Civil-Military Relations in Thailand since the 2014 Coup

The Tragedy of Security Sector "Deform"

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Summary

Thailand in 2016 is under military authoritarian rule. How and why did this come to be? How has the military sustained itself in power and what is the future of Thailand's military? To answer these questions, this report looks at the history and evolution of civil-military relations in Thailand as well as its attempts at achieving a variant of security sector reform (SSR) which values civilian control and democracy. SSR of course concentrates upon all security services, including police, paramilitaries as well as legislative, executive and judicial actors. In addition, while there should be non-state actors involved, including civil society and non-state bodies to regulate conflicts, there are very few if any of these in Thailand. Perhaps the clearest example is Deep South Watch which focuses on the conflict between the state and insurgents in Thailand's far South. In fact, in Thailand the sheer duration of time (over 100 years) that the armed forces have either dominated or partnered with the monarchy in lording over politics and society accounts for why this report focuses upon the military alone. It also accounts for why Thai efforts at achieving genuine SSR have failed to sustain themselves.

In January 2016 Thailand finds itself as the only military junta (coming to power via putsch) existing in the world today even though the ideology of democracy is so globally prevalent. It is indeed partly because of the popularity of the democracy discourse that the current Thai military regime, as with all recent ones since 1971, has found it necessary to speak about returning power to elected individuals. Despite bucking global trends, Thailand's military regime appears bent on maintaining itself in power for the long term. Though it may return power to elected civilians, this is unlikely to happen until both the monarchical succession has taken place and a new constitution which enshrines greater military clout has been enacted. SSR efforts in Thailand today do exist but there is nothing about them which upholds rule of law under elected civilian rule or the civilian monitoring of military institutions. Instead, Thai security managers have adopted the global discourse of SSR and translated it into their local setting for their own, self-serving purposes. Contemporary Thai SSR supports increasing the size, firepower and efficiency of an army-dominated network of armed forces, police and paramilitaries which is directed by junta leaders and senior army officials alone. In this sense Thai SSR is a local deform of universalist SSR goals.

Security sector reform efforts by international actors in Thailand have been superficial, slow, interrupted and disunited. US attempts at SSR during the Cold War were weak given Washington's greater attention to preventing the spread of "communism." Since the end of the Cold War, the US became more interested in promoting deeper SSR. However, following the 2006 and 2014 military coups, the United States cut military assistance to Thailand and (particularly in the latter case) publicly criticized the country's descent into military dictatorship. Only a return to democracy would re-establish US military aid. Since 2006, the Thai military has moved closer towards countries which will provide military assistance without conditionality. Especially since 2014, China has increasingly become Thailand's new military patron. Though China does offer SSR programs, its variant of SSR does not require civilian control or democracy, despite

semantically subscribing to similar "Western" wording in terms of OECD and UN norms of SSR. Rather, China emphasizes only the capacity and effectiveness of security forces. Such a type of SSR is preferred by the current Thai military junta.

Ultimately, SSR in Thailand today has been lost in transition. One wonders of course when any form of SSR (prioritizing the institutionalized control by elected civilians over security forces) was ever on track. In the late 1990s, though Prime Minister Chuan Leekpai and Army Commander Gen. Surayud Chulanond spearheaded serious SSR efforts, the palace and Privy Council – the parallel state of Thailand's tutelary democracy – could always sidetrack the policy. In addition, when Thaksin was Prime Minister, his variant of civilian control (and hence the SSR which he supported) was one in which personalized control of security forces held sway. Such a discovery offers small consolation to those looking at precedents for achieving SSR in Thailand's future. Down the road the Thai military looks set to remain embedded in power either through a continuation of the junta or by constitutionally enhancing its influence across Thailand's political system. True SSR leading to institutionalized civilian control will only come to Thailand when the current junta's image becomes increasingly tarnished, when traditional elite institutions reject supporting military rule, and when Thai people from all functional backgrounds (including elites and even security officials) unite to prioritize SSR and deny military coup plotters the chance to ever usurp power again.

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1. Introduction

This report looks at how Western "universalist" notions of security sector reform (SSR) have been vernacularized by security forces in the case of Thailand. To this end it scrutinizes the current state of civil-military relations in Thailand and the prospects for achieving deeper SSR reforms. In 2014, Thailand's military overthrew the elected government of Yingluck Shinawatra, terminating democracy, civilian control and any previous efforts at extensive SSR. The event represented the 13th successful overt military putsch in Thailand since 1932. Since the 2014 coup, the shadow of autocratic military rule has loomed across the country, a situation to which most Thais have at least superficially acquiesced. Nevertheless, through mollifying "carrots" and iron-heeled "sticks," the military junta has attempted to maintain its hold on power. In 2016, efforts toward security sector reform remain stillborn as the junta has prioritized regime security, longevity and extension of military power over the long run, which will guarantee for the armed forces an enhanced position within Thailand's social order. Only those SSR efforts associated with improved military efficiency remain on track. This report examines civil-military relations in contemporary Thailand and Thai efforts at security sector reform before and after the 2014 coup. Civil-military relations, as one dimension of SSR, is of particular relevance to Thailand today. Post-2014 Thailand represents an extremely interesting case of security sector reform under an SSR perspective precisely because SSR – as external (meaning normally Western) actors see it – is non-existent there. However, the military junta which rules Thailand feels the need to react to the universalist norm of SSR, emasculating military dictatorship behind its own interpretation of SSR. Interestingly enough, only in the country's Deep South, where Thailand is conducting counterinsurgency[1], has the military attempted a more civilian-centric and inclusive form of civil-military relations. Against this background, the report asks the following questions: How have security sector reform efforts evolved in Thailand, especially since the putsch? What are the reasons why security sector reform initiatives are progressing the way they are? How does the Thai military translate Western "universalist" notions of SSR? How are international actors involving themselves in Thailand's SSR? What is the future of civil-military relations and SSR in Thailand?

Academics have long debated about exactly how civil-military relations should be defined (Desch 1999: 3–5). Many visualize it in terms of the distribution of decision-making power (Agüero 2001; Alagappa 2001; Trinkunas 2000; Croissant et al. 2013). In line with such scholars, this study defines civil-military relations as those interactions between military and civilian actors[2] that in some way relate to the power to make political decisions (Welche 1976: 2). This definition, and indeed a focus on the military, is

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1   INTERPOL, Royal Thai Police, http://bit.ly/1K6p6Yc (25.1.2016).

