalist-leaning party.

After the 2014 military coup, Thai society has fallen under the full control of the military. Bamrungasuk

(2015) argued that the military has successfully created a military bureaucratic authoritarianism in Thai politics. On the one hand, it depends on a mechanism in which the army controls and rules the country and on the other hand, it finds support from the elites and the middle class with the promise to sustain stability in different aspects of Thai society. The elites support this situation because keeping stability under a military bureaucratic authoritarianism supposedly enables better economic development than could be achieved under a civilian government. Cynics might say that sustaining stability is a euphemism for the continuation of corruption. Prayuth has consistently promised to crack down corruption, but has shown great reluctance to take any action whenever questions have arisen over possible irregularities concerning, for example, the army’s Rajabhakti Park, his own family, senior executives of Thai Airways International Plc, PTT Group, Metropolitan Electricity Authority, Provincial Electricity Authority, and TOT Plc, and a contract renewal to run the business at the Queen Sirikit National Convention Centre (Dawson, 2017; Peel, 2017; Political Prisoners in Thailand, 2017).

Not only does the mindset within the military believe that the institution is an autonomous organization not governed by civilian politicians, but also believes in itself being a strong interest group with an outsized influence in Thai society. Below, I describe the prerogatives and interests of the military within Thai society.

The Thai Military as Untouchable, Unfettered, and Unrestrained

In line with the idea that it is essential for the Thai military to be strong so that it can keep social order and promote the country’s development, enormous budgets have been granted to the armed forces over the years. During the years 1947 to 1973, the Thai military received substantial financial support from the United States. The purpose of such funding was to fight communist insurgents. This funding covered all expenses such as weapons, education, military training, and propaganda for values, vision, and ideology. This essentially underwrote a process of Americanization

for the Thai military (Bamrungsuk, 2015). But when the United States withdrew from the region after the Vietnam War, the Thai military had to become more self-reliant. From then on the military governments increased their budget allocation for the fighting services. From 1980 to 1992, the budget allocations for the military rose to 17.35% of the overall fiscal budget of the country, which was higher than the budgets for education and public health (“Defence spending,” 2013).

Importantly, the government hardly reduced the budget proposed by the military; in other words, the military almost always receives the full amount requested. Sometimes, the budget has even been increased from the requested proposal to please the leaders of the armed forces. Few members of parliament ever question such budget allocations. In 1984, Kleaw Norapati, a progressive MP, criticized the large secret budget of the military. This particular budget did not require to be itemized or have its planned expenses detailed. He called this practice an “ogre” (as cited in Satha-Anand, 1996).

Since the 2006 military coup, the armed forces have been highly involved in Thai politics. From 2006–2009 the armed forces budget was raised from US\$2.8 billion to US\$4.6 billion, an unprecedented increase. In 2013 the budget rose to US\$5.0 billion (“The Defense Ministry Budget between 2005-2013”, par. 1), and in 2015 increased again to US\$5.2 billion

(“Financial Stability in 2015”, 2014) and for 2016 will increase again to US\$5.9 billion (“The 2015 Defense Ministry Budget”, 2015). The budget for 2017 is 214 billion baht (US\$6.1 billion)—including funds for a submarine purchase—a nominal increase of 3%. The proposed budget again represents around 1.5% of gross domestic product (GDP) and 8% of total government spending (“Thailand’s junta-appointed lawmakers,” 2016). In 2014, the Global Firepower Index reported that Thailand has the 24th most powerful military in the world (Bender, & Gould, 2014), but by 2015 Thailand had risen to number 20 (Global Firepower, 2015).

Under the current military regime, it is nearly certain that this budget will not be audited and will lack transparency. It cannot be scrutinized by the public, and the budget which is allocated for purchasing weapons

has often been a part of the alleged corruption in the Thai armed forces. It appears that corruption and kickbacks have not only been found in weapons purchasing, but also in the purchases of other equipment. For example, within the last decade, the military purchased the GT200 explosive detectors, procurement worth US\$40 million. It was subsequently found that the devices were fake, with no moving or mechanical parts, a scandal that made world news (“The long stories about GT200”, 2013). In 2009, the army bought an airship for surveillance in the troubled southern provinces at a cost of US\$14 million. It crashed on its first and only flight (Grossman, 2012). The latest budget provides for the navy to buy a submarine, even though there are serious doubts as to how it can be used effectively in Thai waters (Nanuam, 2017). Aside from the issue of budget allocation and transparency, legislation has also tended to empower the military. After the 2006 military coup, there were three new laws enacted; the first one is the Internal Security Act of 2008 (Government Gazette, 2008a). This Act decisively increases the power for the military to keep the peace in the country. Part 2 of the Act, when enforced, gives the Internal Security Operations Command officials the full complement of coercive police powers, including powers to use both lethal and non-lethal force, including firearms, to arrest and detain individuals, conduct searches, enter into premises overtly and covertly, and lay criminal charges (International Commission of Jurists, 2010).

The second is the Thai Public Broadcasting Service Act of 2008 (Government Gazette, 2008b); use of the provisions of the Act allows the armed forces to own television stations using the very high frequency (VHF) system and to make a commercial profit. Thus, in Bangkok two out of five stations are owned by the military, which also owns radio station networks all over the country.

The third is the Defence Ministry Administration Act of 2008 (Government Gazette, 2008c), which specifies the rules and regulations for the appointment and transfer of senior military officers. The Act states that any transfer proceeding must be under the management of a committee consisting of six or seven members (five from the military and one or two civilian politicians); the military members are the commanders of the three armed forces, the armed forces commander

in chief, and the permanent secretary of the Ministry of Defence, whereas the civilian members are the Minister of Defence and his deputy, if one has been appointed. Prior to this reform, the ratio of civilians to military representatives on this committee was one to one. This ratio was an obstacle for the military. But in the new legislation, the appointment and transfer of officers must comply with the majority vote, so this Act gives military officers full power in the appointment and transfer of the top military officers.