2   Civilians refer to non-military individuals of the executive, legislative and judicial branches of government. While retired military are technically civilians, they are often closely-connected with active-duty soldiers.

more precise than is an analysis of the often overly-broad concept of security sector governance (Bruneau/Matei 2008: 914).

This report views civil-military relations as a continuum in decision-making power, with civilian control and military control on opposing sides of the spectrum. This distribution of decision-making power involves formal, legal authority and informal adherence to the law with or without civilian acquiescence (Croissant et al. 2013: 25–27). SSR, on the other hand, is a policy-oriented approach which in Western models, generally seeks to advance the streamlining, demobilization and downsizing of security forces; improving their efficiency; enhancing professionalism; strengthening elected civilian control; increasing transparency; reducing corruption; improving the justice sector; monitoring non-state security providers; diminishing human rights abuses; and enacting legislation toward these objectives among other goals. In many ways, SSR is thus a part of the human security agenda (OECD 2007: 11). Beyond such an instrumental under-standing of SSR, however, it can also be seen as a norm or concept which is communi-cated and "translated" into a country, whereupon domestic actors contest with donors and/or among themselves about how it is to be understood and/or implemented.

The main objective of the donors (or Western external actors) is to provide security assistance in support of their perception of SSR – mostly informed along the lines of the codified OECD definition – to local actors. Meanwhile the principal goal of the local actors is to obtain the donor funding for security resources. This means the risk that the latter often pay lip service to the objectives of the external actors. The result is a form of transformative bargain in which external and local actors – using official language in support of SSR along the lines of universalist values – carry out negotiations to provide security assistance and SSR – to be transferred to the local actor. Some local actors accept the SSR in line with how donors intended it to be conceptualized; other local recipients accept only portions of it; and others decide to refuse it altogether. The process offers opportunities for local actors to enact the SSR. Indeed, SSR is often either adopted as initially planned, partially adopted, re-interpreted or simply rejected – in other words: transformed (see Mannitz 2014).

The quoted concepts of "translation" and of "vernacularization," both emphasize a non-linear infusion of values as well as the importance of agency in terms of what determines why different people appropriate values in different ways. The concepts derive from the Actor-Network Theory (ANT) as developed by Latour (2005). Under ANT, a constructivist approach, "traveling models" – ideas, norms, practices – (e.g. global human rights narratives) become translated across different social, cultural arenas where they then become reconceptualized and locally adapted (Merry 2006: 38). Levitt defines "vernacularization" as *"the process of appropriation and local adoption of globally generated ideas and strategies* (Levitt/Merry 2009: 441)." According to Latour, when "localizing the global," the translation of ideas does involve some level of "deformation" (Latour 2005: 173). This owes to the fact that actor-network mediations involve a multiplicity of translations. The "deformation" alluded to by Latour can lead to accidental or intentional re-interpretations of the original concept. SSR is a prime example of such a global narrative which has become communicated and translated into local settings.

Looking at one particular country case, Thailand represents at first glance simply one of many countries to which the concept of SSR has been translated. However, the Thai military has given the notion new meanings, deforming the original meaning of SSR. In 2016 it is difficult to speak of Thailand as following the directives of orthodox SSR given that the military continues to directly rule Thailand with an iron hand. Nevertheless – and this makes the case most interesting – even after the putsch, the Thai military claims to be engaged with SSR. This curiosity illustrates the very high impact of this global norm.

This report addresses seven issues or dimensions. First, it looks at the actors within Thailand's security sector today. Second, it briefly examines the evolution of civil-military relations up until the May 2014 putsch. Third, the report carefully reviews what the military has since done to maintain itself in power. Fourth, turning to security sector reform, the report scrutinizes Thai efforts and translations of SSR prior to the 2014 coup. Fifth, it looks at the dismal state of SSR since the putsch. Sixth, it surveys the extent to which international actors are today working with Thai security forces, as well as the extent to which this involves pushing SSR. Finally, in the conclusion, the report looks at prospects for civil-military relations and SSR in Thailand down the road.

The report argues that Thailand today is a country particularly susceptible to military coups and military rule because of the historically entrenched role of the armed forces in Thai society and the large number of coups across Thai history and support for military rule from the monarchy. Such factors have helped to produce a powerful military and police, impeding attempts at lasting and decisive security sector reform. In fact Thai security forces understand SSR as they like. Claims by the military that it has implemented and continues to implement SSR are valid because the armed forces have made use of SSR as a "traveling model." Yet they have deformed the concepts original intent to such an extent that it has been politically re-conceptualized to rationalize the expansion of military power. Turning around this "deform" of the security sector and guaranteeing demilitarization – returning security forces to the barracks – will be a tall order for Thailand. This owes to the fact that the military possesses several rationales for remaining in the political spotlight. First, it can claim a need for political primacy given that it stands at the forefront of combating a Malay-Muslim insurgency in Thailand's Deep South – a rebellion which has grown since 2004 and today continues unabated (see below). Second, boundary disputes have continued to build frictions between Thailand and Cambodia. Third, Thailand remains almost violently divided over the issue of former Prime Minister Thaksin Shinawatra. Fourth, a monarchical succession will soon occur. Finally, military leaders, believing themselves to be able administrators of Thailand (and having tasted power), may be reluctant to step down. Security sector reform can only begin in Thailand when these rationales for the armed forces' perpetuation of power vanish. International actors can play an enormous role in Thai SSR by pushing the country towards returning to civilian control and democracy. On the other hand, where foreign governments or donors have offered zero conditionality in exchange for SSR, such behavior has encouraged Thailand's military junta to refrain from any SSR.

Regarding methodology, this report uses secondary literature, official documents and expert interviews. Some of these are in Thai and others in English. The report is mostly

based upon the secondary sources. The dearth of fieldwork data owes to security considerations given that the Thai junta is not currently amenable to researchers conducting in-country interviews about the Thai people's perceptions of military rule.

In sum, Thailand represents a case of near total military victory in its traditional tug-of-war with civilians over control of decision-making power. Almost all international security sector reform efforts have been turned on their head. With international actors increasingly turning a blind eye to the country's military dictatorship, the Thai junta moves toward SSR and democratic civilian control (as perceived by Western donors) are nowhere in sight. Instead, Thailand's military rulers are championing a version of SSR which is devoid of any elected civilian oversight whatsoever and does not in even a limited fashion correspond to "Western" (i.e. UN, OECD etc.) SSR definitions, but does pay credit to the spreading of these global norms as such.

2. Thailand's Security Sector

Thai support for SSR has traditionally been very weakly organized and temporary. There are no Thai civil society groups who regularly monitor security forces. When there have been protests in the past against military rule, such demonstration groups have never lasted beyond the fall of the military regime. SSR in Thailand is generally understood by Thai security officials as referring to military obedience to monarchy more than any loyalty to an elected government. It is also understood as enhancing military efficiency and rooting out corruption. Such military notions of SSR have never corresponded with any understanding of elected civilian control that forbids military coups in order to end political crises.

2.1 Actors

There is a broad spectrum of actors within the Thai security sector. Such actors are both state and non-state and play a role in providing security and justice for the country. Although security forces alone might be perceived as having the integral role in terms of justice and security provision, effective reform across the system requires working harmoniously with a larger number of "institutions, groups, organizations and individuals." (OECD 2007: 22)

These include first the "core security actors and non-statutory security forces: armed forces; police service; gendarmeries; paramilitary forces; presidential guards; intelligence and security services (both military and civilian); coast guards; border guards; customs authorities; and reserve or local security units (civil defense forces, national guards, militias) (OECD 2007: 22)." Second, there are "management and oversight bodies: the executive, national security advisory bodies, legislative and legislative select committees; ministries of defence, internal affairs, foreign affairs; customary and traditional authorities (OECD 2007: 22)." Third, there are "financial management bodies (finance ministries, budget officers, financial audit and planning units)." Fourth, there is the "judiciary: judiciary and justice ministries; prisons; criminal investigation and prosecution services;

human rights commissions and ombudsmen; and customary and traditional justice systems (OECD 2007: 22)." Fifth there are "civil society organizations (civilian review boards and public complaints commissions) (OECD 2007: 22)."

In Thailand, the security sector is divided into six principal parts. Some are state-based, and some not.

The country's core security actors are the Royal Thai Armed Forces (RTArF) (including the RTArF staff itself, which stands as a formal umbrella over the Royal Thai Army, the Royal Thai Navy, and the Royal Thai Air Force), the Royal Thai Police, and three principal paramilitaries: the Rangers, the Border Patrol Police and Volunteers. The oldest service, the Royal Thai Army, originally formed in 1870, receives the far majority of the defense budget. With over 190,000 personnel, the army has traditionally been the strongest element of the security sector, and the army commander has been the most powerful core security actor (Waitoolkiat/Chambers 2013: 19–23). The Royal Thai Air Force (RTAF) was part of the army until 1937 and is the smallest service in terms of manpower. The Royal Thai Navy, founded in 1900, is also much smaller than the Army and has sometimes clashed with the Army. Standing over the Army, Air Force and Navy is the mostly-ornamental Royal Thai Armed Forces. The Supreme Commander works primarily to coordinate the three services together. Article 72 of the 2007 constitution states that the state is required to provide military forces with largesse in order to protect its independence, stability, the monarchy, national interests, democracy with constitutional monarchy and to develop the country. The Royal Thai Police competes in size with the army (it has 230,000 personnel[3] but possesses a smaller budget and also has less security hardware such as weapons, vehicles and computers. Apart from these formal force structures, paramilitaries (Rangers, Border Patrol Police, Volunteers, Marine Corps, etc.) stand as a more informal forward guard for the Thai state. All in all, Thailand boasts 306,000 active-duty military personnel and 245,000 reserve personnel, equaling 551,000 armed forces officials.[4] This figure represents 0.8 percent of the country's population of over 67 million people. The ratio is higher than that in the United States. In Southeast Asia, it is higher than Indonesia but less than in Vietnam. Though Thailand's security forces are some of the strongest in mainland Southeast Asia, each has been tarnished with varying degrees of human rights abuses, lack of transparency and accountability, corruption, insulation from elected civilian control, and inefficiency have bedeviled each of the security services.[5]

A second part of the security sector are executive management actors. This area represents those bodies, headed by the Prime Minister, which officially command and directly oversee the core security actors and also decide upon the policy which core security actors follow. It is only under the purview of this grouping that any lasting

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3   INTERPOL, Royal Thai Police, http://bit.ly/1K6p6Yc (25.1.2016).

4   Globalfirepower, Thailand Military Strength, http://bit.ly/1lK1oFH (25.1.2016).

5   See Thailand in the Government Defence Anti-Corruption Index 2015: http://bit.ly/1Um0Wt0 (25.1.2016).

reforms can hope to be formulated and implemented. Thailand's executive actors include the Prime Minister's Office, which heads up the Internal Security Operations Command (ISOC), the National Security Council (NSC), and the National Intelligence Agency. Since 1998, and even more so, since 2004, the Prime Minister has also stood directly above the Royal Thai Police (Ratanapinsiri 2013: 510, 512). Though ISOC has been officially under the control of the Prime Minister since 1983, the Army Chief served as its director and remained in de facto control of it (Bunbongkarn 1990: 51). In fact, though the Prime Minister served as Director, the army commander "was empowered fully to act on behalf of the Director-General" (Samudavanija et al. 1990: 112). Prior to the 2006 military coup, elected Prime Minister Thaksin Shinawatra was planning to restructure ISOC, centralizing control over it in the Office of the Prime Minister – himself. Meanwhile, the Defense Ministry is an especially crucial SSR player. It acts as the nexus between the royal Thai armed forces and the Prime Minister, and is charged with preserving national security, territorial integrity and national defense.[6] When retired senior military officers serve as Defense Ministers, the ministry tends to become much more effective. The Ministry of Interior is also important in Thailand's SSR. Its responsibilities include administering provinces; internal security, as well as disaster and land management.[7] Until 1998 it directly oversaw the Royal Thai Police. Perhaps as a result, retired police have tended to lead the ministry. Since 1998, the Royal Thai Police have been administratively under the Office of the Prime Minister. The Ministry of Justice is another ministry tasked with executive management relating to SSR. It works closely with the Royal Thai Police especially through its Office of the Narcotics Control Board but also with enforcing of the *lèse-majesté* (insults against monarchy) Criminal Code, Section 112 law and overseeing Thai prisons.[8] The National Security Council has represented yet another arena of SSR executive management. The Council advises the Prime Minister when the country faces specific national security challenges that necessitate coordinated cabinet action or present a serious threat to the country's sovereignty. This body consists of the Prime Minister as chairman; the Deputy Prime Ministers; the NSC Secretary General; the Ministers of Defense, Foreign Affairs, Interior, Communications, and Finance; and the Supreme Commander of the Armed Forces. In the pre-2014 era, given that only two NSC member were active duty soldiers (the NSC Secretary General and the Supreme Commander – now called the Chief of Defense Forces), the Prime Minister was able to dominate "the workings of the council."[9] Still another SSR executive entity is the Southern Border Provinces Administrative Center (SBPAC). Originally established in 1981, it coordinates among the army, police and different Thai ministries in presenting a unified executive policy aimed at pacifying the people of Thailand's Deep South borderlands provinces of Narathiwat, Yala and Pattani. The region has been embroiled in a Malay-Muslim

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6   Ministry of Defense (Thailand), www.mod.go.th/Home.aspx.