The Thai military is administered in the same manner as other organizations which continue to operate on a patronage system, especially the Royal Guard units and the Queen's Guard, which are assigned exclusively to the members of the royal family. Members of these military units progress to important positions within the country. These military contingents are dedicated to the protection of the royal family. As noted below, they believe that they do not have to follow any authority other than the King's. In fact, before the 2006 coup, General Anupong Paochinda, one of the leading generals for that coup, remarked that

The King was so worried about the situation of the country these days. We are the King's Guards. Ask yourself what did you do for the King? You just talk, just observe, you dare not do anything, do you? We are national soldiers, the King's soldiers. (as cited in Nanuam, 2009a, p. 145)

Regardless whether the military coup would be useful for the King or not, Lieutenant Colonel Sanyalak Tangsiri, commander of a battalion involved in the coup remarked afterward that "We are ready to do what the King asks. We are soldiers who belong to His Majesty" (as cited in Nanuam, 2006, p. 3). Comments like these show that when the military claims to be working for the King, it believes itself absolved of any responsibility to the government (Tamada, 2014). Thus, the military institution sees itself as above reproach, or untouchable.

The military may also believe it is untouchable because of its brand of professionalism. For the Thai military, this word has a different meaning from the one that is generally understood. For example, the soldier must have expertise, corporateness, responsibility,

be apolitical, and keep out of politics (Huntington, 1957). But professionalism in the view of General Prem Tinnasulanon means specifically "the King's soldiers" (as cited in Nanuam, 2009b). Air Chief Marshal Chalit Pookpasuk, former Commander of the Royal Thai Air Force and current member of Privy Council, illustrated this meaning when he said, in response to reports that he might be transferred, "I am a professional soldier and the King's soldier. How will anyone dare to transfer me?" (as cited in Nanuam, 2009a, p. 91) Historically, the military has given greater importance to the royal institution than to the government; it has been clear that the elite within the armed forces consider themselves to be a private guard unit to the royal family (Tamada, 2014). Some Thai people have understood all along that there is a relationship between the military and the royal family. This situation has led to attacks on the royal institution. The result of such attacks has been that the perpetrators were imprisoned on charges of *lèse-majesté*, which is infamous for its draconian provisions and punishments.

Because the military is an organization over which civilian governments have weak control, it enjoys virtually unfettered power. The world of the military is an exclusive world separate from general society (Bamrungsuk, 2015). The army commanders believe that their activities are their business and that other organizations do not have the right to interfere. Practices that would be unheard of in other professional militaries, such as having large numbers of conscripts follow high ranking officers like an entourage, or having them work at officers' private houses or as drivers for the wives of officers, are quite common within the Thai military, even though the salaries of these conscripts are paid by the taxes of all Thai people. Similarly, in cases of soldiers who violate the law, they are brought to a military court, and only stand before a civilian court if the military allows it.

Furthermore, the army has the right to declare martial law if it believes the political situation in the country is unstable or untenable. This law, which was introduced in 1914, is still invoked to this day. The army's lack of restraint is also reflected in the fact that, even when civilians are in control of the government, the politicians readily cater to the military's demands, whether it be for weapons, funding for security, or

demands for additional “wages” after a military takeover. Additionally, large numbers of army officers have obtained positions in state enterprises, and it is common practice that a private company, when it wishes to obtain a benefit from the state, brings high ranking military officers onto the board of directors. Clearly, the lack of restraint is reflected in the military’s excessive use of power in both military and civil realms.

The current excessive use of power is not only wielded through military force but also, as discussed in this following section, through the military’s current majority within the National Legislative Assembly (NLA), the members of which were all appointed by the military government.

Following both the 2006 and 2014 coups, the appointed members of the NLA, which was tasked with rewriting the constitution, primarily come from the army, police, well-known yellow shirts and, after the latter coup, members of the PCAD which led the protests against the Yingluck administration, and civil servants known to oppose Thaksin. Of the current 220 NLA members, 120 are military and police officers; the rest are former civil servants and PCAD leaders. These people voted to impeach Yingluck, and they also ruled that she must stay out of politics for five years. In passing, it should be emphasized that the membership of the NLA is voluntary work. Its members are handsomely paid and, thus, receive two salaries. If it seems remarkable that military officers can carry out two jobs at the same time, it is understandable against the figures of more than 1,750 flag officers compared with the United States’ 964. In other words, there are too many chiefs and too little work for them all.

This excessive expression of power is also mirrored in law. Under the current military rule, many new laws are now being introduced without the public having the chance to debate or protest them. In addition, the new draft constitution sustains the power of the armed forces. For instance, it allows for the appointment of a non-elected prime minister and appointed senate members. Importantly, this constitution establishes the National Strategic Reform and Reconciliation Commission, which has the power to control a civilian government both in crisis and in normal times. If the government does not follow the orders of this

council, the Constitutional Court can enforce the government to do so. This commission is made up of 20 members, 11 of them ex-officio, including the heads of the legislative, executive, and judicial branches, the supreme commander, the heads of the three military branches, the chief of the national police, a former parliament president, a former prime minister, and a former supreme court president, and nine specialists (“Charter drafters adopt Cabinet’s ideas,” 2015).

The evidence above suggests that the Thai military’s power is indeed unfettered and little restrained; the influence of the army can penetrate all areas of national administration. Not only under the current military state, but also under democratic rule, Thai governments will not be able to carry out checks and balances on the military’s influence. The following section covers the violence caused by the Thai military.

Thai Military as an Agent of Violence Within the State

There are many historical incidents of the military using violence against citizens. These include small events like the suppression of the People’s Party supporters after the coup in 1947 and the fabrication of a story that they had tried to change the country’s regime into a republic. In 1947, the military government enacted the Act for Protecting Order which gave the military absolute power to detain anyone which it deemed a danger to the nation. In another act, the military government also accused three people; Chit Singhaseni, Chaleo Patoomros, and But Pathamasarin of assassinating King Rama VIII, and sentenced them to death. Yimprasert (2009, as cited in Kasetsiri, 2009) said that this incident is the most stigmatic in Thai political history. Later, during the time of Field Marshal Sarit Thanarat (1958–1963), there were suppressions and prosecutions of many left-wing politicians and intellectuals, which resulted in deaths and incarcerations. Moreover, there was a lot of violence against Muslims in the south of Thailand which continues to this day.