7   Ministry of Interior of Thailand, http://bit.ly/1nl89i8.

8   Ministry of Justice (Thailand), www.moj.go.th/.

9   Ministry of Defense (Thailand), www.mod.go.th/Home.aspx.

insurgency against the Thai state for over 100 years, though the conflict has become more violent since 2004.

A third part of Thailand's SSR is legislative actors. These are the upper and lower house parliamentary committees which, under Thailand's democratic regimes, have been tasked with monitoring Thailand's military and police as well as security policy. Nevertheless, oversight of security forces by parliament and its committees has tended to be deficient because elected civilians generally lack military expertise to make decisions on such issues adequately. Also, where committee chairs or their members are ex-security officials, they may still be biased in favor of military interests. On such occasions, the military standing committee seldom offers any resistance to the agenda of security forces before parliament (Waitoolkiat/Chambers 2013: 68–69).

A fourth part of SSR in Thailand is financial actors. The Finance Ministry, under the direction of the Prime Minister, can implement policies increasing or decreasing funding for security forces. As such, the power of the purse represents an important role with regard to the security sector. The Bureau of the Budget sets the actual budget as well as making budgetary recommendations, sometimes not to the benefit of soldiers. The National Economic and Social Development Board is similar in that it can set priorities in multi-year plans which can affect security forces. Finally, the State Audit Commission has the power to audit the accounts of individual public employees (including military and police officials).[10] Nevertheless, the armed forces possess separate funding sources (e.g. slush funds, military enterprises) which cannot be directly controlled by financial actors.[11]

Turning to Judicial and Oversight Actors (the fifth part), there are upwards of 12 institutions which are legally responsible for ruling upon cases in the area of Thailand's security sector and security forces. Though five types of courts can technically monitor security forces, no court has ever ruled against the military as an institution in Thailand. In fact, only military courts have ever heard cases (leading to a few convictions) against soldiers. Yet military courts generally lack transparency. Nevertheless, in 2013, the Criminal Court did hear cases which could have implicated soldiers. The Department of Special Investigations (DSI) and Human Rights Commission (HRC) have sent cases against military officials to the Criminal Court. The DSI, a prosecutorial office which is part of the Justice Ministry, investigates complex criminal cases and cases which could implicate high-level security officials. The HRC, under the Office of the Prime Minister, scrutinizes complaints about human rights violations. It can only file complaints to the Administrative Court or make recommendations to the Constitutional Court and Parliament. However, no findings from either the DSI or HRC have ever landed soldiers in prison.[12]

A final set of actors is Civil Society Organizations. Such organizations are well-positioned within Thai society to play an important role in warning about or criticizing

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10 State Audit Commission/Office of the Auditor General, www.oag.go.th/home (25.1.2016).

11 See Thailand in the Government Defence Anti-Corruption Index 2015: http://bit.ly/1Um0Wt0 (25.1.2016).

12 See Thailand in the Government Defence Anti-Corruption Index 2015: http://bit.ly/1Um0Wt0 (25.1.2016).

any overly prevalent military influence. Prominent among them are progressive political parties, whose leaders in the past have publicly prioritized keeping military adventurism at bay. Indeed, in 1992, the leader of Palang Dharma party promised that if elected Prime Minister, he would remove military officers from the boards of state enterprises and force the military out of politics (Taw 1994: 15). Since the 1990s, as Thailand appeared to be coming under the umbrella of civilian control, political parties have no longer made demands for weakening the powers of the military.

Especially since the 2014 coup, civil society groups, which include most prominently the Lawyers Council of Thailand, the Thai Journalists Association, research think-tanks such as the Thailand Development Research Institute (TDRI) and NGOs such as the privately-funded Deep South women's grassroots NGO "One Voice," though more willing to criticize the military in the past and suggest security sector reforms, have since the 2014 coup generally distanced themselves from criticizing the military. One reason for this is because most Bangkok-centered middle and upper class Thais disliked the pre-coup Yingluck Shinawatra government and cheered its demise, even though a military junta replaced it. But another reason is fear. Groups which (since the coup) dare to dissent against military rule (thus seeking to reform the country's security sector by placing the military back under civilian control) have faced harsh consequences. Members of such ad hoc, mostly student-organized groups as the "Young People for Social Democracy Movement" and the "Dao Din Group" have been harassed, battered, arrested and detained when they have gathered to demonstrate.[13] The more established Union for Civil Liberty (UCL), founded in 1973 amidst the fall of a previous military regime, has, unlike these aforementioned groups, limited itself to published protests, in conjunction with the International Federation of Human Rights (FIDH), of which it is a member. The UCL's objectives are promoting "democratization by studying and dissemi-nating principles of civil rights, promoting civil liberties, cooperating with other like organizations and raising consciousness, especially at the village level."[14] The FIDH, along with groups such as Amnesty International and Human Rights Watch, and the United Nations Office of the High Commissioner for Human Rights (UNHCHR) in Bangkok have offered criticisms of Thai military arrests and treatment of prisoners, while urging the Thai junta to return to democracy.

Though civil society voices speaking in favor of security sector reform have generally been cowed into silence since the 2014 coup, a few academics and activists have spoken out. Some of their suggestions appeared before the latest coup, however. These were published by an anonymous author in a blog in late 2015. Together, they represent the collective prescription of the civil society narrative for SSR in Thailand today:

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13 Prachathai, About 50 Protestors Arbitrarily Detained on Coup Anniversary, May 25, 2015, http://prachatai.org/english/node/5094 (25.1.2016).

14 Union for Civil Liberty, http://fla.st/1lKdSgw (26.1.2016).

Ten Proposed Security Sector Reforms by Academics and Activists[15]

1. Restoring civil rule in a democratic system
2. Decreasing the number of undeployed troops, shifting the size of the military to a country not currently at war
3. Abolishing of the mandatory conscription in favor of voluntary service
4. Decreasing the military budget in favor of funding "national stability," such as welfare
5. Relocating the military camps from Bangkok and the surrounding metropolitan area to the borders
6. Opening up the military's golf courses and horse racing tracks for public use
7. Reforming the process of buying munitions, so purchase choices are backed up by military strategy
8. Decreasing the amount of tasks assigned to military that overlap with other officials
9. Refraining from politics
10. Dissolving the Supreme Command Headquarters

Perhaps the most prominent individual currently advocating security sector reform proper in Thailand, despite potential threats to her from the military is Pakawadee Veerapaspong, a democracy activist and independent writer. She gained fame on October 31, 2015 by standing in front of Army headquarters and saying that unless the military returned to the barracks, any political reform in Thailand was doomed to failure. She was later interviewed by the online newspaper *Prachathai*. In the interview she stated, Thai military needs to be reformed, because:

"[…] coups d'etat in Thailand occur repeatedly […]. […] the fact that our country still suffers from coups in this era, even as many underdeveloped countries are moving towards democratization, suggests that there is something wrong in Thailand. Myanmar is holding a general election, while the Thai people have no prospect of returning to democracy in the near future. There must be something wrong. I insist that one of the big obstacles to democratization in Thailand is the military. Their mind-set, their influence, their interests and their involvement in Thai politics are pushing Thailand backwards. If the Thai people do not seriously consider and pursue military reform, democracy in Thailand will be in peril or at the worst abolished altogether. […] […]

In my opinion, Thai people, regardless of their ideology or class, have yet to realize how important military reform is for the democratization of Thailand. When there is unrest or instability in the country, people still look to the military as the last resort before beginning all over again. When looking back, Thai people seldom came out to protest immediately after a coup […] […]. [The] Thai military enjoy[s] a status above formal monitoring and financial audits, but [is] also in a high degree exempt from criticism from the press." (Pakawadee Veerapaspong, interviewed by Kongpob Areerat)[16]

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15 Prachathai, 10 ways to revolutionize the Thai Military: exposing the junta's blind spot, November 13, 2015, www.prachatai.com/english/node/5611 (25.1.2016).

16 See Areerat (2015) for the full interview.

Meanwhile, civil society loyalists of ousted Prime Ministers Thaksin and Yingluck Shinawatra, particularly the United Front for Democracy against Dictatorship (UDD) "Red Shirts" have been largely silent since the 2014 coup. Facing arrest if they demonstrate, but also instructed by Thaksin to "play dead," they have very rarely demonstrated against the military regime (Webb 2015).

Few international NGOs have engaged in SSR efforts in Thailand. However, Friedrich-Ebert-Stiftung (FES) and the Geneva based Center for Democratic Control of the Armed Forces (DCAF) have been deeply involved in a program to promote SSR in Southeast Asia. Since 2006, they have spearheaded the annual Inter-Parliamentary Forum on Security Sector Governance in Southeast Asia (IPF-SSG), which aims to promote dialogue among security officials and members of civil society in Southeast Asian countries (including Thailand) with the goal of promoting SSR while excluding security forces from politics. The workshops were held in Thailand in 2008 and 2013.[17] However, though the objectives of these workshops are noble, their effect on the Thai military appears to be limited to convincing the armed forces to stay in the barracks rather than offering any substantial criticism.

Turning to Thailand's Deep South, the military in 2016 appears to be working with civil society groups in support of a negotiated peace to end a Malay-Muslim insurgency which has raged across the southernmost provinces of Narathiwat, Pattani and Yala, as well as parts of Songkhla since 2004.[18] The current military junta only began showing signs of support for peace in the far southern region in early 2015. However, amidst peace talks between the junta and Malay-Muslim insurgent leaders, Thai military officials have also worked with Deep South civil society groups. These include Deep South Watch. Deep South Watch, created in 2006, is a research think tank organization based at Prince of Songkhla University (Pattani Campus) in Pattani Province. It aims to mobilize parties towards peace in the Deep South provinces of Thailand. As such, the organization attempts to present all stakeholders' standpoints in the conflict to "lessen the justification for use of violence from all parties to the conflict and create opportunities for negotiation without arms and coercion."[19] Representatives of Thailand's military often attend Deep South Watch events, which has helped security forces develop a more conciliatory mindset toward those advocating forms of autonomy from the Thai state. Given that upwards of 80% of Deep South inhabitants are Muslim, there have been several NGOs which represent specifically Muslim rights. One of these, Sheikhul Islam, is a known representative of Thai Malay-Muslim interests (Nasueroh 2015).

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17 See for more information the website of Inter-Parliamentary Forum on Security Sector Governance in Southeast Asia: www.ipf-ssg-sea.net (25.1.2016).

18 This region, as well as parts of northern Malaysia, once formed the Sultanate of Patani, a Muslim caliphate composed of people of Malay ethnicity. Siam's (Thailand's) forced incorporation of northern Patani in 1902 stirred the initial frictions between Buddhist Thai bureaucrats and their local Malay-Muslim subjects. Though insurrectionary groups began to increasingly resist Thai control in1959, a full-fledged rebellion took shape in 2004.

19 Deep South Watch, www.deepsouthwatch.org/about (25.1.2016).

As for international NGOs working in the Deep South, the most prominent is the Berghof Foundation (BF). Established in Germany in 1971, BF supports efforts to bring conflict stakeholders and actors together to achieve sustainable peace through peace-building and conflict transformation. Working closely with local civil society organizations, BF has initiated strategies designed to contribute toward peace in the region. These include first, the Platform of Insider Peacebuilders (IPP), which brings together Thai-Buddhists, Thai-Chinese, Malay-Muslims and people with different political convictions interested in working toward peaceful settlement of the Deep South acrimony. Second, there is the "People's College," which offers education about conflict management, resolution and social transformation toward peace.[20] Deep South Watch and Berghof Foundation have collaborated, working hard to find a peaceful resolution to ending the Malay-Muslim insurgency which has been rocking Thailand's Deep South specifically since 2004. It is perhaps through their efforts that military-ruled Thailand has a small ray of hope for security sector reform – though it is only in the country's far South. However, since possible progress in negotiations between Thailand's junta and southern insurgents only began in earnest in mid-2015, it is currently too early to predict how successful these will turn out. Yet it is significant that Deep South NGOs are actively supporting the talks and are being allowed to suggest SSR changes in the Deep South. Ultimately, with the exception of Deep South NGOs, Thai civil society organizations remain too weak (cowed by the military and/or too disunited) to be effective in suggesting or pressing for SSR reforms in Thailand. The following table summarizes the actors of the security sector:

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20 For information about the BF program in Southeast Asia, see: http://bit.ly/1Sesxx6 (25.1.2016).