Five particular instances demonstrate the military’s use of violence in society. The first is the student uprising on October 14, 1973, which resulted from the

frustration of students with the role of the government of Field Marshal Thanom Kittikachorn (1963–1973) as the puppet of the United States in allowing the establishment of bases in Thailand during the Vietnam War. Students were not happy with the army's suppression of them, or with the army which was rife with nepotism. Further, because of the corruption, the students demanded a new constitution that the people could participate in drafting. These students' attitudes toward justice and egalitarianism were the result of a modernization policy (Anderson, 1977). This episode started with the government's detainment of 13 lecturers and students who had distributed flyers with demands for a new constitution. Later, students gathered in their tens of thousands at Thammasat University, demanding the release of the 13 detainees. A high-ranking army official in the government said, "If we kill ten or twenty thousand students, the nation will be peaceful" (as cited in Choi, 2013). Although the government released the 13 people, it used live ammunition to ruthlessly suppress the students gathered to demand their release. The result was the deaths of 77 people, with another 857 injured and missing (Kasetsiri, 2013). This is one of the major massacres at the hands of the military.

The second occurrence is yet another student massacre, on October 6, 1976. After the incident of October 14, 1973, the role of the army was weakened and students gained a more prominent role in the wider Thai society. This increased role of students and the resulting egalitarian society disadvantaged the traditional elite and capitalists. Propaganda was published promoting the idea that these students were communists and that they aimed to overthrow the monarchy. Before the massacre, the monarchy and conservative elites were involved in the establishment of a rightwing group, the Village Scouts, that aimed to destroy the student group (Bowie, 1997). The army played a leading role in the massacre of students at Thammasat University on October 6, 1976, and used war weapons to suppress the students gathering there. There were reports of desecration of dead bodies, of students being burned alive, and female students being raped. It is not clear how many people died; the official body count is 46 but many students who took part in the events believe it was more than 100 and that

many more bodies were disposed of ("The students arranged the 6 October massacres exhibition", 2014). Nevertheless, after the incidents, many students were imprisoned for at least two years without being found guilty of any wrongdoing and many other students fled into rural areas of Thailand to escape assassination by the army. Many did eventually join the Communist Party of Thailand. Winichakul (2002), a professor in the History Department at the University of Wisconsin, took part in the events and described what happened as the traumatic past while Satha-Anand (1986), a professor of political science at Thammasat University, said that the brutal massacre is a stigma on Thai society and that Thai society tries to cover up this event through silence to prevent the demythologization of society which pretends to be an immaculate nation of purity and Buddhism.

The third occurrence is the bloody May incident in 1992. This is yet another case in which the army killed citizens in the middle of the capital, Bangkok. The people of Bangkok called for General Sujinda Kraprayoon, the prime minister who came to power through the 1991 military coup d'état, to step down but he refused. His rejection of the people's demands resulted in tens of thousands of people, consisting predominantly of the Bangkok middle class, gathering at Rajadamnoen Road in Bangkok, attempting to force General Sujinda out. Live ammunition was once more used to disperse the protesters, resulting in 44 confirmed deaths, although the actual number is likely higher. Many believe the true number has been covered up. In addition, there were at least 600 injured (Kasetsiri, 2013). This event nearly ruined the army's legitimacy in the eyes of the people. Nevertheless, the army emerged to take a leading role once more with the military coup d'état and ousting of the Thaksin government in 2006.

The fourth incident is the killing of red shirts and others in 2009 and 2010. In 2008, the military helped bring Abhisit Vejjajiva to power as prime minister, even though he had not actually earned the majority of votes. The red shirts demanded that Abhisit dissolve parliament because it was formed unconstitutionally and at the coercion of the military. The incident started in April 2009 and is also called "the Bloody Songkran" (the Thai New Year, called Songkran, is in mid-April).

The situation escalated to the extent that violence was used to suppress and break up the protesters; 70 people were reported wounded and although Abhisit claimed that this incident saw no casualties, the red shirts believe many people were killed and their bodies hidden by the army (Yimprasert, 2013).

The following year, the most violent political tragedy in the history of Thai politics broke out. The red shirts mobilized for a massive movement from March until May 2010 to demand that the prime minister dissolve parliament. Although there were daily reports of violence on both sides of the government and the protesters, large-scale violence erupted on April 10, 2010 when the army attempted to break up the protesters, resulting in the deaths of 27 people and injuries over 1,400 (Khaosod Editors, 2010). The climax of the violence was from May 13–19, 2010, when numbers of red shirts were killed, together with six people who died when the army randomly shot into the Pathumwanaram temple, despite the fact that the abbot had requested the temple be treated as neutral ground. Although many photographs show that soldiers shot into the temple, Suthep Thaugsuban, Deputy Prime Minister and Head of Security Affairs, who was then in charge of devising security strategy, lied and claimed that the shooters were not soldiers but criminals (Khaosod Editors, 2010).

This entire incident officially took the lives of 87 people (Erawan Medical Centre, 2010) and caused a number of injuries, which later brought the number of deaths to 99. Eighty-two people were killed by bullets, 32 of whom were shot in the head. The violence left thousands more injured and many permanently disabled. The government spent more than three billion baht (US\$100 million) to control and disperse the red shirts by mobilizing 67,000 soldiers. More than 700 million baht (US\$23.3 million) was spent on 25,000 police officers, and the actual total number of bullets used was 117,932 (People's Information Center, 2012). At the same time, 1,857 red shirt supporters were incarcerated and accused of violating the emergency law and burning the city hall. The Missing Person Information Center of the Mirror Foundation reported that 50 people went missing from May 19 until June 16, 2010, and scores of people were arrested for *lèse majesté* (Khaosod Editors, 2010). This event is the

most severe record of mass killing by the military in the history of modern Thai politics, and since then there are still red shirt members across the country who are actively being hunted. Many soldiers have been sent into the countryside to intimidate red shirt members to try to stop the political movement.

The fifth incident that demonstrates the military's capricious use of violence is the series of occurrences after the 2014 military takeover, which can be thought of as the transition of Thailand into a full-blown military state headed by a dictator. General Prayuth Chan-ocha, the leader of the coup d'état and current prime minister, continually stresses that Thai society is entering an atmosphere of reconciliation, but the meaning of reconciliation in this context is highly paradoxical because it is achieved through the silencing of dissidents with threats and intimidation (Sripokangkul, 2015). The government can be compared to Big Brother of George Orwell's dystopian novel "1984". After the military coup, the military government summoned politicians and political activists. Those summoned were brought in to "adjust" their political "attitude" and were made to sign agreements promising that they would not engage in any political activities including, but not limited to, protesting or opposing the coup in public. In just the first three months after the coup, the military summoned 570 people, arrested 235 people who protested the coup, and prosecuted 77 people, 17 in the civilian criminal court and 60 in the military court. Six months after the coup d'état, the numbers had risen to 626 people summoned and 340 people arrested. This does not include more than a thousand people who were arrested and not yet mentioned in the news. Most of these are in alliance with the last government and/or are democratic and human rights activists (iLaw, 2014). Amnesty International's report (2014), called the widely and arbitrarily issued summonses of citizens a clear violation of human rights and an obvious tool of political intimidation. The report quoted victims who claimed that while they were held by the military after responding to a summon, the military had violated their human rights through beatings, death threats, mock executions, and attempted asphyxiation.

One year after the military seized power, a total of 751 people had been summoned and at least 428 people detained; 166 of those were arrested because

they expressed their ideas in public and 78 people were arrested on suspicion of partaking in violence. Of the arrested, 125 people were prosecuted in a military court and 46 in a civilian court. There were still at least 98 people in prison and the military, demonstrating its close ties to the monarchy, had charged 46 people on suspicion of *lèse-majesté*. They arrested more than 10 students for organizing a meeting on the first anniversary of the military coup (iLaw, 2015). By August 2016, more than 1,300 people had been detained for attitude adjustment and more than 1,600 tried in military courts (Bandow, 2016). Perhaps the most high-profile case of arbitrary persecution for alleged *lèse-majesté* involves a student at Khon Kaen University, Jatupat Boonpattaraksa. He has been charged, arrested, imprisoned, and had numerous requests for bail denied for sharing on social media a BBC Thai article on the life of the King. Meanwhile, none of the over 2,800 individuals who did exactly the same nor BBC Thai has faced any such action (Techawongtham, 2017).

It should also be noted that the military, in alliance with the capitalist class, assists private companies wishing to survey for natural resources in rural villages, despite the protests and opposition of locals who are intimidated and suppressed. Soldiers of the Internal Security Operations Command carry out surveillance in villages to prevent demonstrations in support of the former pro-Thaksin government. The government has also halted investigations into the 2010 military violence against protesters. Additionally, the government has repeatedly made threats against the media and individual reporters. The military government officially declared that mass media must not criticize its work, and if media outlets do publish criticisms, they will be shut down immediately. Soldiers, either in or out of uniform, can enter universities to conduct surveillance against students and intellectuals.

While these incidents have been described only superficially, I believe that the pattern of violence shows the tendency of the military institution to use violence and intimidation to obstruct the creation of a Thai democracy. Under the circumstances, reforming the military institution would be a basic step in building a democratic society. The lessons from military reform

in foreign countries should be considered because they show that military reform can lead to the creation of a strong democracy.

Why Does Thailand Need Military Reform?

Military reform leading to democratization and reconciliation may not sound familiar to Thailand's military. The Thai military is used to the idea that military reform means building strength and power, and increasing the number of troops, not submission of the military organization to civilian rule. For example, the Tenth Military Plan (2015–2025) emphasizes the policy of constant readiness for battle against any new form of threat or invasion. Thus, this justifies the need for modern, up-to-date weapons (“The Defence Council and the 10-year blueprint”, 2015). Reform in this sense, however, will lead the armed forces toward becoming a superpower organization, and has the tendency to create a military state within a state, one which remains outside the rule of civilian government. In countries which do not have a functioning democratic government, there is a likelihood that a powerful military might lead to a greater tendency for future coups d'état and suppression of the people in the long term (Linz & Stepan, 1996a). Thus, military reform with the goal of eventual democratization and reconciliation—democratic consolidation—is of paramount importance for Thailand.

Many countries have experienced the military take a controlling role in politics, and have remained under military dictatorships at length. In these situations, military governments have faced problems of legitimacy and complications with their use of power. This includes atrocities such as killing people who oppose the regime and other human rights violations. Although regime transition from dictatorship to democracy is a difficult process, many countries have been successful in this endeavor through various schemes and strategies. One crucial strategy has been military reform. This section presents lessons learned from countries which experienced protracted military dictatorships, followed by military reform and eventual transitions to democracy: Argentina, Chile, Brazil, Romania, and Indonesia.

Argentina

The conflict between the military government and the people occurred from 1976 to 1983 and is known as the “Dirty War.” The government suppressed people whom they considered leftist. Often, the victims were tortured severely before being killed. Many victims disappeared without a trace. In all, about 30,000 people were killed. The military authoritarianism ended after criticisms from both inside and outside the country regarding human rights violations, economic problems, and corruption within the military regime. In addition, the military government made a severe miscalculation when it decided to occupy the Falkland Islands, a dependent territory of the United Kingdom but which were also claimed by Argentina. This decision precipitated the Falklands War, which ended when the Argentine military that was occupying the islands surrendered to Great Britain; this caused even greater popular dissatisfaction with the ruling military government. With all the above problems, the military government decided to return power to the people. But before the transfer of power to an elected government, the military enacted the Law of National Pacification to guarantee amnesty for military leaders for any action committed by them from May 1973 to June 1982.

In 1983, Raul Alfonsin from the Radical Party was elected to the presidency. He was under pressure from the prior military regime, especially because he sought to fulfill his campaign promises to revoke the military’s amnesty law and prosecute former military leaders. In addition to these actions, Alfonsin contributed to the military reform in the following aspects:

- The military came under the civilian government. The president is the head of the armed forces and Ministry of Defense; the Chairman of the Chiefs of Staff must be a civilian.
- Reduction of the budget for defense by 50%.
- The responsibility of the armed forces is limited to defense against an internal enemy (i.e., it cannot be responsible for internal security).
- Reduction of the number high-ranking military officials.