Table 1: Actors of Thailand's Security Sector

Hierarchized first by Roman numeral, second by letter and third by number, (e.g. the Marine Corps is under the umbrella of the Royal Thai Navy which is under the Royal Thai Armed Forces)

I. Core Security Actors and Non-Statutory Security Forces	
I. Royal Thai Armed Forces	II. Royal Thai Police
A. Royal Thai Army	A. Border Patrol Police
1. Rangers	1. Volunteers
B. Royal Thai Navy	
1. Marine Corps	
C. Royal Thai Air Force	

II. Executive Management Actors
1.   Prime Minister's Office
2.   Internal Security Operations Command (ISOC)
3.   National Security Council
4.   National Intelligence Agency
5.   Defense Ministry
6.   Interior Ministry
7.   Justice Ministry
8.   Immigration Bureau
9.   Southern Border Provinces Administrative Center (SBPAC)
10. Civil Service Commission

III. Legislative Management Actors
1.   Senate Committees: National Defense and Security; Public Order and Narcotics
2.   Lower House Committees: National Defense; Public Order and Safety

IV. Financial Oversight Actors
1.   Finance Ministry
2.   Budget Bureau
3.   National Economic and Social Development Board
4.   State Audit Commission

V.   Justice and Rule of Law Actors
1.   Supreme Court
2.   Administrative Court
3.   Criminal Court
4.   Constitutional Court
5.   Military Court
6.   Office of the Attorney General
7.   National Anti-Corruption Commission (NACC)
8.   Public Sector Anti-Corruption Commission (PSACC)
9.   Ministry of Justice's Narcotics Control Board
10. Ministry of Justice's Rights and Liberties Protection Department
11. Department of Special Investigations (DSI)
12. Human Rights Commission (HRC)
13. Office of the Ombudsman

VI. Civil Society Organizations
1.   University-based Research think-tanks (e.g. Deep South Watch)
2.   Non-government Organizations (NGOs) (e.g. One Voice (women's rights NGO of Southern Thailand))
3.   Lawyers Council of Thailand
4.   Thai Journalists Association
5.   King Prajadhipok's Institute
6.   International NGOs (e.g. Berghof Foundation)
7.   Political parties

Source: These groupings of actors are based upon OECD (2007: 22). Compiled by the author from Thai government sources as well as Kraisoraphong (2013).

The perception of civilian control in Thailand suffers from ambiguity between myth and reality. Officially, Thailand's security sector organization in the table above appears to enshrine elected civilian supremacy over the military and police and provide security roles to six different groupings of actors. In fact, however, even before the 2014 military putsch, nothing could be further from the truth. This owes to five reasons. First, the core security actors (I) were created long before other parts of Thailand's security sector. Thus, the influence of security forces (particularly the army) became deeply entrenched decades before any other security sector actor could begin to try to monitor it. Second, the executive management actors (II) were mostly created under military Prime Ministers who cared more for partisan loyalty than any military adherence to civilian supremacy. Third, the far majority of the remaining security sector actors (III-VI) have only existed since 1997 – providing little time for them to entrench themselves. Fourth, sector actors other than members of the military and police possess little expertise in military affairs. Finally, where retired military personnel become part of the other five parts of the security sector, they tend to be biased in favor of the armed forces. Ultimately, it is security forces themselves and particularly the army which lords it over other parts of Thailand's security sector. In fact the army remains the country's integral state institution and sees its principal role as being the preeminent state builder. This sets it (and other security institutions) apart from elected civilians in Thailand with the former insulating itself from civilian security sector actors while the latter attempts to legally direct security forces through the executive, legislative and judicial branches of government. With 35 coups and coup attempts since 1911, such civilian attempts at civilian control over security forces have rarely succeeded, however (Chambers 2013: 583–587).

3. Thailand's Parallel State

Beyond the reasons outlined above, Thai security forces have succeeded in avoiding control over them by elected civilian actors for a more fundamental reason. That is, they have been insulated under the patronage of the monarchy and Privy Council in what might be termed a parallel state.

Akin to a "state within a state," a parallel state is organically connected to the formal state and can exude formal political authority, but also informally possesses its own institutional interests outside those of civilian leaders (Briscoe 2008). In fact, the elected state leadership can only solidify its position by acquiescing to the autonomy of the informal power structure. Parallel states often influence the judiciary, security forces, political parties, parliament, etc. Moreover, a parallel state can be particularly influential where it possesses a close identity with state formation and national identity – thus boosting its legitimacy across society (e.g. Turkey's military as founders of the Turkish republic). But the linchpin of a parallel state is the informal structure's influence over experts in violence such as the military (Briscoe 2008: 6–8, 12–16). Ultimately, parallel statism can inhibit stability, democracy and civilian control over the armed forces.

In Thailand, parallel statism is alive and well. Formally, the king acts as chief of state (though he is the most powerful political actor) while the Prime Minister, assisted by a

cabinet, is head of the elected government – the executive branch. The judiciary and legislature can check and balance the power of the Prime Minister (though given that Thailand utilizes the parliamentary system, the Prime Minister's party generally dominates the legislature). A legislature and judiciary add checks and balances to the Prime Minister's power. Thailand thus appears to be a case where elected civilians rule alongside the ornamentation of ceremonial kingship who is considered to be either above politics or in a position of revered worship. Indeed, all constitutions since the fall of the absolute monarch in 1932 have reflected this notion.[21]

Nevertheless, a palace-driven informal structure of power has evolved which has succeeded in offsetting the authority of elected civilians when the interests of the palace and Prime Minister diverge. Since the 2006 coup, this monarchical parallel state has increasingly included the judiciary, many of the appointed members of the Senate, and factions within the security sector, particularly the army.

The monarch stands at the apex of Thai political power – unofficially above the law. Although Thailand's absolute monarchy was abolished in 1932, since the two coups of 1957–58, the palace has succeeded in reestablishing much of its sway. Its "network" influence has become politically, economically, and culturally pervasive in Thailand (McCargo/Pathmanand 2005).

To assist the palace in promoting its clout is the Privy Council. As the most intimate institution to royalty, its tasks include advising the king; reviewing laws that he is to sign; managing royal finances; occasionally standing in at ceremonies for royal family members; serving on boards of charities/businesses connected to the royal family; and, with regard to Privy Council Chair Prem Tinsulanonda, exerting royal influence upon active-duty military officials (Handley 2008: 8).

4.   The Evolution of Military Influence in Thailand

Thailand has experienced an unstable trajectory in civil-military relations whereby a vicious cycle of military putsches followed by the writing of new constitutions, the holding of new elections and then new military coups have interrupted the path of democratization time and time again. Such political pandemonium is reflected in the 35 coups and coup attempts in the country from 1911 until 2016. Since the inception of a permanent standing army in Thailand in 1870, its formalized primary objective has been to ensure internal security under the control of centralized kingship (Isarapakdi 1989: 67).

In 1932 a military coup drove the absolute monarchy from power. However, in 1957 the monarchy returned to a position of influence, serving as an ally of military strongman Gen. Sarit Thanarat (Chaloemtiarana 2007: 51–54, 181). With Sarit's 1963 death, the succeeding military leaders continued the partnership with the palace until their 1973

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21   Constitutional Court, Summary of the Constitutional Court Ruling, No. 6, 2000.

ouster (Chaloemtiarana 2007: 217–218; Handley 2006, 156–157). The period 1947–1973 saw Thailand's military and monarchy entrench its partnership of power – an association which helped to keep the military as a principal political actor until today. From 1973 until 1976, King Bhumipol partnered with a new military leadership above a weak, chaotic, short democracy, but this ended in a monarchy-supported military coup (Morrell/Samudavanija 1981: 68, 148; Somvichian 1978: 829, 832). In 1980 the King collaborated again with yet another general – Prem Tinsulanonda – in controlling the country. Prem, as Prime Minister, led Thailand until 1988, serving alongside a military-dominated Senate and an elected Lower House (Neher 1992: 594).

Following a 1991 coup against another civilian government the military sought to embed itself in power across the country's parliamentary system. In May 1992, soldiers fired into a crowd of anti-junta demonstrators and dozens were killed (Maisrikrod 1992: 32–33). The incident tainted the image of the military in the eyes of the public and the palace. It paved the way to 14 years of elected civilian governance from 1992 until 2006.

Thailand's post-1992 period witnessed a blossoming of civilian control. This owed to two principal factors. First, following the "Black May" massacre, civil society groups became more involved in politics, culminating in the enactment of the 1997 "People's" constitution. Second, Prem Tinsulanonda (and the palace) supported civilian control over the military. Prem had increased his military influence on the King's Privy Council to such an extent that he was able to dominate the armed forces at the expense of active-duty soldiers as well as, at times, Thai democracy. Thus Prem came to be dubbed the "surrogate strongman" of Thai politics (Samudavanija 1997: 56). He supported SSR reforms for Thailand under Army Commander Surayud Chulanond (1998–2002).

Prem's control over the military finally met with a successful challenge from newly elected Prime Minister Thaksin Shinawatra who came to office in 2001. Thaksin built up a clique of supporters within the armed forces and police (McCargo/Pathmanand 2005: 134–135). Thaksin was thus able to establish civilian control over Thailand's security forces, though it was personalized control rather than institutionalized supremacy. He was re-elected by an even greater landslide in 2005. In 2006 Thaksin was ousted in a military putsch partly directed by Prem (Pathmanand 2008: 129).

In 2007, a new constitution was enacted which reduced the power of civilians, turning the Senate into a half-elected body and weakened political parties. Also, Thaksin's party Thai Rak Thai was dissolved by the judiciary, Thaksin was convicted of malfeasance and fled the country. Nevertheless, his new People's Power Party (PPP) won December 2007 elections. In December 2008 the Constitutional Court ruled to dissolve the PPP party, which facilitated the rise to office of an anti-Thaksin government (led by Democrat Abhisit Vechachiwa). The new coalition was cobbled together through the intercession of the palace, Privy Council and arch-Royalist military officers (Rojanaphruk 2008). Under

Abhisit, the military repressed pro-Thaksin demonstrations in 2009 and 2010.[22] In the 2011 general election, Thaksin's sister Yingluck was elected Prime Minister.

Yingluck's government initially sought to appease Army Commander Prayuth Chan-ocha, giving him his preferred budget and acquiescing to military leadership in most internal security operations (Nanuam 2011). Yet by 2013 she had distanced herself from him, was practicing security policies in Thailand's Deep South which he deplored, relied increasingly on the police to manage security, and attempted to appoint senior military officials based upon loyalty to her administration rather than to Prayuth.[23] Late 2013 saw the beginning of mass anti-Yingluck demonstrations in Bangkok and southern Thailand.

In early May 2014, Yingluck was forced from office by Thailand's Constitutional Court and a Deputy Prime Minister officially replaced her. Yet on May 20, with demonstrations having persisted for half a year and scores of deaths and even more injuries, Prayuth declared martial law under the authority of the 1914 Martial Law Act (Phoonphongphiphat 2014).

On May 22, 2014, Prayuth carried out a coup, Thailand's 13th successful, military putsch since 1932. With the words, "Sorry, I must seize power," Prayuth ordered the detention of Thailand's leading politicians and established a junta called the National Council for Peace and Order (NCPO) to administer Thailand).[24] The official reasons for the putsch put forward by the junta were to safeguard monarchy, help "the country […] return to normality quickly […] for society to love and be at peace again;" to "push through political reform," "stop violence," and seek "a way out of [the country's] crisis (Yuthakorn 2014)." In actuality, however, the 2014 military coup was more likely carried out to 1) ensure arch-royalist order amidst an impending royal succession; 2) re-assert monarchical-military domination over Thailand amidst perceived threats from civilians; 3) consolidate the domination over the armed forces and police by the leading military faction; and 4) enhance military corporate interests, particularly those of the senior brass.

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22 NewsOK, Thousands Mark "Red Shirt" Crackdown in Bangkok (Associated Press), May 19, 2012, http://newsok.com/article/feed/384077 (25.1.2016).

23 The Nation, Yingluck fine-tunes security policies for deep South, September 23, 2011, http://bit.ly/23SLsDa (25.1.2016).

24 Matichon, Background of Coup During the Meeting, เผยเบื้องหลังระทึกยึดอำนาจ (in Thai), May 23, 2014, http://m.matichon.co.th/readnews.php?newsid=1400823069 (25.1.2016).