- Reduction of the number of conscripted soldiers to one-third.
- Removal of large numbers of military personnel from positions in state enterprises.
- New military staff was hired as part-time staff.
- A new law was passed calling for harsh punishment for those in the armed forces who perform a coup.
- Transfer of control of the Intelligence Agency and responsibility for insurrection suppression away from the military.
- Reform of military education by providing opportunities for military cadets to study civilian academic courses instead of merely being inculcated into military ideology.

Military reform has been a critical element to democratization and reconciliation within Argentina. When the military was weakened, it allowed other organizations, such as the judiciary and civil society, to investigate the actions of the armed forces with regard to human rights violations and other crimes. The sustained pressure from these organizations over many years even after democratization forced the high commander of the armed force to confess formally for the first time, and he apologized to the people in 1995 for the atrocities committed during the years of the Dirty War. A crucial turning point in further reducing the role of military occurred in 2003 when president Nestor Kirchner announced that he would seek accountability from the military for its actions during the Dirty War. In May 2003, after only five days as president, he demoted five high ranking soldiers from their positions and overturned the time limit on the amnesty law that had stemmed from the Dirty War. He always stressed that the military must be under civilian government and could not become involved in politics, unless members of the military resigned and then joined elections. Unsurprisingly, Kirchner received strong opposition from the military but he confirmed that what he did was for the country’s sustainable progress. Kirchner also modified the military system by laying off three-fourths of the higher-ranking military officials, and also reformed the police department and judicial system.

During Nestor Kirchner's presidency, prosecution of the perpetrators of violence during the Dirty War was nearly continuous. More than 3,000 retired military staff and 300 present military staff were accused of wrongdoing and were prosecuted (Roehrig, 2009). Military reform continues today and is widely covered in the news. This progress necessarily stems from the military reform initiated during the last two decades.

Chile

General Augusto Pinochet was the head of the country from 1973 to 1990. He came to power after the September 11, 1973 military coup. During the first six months after the coup, there were many severe human rights violations. Many people were tortured and publicly embarrassed. It has been estimated that during Pinochet's dictatorship, more than 3,000 people died or disappeared. In 1978, Pinochet legislated that any actions by the military were not illegal, effectively creating an amnesty for all human rights violations by the military institution. This law is still in force and, furthermore, even after he stepped down from the presidency in 1990, Pinochet remained the commander-in-chief of the military. Additionally, before transferring power to civilian authorities, Pinochet paid senior judges to take early retirement and then appointed a young generation of judges who owed him their positions and would therefore adhere to his administrative system. This was to guarantee that he would not be investigated for his abuses (Evans, 2006).

When Pinochet retired from his military post in 1998, he retained the title of senator for life, a self-appointed position. He believed that nobody would harm him if he had the protection of these positions. Furthermore, the old military regime still extended into some roles within the National Security Council. Many military officers had been appointed as senators for life. These appointed senators obstructed the civilian government and kept it from investigating and prosecuting human rights violations from the old regime.

Democratization in Chile started with judicial reform from 1995-2000, especially with the adoption of the treaty of International Human Rights to reinterpret the 1978 amnesty law and appoint new judges to the

Supreme Court. This resulted in the judges indicting that while the amnesty bill would cover crimes that caused loss of life, the disappearances were considered as continuing crimes. Thus, the amnesty bill could not apply to cases until those who had disappeared were found. This kind of progressive legal interpretation did not require a new law, or the overturning of the old law, but nevertheless resulted in the prosecutions of many military officers. Furthermore, the Chilean Supreme Court also reduced the legitimacy of the military court and refused to accept its power.

Along with the judicial reform came military reform. From 1988 onward, the budget for the armed forces was systematically reduced. Under the old regime, the military spent 5% of GDP, but the budget was only 3.6% in the 2000s. The Chilean government also reduced the importance of the National Security Council (Greiff, 2009). Moreover, from 1999 to 2001, the government organized roundtable meetings between representatives from the armed forces who had worked under the dictatorship, human rights organizations, and members of the civil society sector to discuss human rights issues. The outcome was that, when the report of The Chilean Truth and Reconciliation Commission was published, the police and air force acknowledged the report's general conclusions, while the army and navy contested the interpretation but not the facts (Amstutz, 2005).

Chile also supported younger military officers committed to democracy to take roles in place of senior officers from the old regime. The young General Juan Emilio Cheyre, Armed Forces Supreme Commander, stated in March 2002 that these modifications required the military to become more of a professional military rather than being involved in politics. General Cheyre apologized to the public for the military's past atrocities, and promised that there would be no violence from the army as in the past. He even ordered the military to fully cooperate with the judicial system for justice. The Chilean government also reduced opportunities for the military's participation in politics and political decision making by amending the 2005 constitution to revoke the status of senator for life. Most of the senators for life were military officers and bureaucrats from the old regime. Crucially, these reforms led to democratic consolidation.

Brazil

The situation in Brazil was not much different from the other countries in Latin America with a military government. In 2011, Brazil established the National Truth Commission to investigate human rights violations perpetrated by the military government from 1964 to 1985. This commission revealed that 434 people were killed or disappeared, and between 100,000 and 500,000 were imprisoned and tortured.

The military reform began in the 1990s, and derived from an accumulation of dissatisfaction among those in civilian government against the military's past roles in problems such as military dictatorship, corruption, and human rights violations. The reforms were also spurred by pressure from civil society and human rights movements both within and outside the country. The government clarified the military's role, specifying that the armed forces would only be responsible for protecting the country from outside enemies, be committed to humanitarian support duties, and security along the Amazon valley. The military was not allowed to deal with any internal issues of the country. These reforms were stated in the 1988 Brazilian Constitution (Brazil Const. art. 42). At the same time, the Constitution also granted authority for parliament to make decisions to allocate the budget for the armed forces, and stipulated that all members of parliament were to be elected. These members of parliament had experienced the threatening power of the military in the past, and they expressed their concerns about military overreach by enacting budget cuts for the military. Brazil's military budget declined from 20.65% of GDP in 1985 to 14.27% of GDP in 1993.

In the 1990s, due to the economic recession, the country focused its spending on other expenses. These expenses included infrastructure, education, public health, and other civic concerns. Moreover, Brazil also created a new position, the Presidential Secretariat for Internal Control. This position carries out general budget auditing, including auditing of military expenditure. Even though the government of president Lula da Silva (2003–2011) both allocated a large budget for modernizing the military after many years of budget cuts and did not seriously prosecute the military officers as did Argentina and Chile, the

changes to the roles of the military institution through the constitution, together with the budget cuts for the military during the 1990s and the auditing of military expenditure, all constituted reforms that place the military institution under the democratically-elected civilian government (Hunter, 1996).

The restrictions on military power, preventing them from dealing with politics and making them focus only on sovereign protection as well as humanitarian duties, made the military institutions in Argentina, Brazil, and Chile more professional with clear missions. All three countries sent troops for peace-keeping operations in Haiti in 2004 and for humanitarian aid operations after the 2010 Haiti earthquake, and have received praise from both inside and outside their respective countries, in contrast to their images from previous decades (Bruneau & Matei, 2008).

Romania

From 1947 to 1989, Romania was under an authoritarian communist regime which, from 1967 to 1989, was ruled by the cruel President Nicolae Ceausescu (1967–1989). There are no exact numbers for the death toll, but it has been estimated that hundreds of thousands were imprisoned and died. After 1989, Romania turned to democracy. The country did not start with military reform but with Intelligence and Securitate (the Department of State Security) reform. The Securitate was considered to be the largest secret unit of the country's government, which spied on citizens and surveilled those opposed to the government's ideology. The Intelligence and Securitate reform stemmed from fact-finding investigations and was necessary in order for Romania to be eligible for entrance into both the European Union and the North Atlantic Treaty Organization.

These reforms not only helped to consolidate democracy in the country, but also gave rise to the following changes in the country's security regime: 1) the government empowered parliament not only to approve the budgets of the remaining security units, but also to audit the armed forces and intelligence community's annual fiscal report; 2) the Court of Audits, an independent organization, was established to examine security spending; 3) the government established the National Supreme Defence Council,

which in collaboration with military intelligence units, controls all security issues and checks all military strategies; 4) both the parliament and the National Supreme Defence Council decided to reduce the number of intelligence sub-organizations from nine to six, to improve the recruitment screening process, and to train young graduates to be professionals; 5) obsolete laws such as those that allowed intelligence officers to tap citizen's phones without cause were terminated; and 6) the Higher National Security College was established in 2002 to provide security training for the military and intelligence units, and to teach core democratic values, resulting in improved efficiency of the military and security units under the civilian government and in their responsibility to the whole society (Matei, 2008).

Indonesia

The violence under the New Order of President Suharto was reflected in the mass killings of people who opposed him. Victims also included intellectuals and students who showed their interest in Communist ideology, and a group of Chinese people; the latter because Suharto hated China for its Communism. From October 1965 to March 1966 as many as 500,000 people may have died, although an accurate and verified account of the dead is unlikely to be known (Cribb, 2004). The International People's Tribunal 1965 (2016), which investigated the violence during the period, as well as scholars, have reported that the death toll may actually be as high as one million. Many of these were prisoners who were tortured to death. Hundreds of thousands of prisoners were forced to work as slaves with little food and no medical treatment (Amnesty International, 1983).

For more than 30 years, President Suharto's political stability relied on the Indonesian armed forces. During that time, the armed forces were known as the *Angkatan Bersenjata Republik Indonesia* (ABRI), which also included the police force. The military implemented the policy of assigning high ranking military officers to sit in legislative and other administrative organizations, which were not a part of the armed forces. Under this policy, both current and retired military officers could occupy important strategic positions at both national and regional levels, from ministerial posts to village

headman, as well as key positions in state enterprises such as the petrol and gas company, Pertamina. It was reported that in 1999, four thousand military officers took positions outside the armed forces, and retired military officers took at least twice as many such positions. The military's political power was further enhanced through its influence in Golkar—a government-supported political party, by which the military members helped the party win a majority of votes during the Suharto era elections.

In the early period after the resignation of President Suharto, the Indonesian military, and the army in particular, bore the brunt of criticism for its role in propping up the oppressive Suharto regime. To reconceptualize the military's future role, in 1998 the military held a seminar in Bandung. Following the Bandung seminar, the Indonesian military, renamed the Indonesian National Defence Force (TNI), carried out initial measures of internal reforms, such as separation of police from the military's chain of command; liquidation of social-political compartments and civil secondment functions within the military structure; withdrawal of military representatives from national and regional legislatures; restrictions on active officers to disallow them to occupy positions in non-military bureaucracy; dissociation of formal ties with Golkar and the adoption of neutrality during national elections; and changing patterns of relations between TNI Headquarters and the retired military and police officers' organizations.

Further attempts at internal military reform were reflected in an official document titled "The Role of TNI in the 21st Century," published in 2001. The document reiterated not only TNI's pledge to disband its social-political role, but also asserted its commitment to national defense by developing a joint warfare doctrine, increasing its organizational effectiveness and transferring its responsibility for domestic security to the now separate Indonesian National Police (*Kepolisian Negara Republik Indonesia*, POLRI). In the period from 2000 to 2006, TNI Headquarters made several changes in some crucial areas, among which were: exclusion of socio-political courses and insertion of humanitarian law in the military curriculum; transferring the military tribunal from TNI Headquarters to the Supreme Court;

and making it a requirement for an active officer to retire from operational duty before being nominated to stand in elections. To strengthen professional military culture, TNI has made notable changes to its military doctrines, which were developed based on operational experiences and with the necessary adaptations learnt through engagements with foreign military institutions.

Furthermore, to institutionalize democratic civilian control and military professionalism, the Indonesian government enacted two key laws on national defense. Law of the Republic of Indonesia Number 3 Year 2002 on National Defence (State Gazette of the Republic of Indonesia, 2002) regulates (1) the core values, purpose and principles of national defense; (2) the role and authority of the Ministry of Defence in defense policymaking, as well as its institutional relationship with TNI Headquarters and other government institutions; (3) authorization on the use of force; (4) management of defense resources; (5) the budget for defense spending; and (6) parliamentary oversight. The second law is Law of the Republic of Indonesia Number 34 Year 2004 on the Indonesian National Armed Forces (State Gazette of the Republic of Indonesia, 2004).

The law demarcates the role and main duties of TNI as the core defense component to uphold state sovereignty, maintain territorial integrity, and protect national entities. Definitively, it outlaws TNI's involvement in political and economic activities and thus stipulates two important requirements. First, TNI's force structure is subject to geographical conditions and defense strategy with priorities on less-stable and conflict-prone areas, as well as border regions; and its force deployment is also limited by the provision to avoid a structure akin to civilian bureaucracy and prone to political interests. The second issue is the transfer of military businesses by 2009 to the government (Sebastian & Gindarsah, 2013).

The military reform process is still ongoing in Indonesia. However, the significant changes in Indonesia include reducing the roles of the armed forces and trying to increase their public acceptance. At the same time, the military refrained from interfering in other political activities. Even though the process of stronger democratization had to pass through many iterations, it cannot be denied that

the most significant contribution has come from the military reform. Therefore, it was not surprising to see Marcus Mietzner, an Indonesia specialist at the Australian National University, state that, "There is no doubt that Indonesia is now Southeast Asia's most democratic nation, and this is something no one would have predicted in 1998" (as cited in Cochrane, 2014, para. 11).

Despite the positive reforms that have taken place in Argentina, Chile, Brazil, Romania, and Indonesia as a result of democratization combined with military reform, it is evident that there are many countries which cannot accomplish democratization and reconciliation because their governments dare not touch the military, such as in Mexico (Quezada & Rangel, 2006), El Salvador (Collins, 2008), and many countries in Africa, but there are also many others which have accomplished these changes, such as Taiwan (Fravel, 2002), Poland (Latawski, 2005), and Japan and India (Barany, 2013).

In conclusion, we must learn from the countries which have successfully democratized. All of these countries refused to yield to the force of the military. In the case of Argentina, these factors contributed to the success: defeat in a war, the election of a radical president, and the mechanism of an amnesty combined with popular pressure for military reform. In Chile, judicial reform and the adoption of international human rights standards led to a Supreme Court willing to take on the military's self-granted amnesty. A stronger civilian government reduced military expenditure, professionalized the force by supporting younger military officers, and dialogues with the armed forces as part of a successful truth and reconciliation process. In Brazil, military reform was led by popular dissatisfaction with the nature of a military dictatorship, including corruption and human rights violations. This led to constitutional reform of the military institution, including a stipulation that it not act in internal affairs; cuts to the military budget; and a successful truth and reconciliation process, supported by the emergence of a stable civilian government with oversight of military expenditure. In Romania, the internal security apparatus was first reformed. This then led to the civilian government establishing oversight of the budget for the security sector, including audit;

enabled it to establish oversight of the military via a national defense council; and caused it to rationalize and professionalize the state security apparatus, removing vestiges of oppression. In Indonesia, reform was triggered by the resignation of the president. This led to the separation of the military from a social-political role, including the establishment of a professional police force; the submission of the military to the Supreme Court; the professionalization of the military; and the establishment of judicial and parliamentary civilian oversight of the military institution, including defining its values, role, authorization procedures, resourcing, and budgeting. To sum up, in a democratic regime, addressing institutional relationships requires responsibility and accountability and, so far as the military is concerned, bringing the military institution under civilian control is fundamental for consolidating democratization (Bruneau & Matei, 2008). In the next section, I consider how the Thai military should be reformed to support democratization in Thailand.

Thinking About Thai Military Reform

Disappointingly, Thai society has never seriously discussed military reform as a vital and urgent need to bring about reconciliation and democratization. Military reform in Thailand will be difficult, because of the military, as demonstrated above, is an autonomous unrestrained interest group. The army also has a close alliance with conservative elites and the middle classes, who do not generally want to include rural people in a democracy. Furthermore, considering the new constitution and the creation of the National Strategic Reform and Reconciliation Commission, a committee inherited by the current military government, Thai civil society is stymied at every step. The current military government has promised to eventually return Thailand to democratic, civilian rule, without reform of the military itself; but even under civilian rule, Thailand is destined to move forward along a path on which the Thai military institution continues to consolidate its power and influence to the detriment of the country's democratic institutions and to its rural people, especially.

Thus, two important questions under the current Thai political situation are: "What can Thai society do to reform the military? And what should the next government be aware of when it inherits this institution which has continually obstructed democratization?" The case studies examined above suggest a strong shock such as a military defeat may lead to popular dissatisfaction, but even the recent increase in bombings in the South by Thai Malay insurgents have not prompted widespread accusations of incompetence. The resignation of General Prayuth seems to be essential for democratization, but the General remains popular with the middle classes and faces no strong political challenge from a rival; he has even offered himself as the next prime minister. Human rights violations, while serious, have not prompted popular dissatisfaction. In addition, the military-granted self-amnesty process is particularly strong in Thailand. Nevertheless, some form of dialoguing with the military about its role and oversight mechanisms may lead to confidence building over time, which will in turn lead to better civilian oversight of military expenditure via auditing. Eventually, this may lead to submission of the Thai military to civilian judicial oversight, including separation of the military from the bureaucracy and from its perceived role as serving the monarchy, not the people; the abolition or easing of oppressive regulations and associated organization of repression, particularly concerning internal security; some form of truth and reconciliation process for the 2010 massacre; the professionalization of the military, including peace-building values; and the submission of Thailand to relevant international human rights law. I therefore propose that the actions which should be taken immediately are:

1. Creation of an understanding with the military about its role in a democratic government;
2. Taking steps to demythologize the current political situation. For example, a rejection of the characterization of the red shirts as a group seeking to overthrow the King, and a reframing of the soldiers' role, so that they do not position themselves as the King's exclusive soldiers rather than as the peoples' soldiers;

3. Demobilization of some troops and a reduction in conscription to lead to the downsizing of the military institution;
4. Clarification of the roles of the military institution to protection of the country from outside threats; humanitarian assistance when called upon in cases of floods, drought, or other natural disasters; and, perhaps, serve as a peacekeeping force in the three southern provinces and prevention of the drug trade in border areas;
5. Reduction of the military budget, including the budget for weapons; the establishment of an auditory and investigative authority by parliament and civil society, so that the budget and military expenditure are checked according to principles of transparency and efficiency; and the establishment of an Office of the Auditor for army spending;
6. Enactment of a specific law which allows severe punishment of military personnel who are involved in coups d'état;
7. Improvement of the Defence Ministry Administration Act 2008 so that the government can legitimately transfer army officers freely, and change the positions of army commanders. A vetting system should be used so that the government has the power to choose people for high ranking positions who do not endorse violence or have aggressive attitudes;
8. Abolition of laws and the roles of organizations which violate human rights and do not fit the current situation, such as the Internal Security Act 2008, martial law, emergency decrees, and a military court which can try civilians (which is a one-tiered organization from which no appeal is possible and which is seen as having a major role in suppression of people after the 2014 coup d'état). Also, the National Intelligence Agency, the National Security Council, and the Internal Security Operations Command should be dissolved;
9. Introduction of regulations which keep the Thai military personnel from sitting on the board of directors of a commercial or state enterprise or interfering in the economic affairs of the nation, especially in television, radio, and state enterprises;
10. Drafting of legislation to give the public the right to access information about military operations, weapons, and information used in the suppression of protesters from 2009 to 2010, as well as to reveal information on the Centre for the Resolution of the Emergency Situation (CRES) which had the power to order suppression of information about the 2010 massacre;
11. Inclusion of education on peaceful means in the Thai military curriculum; and
12. Ratification of the International Criminal Court.

It should be stressed that these proposals need to be seriously discussed by members of a newly elected government. Furthermore, it should be reaffirmed that military reform is needed to prevent the recurrence of serious human rights abuses with impunity, and to prevent another military coup. In addition, military reform must also be undertaken to build trust between all citizens and the army (International Center for Transitional Justice, 2014). In fact, if the social paradigm is changed and replaced by coexistence in peaceful ways with creativity rather than security, we can see new interesting aspects like countries without armies or countries recognizing conscientious objection to military service (Paige, 2009). Massive amounts of money currently being used to purchase weapons can instead be used to develop the economy and society. This type of reform could be especially important in Thai society, which has a huge gap between the rich and the poor with more than half of the population making less than US\$400 per year (Thailand Future Foundation, 2014).

Perkins (2013) stated that in addition to talking about military reform directly, the country should be ruled by the strict principles of the rule of law, which can decrease the influence of the military institution. Rule of law must be composed of eight pillars: an established court system, formal equality under the law, fact-finding through rational inquiry, procedural protections for criminal defendants, a legal profession that is not closely intertwined with political elites, an

independent judiciary, all state actions subject to legal scrutiny, and low corruption.

The military reform proposals described above, combined with a robust public discussion about the continued role of the military institution under true democratic rule will strongly promote the Thai military to become a fettered and restrained organization. Military reform also creates true professionalism and prevents the military from becoming a state within a state, which leads to the strengthening of control by a civil government. If this can be achieved, not only a strong democracy but also a sustainable reconciliation between Thailand's political and social factions may be able to flourish in Thailand.

Conclusion

This conclusion summarizes the key arguments with reference to the objective of the article, discusses the implications of continued military dominance in Thai society, and discusses the prospect of achieving democratic change and military reform in Thai society. Any understanding of modern Thai politics must include consideration of the role of the Thai military institution in Thai society. As described in detail above, the Thai military plays a large role in contemporary Thai politics, and not just because of its current role as the ruling organization. The Thai military today is untouchable, unfettered, and unrestrained. The military elite consider that they have the right to govern the country because of: (1) the role which they claim is history as the protector of the royal institution; (2) the corruption and their perceived illegality of civilian governments; (3) their belief that their military background is all that is necessary to govern the country; (4) their contempt for the lower classes and especially rural people; and (5) their connections in society and the commercial world. These characteristics make the military an autonomous organization and an interest group which does not subordinate itself to a civilian government. Certainly, it is not at present compatible with the democratic process.

The problems that stem from these points are that: (1) any country's modern armed forces cannot be seen as beholden to a small group of elite people and must

serve a country and its people as a whole; (2) there is much corruption among military officers and many people regard the act of forming a government through a coup d'état as completely illegal; (3) there is little evidence that the current junta and the prime minister are capable of running an efficient government, especially when considering the economy, finance, and social and political reform; (4) as long as such a mindset persists, there will be little love lost between these sections of society; and (5) these connections can only breed resentment and jealousy which might be assuaged if senior officers were limited to doing only their professional jobs within the military.

Today, Thailand has become a full-scale military state. The consequence is little civilian oversight, a state of violence and intimidation, and almost no human rights (Human Rights Watch, 2017). The only way to prevent Thailand from becoming a state in which even greater violence is perpetuated by the military against the most vulnerable of citizens is for the next civilian government to systematically and forcefully undertake large-scale military reform through rule of law and reconciliation. This will not be easy since it is difficult to envisage senior military personnel foregoing their privileged positions, which bring them considerable wealth, but a start must be made somewhere. The longer the present government or its personnel continue playing a role, the more likely it is that people will turn against the military, though that is not guaranteed given the particularly strong support from the middle classes despite the military's failure to prevent escalating Thai Malay insurgent attacks. If, however, it happens, one or more of the senior figures may have to fall on his sword and accept blame in truth and reconciliation proceedings for previous violence. This might be acceptable to those admitting responsibility, if they are given tacit understanding that they will be forgiven or receive amnesty. Another possibility is a group of younger, more enlightened officers taking action to force out the old order. This is a situation which, hopefully, will not happen because it would likely involve bloodshed and might not have a happy outcome for those involved. Ultimately, if the military government survives through to elections, which at the moment appears likely, the first task of the next civilian government, which will

probably have a moderate rather than progressive or radical agenda and which will still be under close supervision by the national security apparatus, will be to dialogue with the military in the way outlined in this article.

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