5. Security Sector Reform in Thailand

5.1 SSR until 2014

Though the term "security sector reform" only dates back to the mid-1990s, efforts to improve the delivery of services of Thai security forces can be traced back to 1800s. Reforms of the Thai military can be traced back to 1887 while those of the Thai police can be traced back to 1875 (Chambers 2013: 114; Haanstad 2013: 455). During these times, British and Italian advisors worked to make Siamese security forces more efficient. The short-lived civilian government of 1944–1947 (dominated by Pridi Panomyong) severely decreased the military budget while placing officers loyal to civilian rule in senior military positions (Chambers 2013: 128). Nevertheless, 1947 witnessed the felling of this government by a military coup. During the Cold War period of 1951–1991, the United States quickly became the single largest supplier of arms and security training for the Royal Thai Armed Forces, Royal Thai Police and their related paramilitaries (Bamrungsuk 1988: 178–179). However, for the most part, no real reform was ever achieved as the interest of Thai security forces focused more on receiving external donations rather than making actual security force reforms. Moreover, the Thai military came to closely identify with US interests. In 1982, Thailand and the US commenced Operation Cobra Gold, an annual joint military exercise which has since expanded in 2015 to include 13,000 soldiers from 7 countries.[25]

Since the Cold War's end in 1991, the United States has distanced itself from Thai military adventurism in domestic politics. Washington has tied military aid to continuing Thai efforts in security sector reform while also conditioning it upon a military acceptance of staying under civilian control. The US responded to the 1991 military coup against an elected government and the 1992 bloody army crackdown on peaceful protestors with criticism and a brief suspension of the Cobra Gold joint exercises (Stern 2009: 2). Since 1992, the US has continued to reduce military assistance to Thailand, a fact which has "eroded Thai military confidence in the alliance with Washington (Stern 2009: 3)."

Then, in the aftermath of the 2006 military coup, Washington suspended economic and military assistance to Thailand (though the US did not cancel the 2007 Cobra Gold exercises). Under Section 508 of the US Foreign Operations Appropriations Act, the US was legally obliged to suspend its $24 million in military assistance. However, Washington's criticisms of the 2006–2007 military junta distanced the Thai military from Washington. Indeed, the junta moved closer to China, which presented $49 million in military assistance (twice the amount suspended by the US but with no conditions for such aid), offered to increase the number of Thai exchange students at Chinese military schools, and increased joint special forces exercises (Lohman 2011). The same year, Thailand purchased Chinese-made C-802 anti-ship missiles worth $48 million. Finally, China and Thailand signed a Joint Action Plan which, among other things increased

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25 Military Times, Thai-U.S. Launch Cobra Gold Military Exercise amid Tensions over Coup (Associated Press), February 9, 2015, http://bit.ly/1ORBWq3 (25.1.2016).

bilateral cooperation in military training, military exercises and defense industry research (Storey 2008). When Thailand returned to democracy in early 2008, the country's military had now increasingly diversified its sources to include not only the US and China but also Sweden and other countries. Since 2007 Chinese and Thai Special Forces have conducted joint counter-terrorism exercises. In 2010 Chinese and Thai marines initiated joint drills (Nguyen et al. 2013).

US programs designed to promote military/police reforms have existed in Thailand since 1952. US-funded SSR efforts have embodied two dimensions. The first is the International Military Education and Training (IMET) program. A principal aim of IMET has been to educate foreign militaries "to instill and maintain democratic values and protect internationally recognized human rights in their own government and military."[26] The educational approach used by Washington has changed very little since 1952 except for a greater post-1992 US encouragement of the Thai military remaining under elected civilian control. While the US Department of Defense has recognized a need for more courses on democracy and human rights through E(Expanded)-IMET, curriculum alterations have been hampered by insufficient US budgetary finance for these courses as well as a general, negative reception to them by the Thai armed forces (Taw 1994: 53).

A second US program which works with Thai security forces is Foreign Military Financing (FMF). FMF provides grants for the acquisition of US defense technology, hardware, and services. But obtaining such financing necessitates that Thailand's security forces "maintain support for democratically-elected governments that share values similar to the United States for democracy, human rights, and regional stability."[27] Unfortunately, US programs designed to inculcate notions of civilian control within the Thai military have not been successful. First, most of the leaders of Thai coups have previously participated in IMET. For example, 7 out of 13 leading army officers when the 1991–1992 military junta was in power (including army commander Gen. Suchinda Kraprayoon himself) received IMET training in the United States (Taw 1994: 26). Second, the United States itself has been reluctant to require Thai soldiers studying IMET courses to take classes promoting such US values as human rights and democracy for fear that it could "create bad" between the Thai military and Washington (Taw 1994: 31). Third, though such US programs have existed in Thailand since 1952, such educational efforts have simply been too weak, as evidenced by the high number of putsches and attempted putsches (34) from 1911 until before the 2014 coup (Chambers 2013: 583–587).

The Thai military, in trainings of their own soldiers, has used curriculum and manuals from the United States. However, US materials tend to be modified to meet local needs with Thai military officers who have studied in the US often translating these texts, which leaves room for misinterpretation (Taw 1994: 27–28). Thai trainees have generally preferred taking conventional security courses rather than those which promote universalist values

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26 US Department of State, Description of Programs, http://1.usa.gov/1lKdY7K.

27 US Department of State, Foreign Military Financing, http://1.usa.gov/20Bw5wo.

such as human rights and democracy. Alternatively, Thai military trainers often choose not to reproduce courses that promote Western ideals and values in their own classrooms (Taw 1994: 53–55). In 2014, such limitations in US trainings appeared to have continued.[28]

Besides the United States, Thai soldiers have received SSR training in a host of countries, including the European Union, Japan, China, Australia, and New Zealand. However, like US trainings, these have generally concentrated upon transferring conventional skills to Thai security officials.

All in all, foreign-driven efforts at SSR in Thailand have experienced the greatest successes in terms of improving efficiency and professional capacities. More serious reform efforts have either not been well received by Thai security forces (who perceive it as foreign meddling) or have only been initiated by Thai governments themselves. Such domestic attempts emerged in 1946, 1975 and 1992 when newly-elected governments, working with weak or reform-minded military leaders and enjoying a groundswell of public support for civilian control of the military, ruled Thailand. The 1946 and 1975 experiences, which saw elected Prime Ministers seek to diminish military budgets and reorganize military structures, were ousted from office by the army in 1947 and 1976 respectively (Chambers 2013: 128–136, 190–192). However, from 1992 until 2001, Thailand appeared to finally be moving toward an entrenching of SSR.

As mentioned earlier, after May 1992, the Thai military had a tarnished image given the Black May massacre of May that year. Other factors included an increased push by Thais for a "people's" constitution (which was enacted in 1997) and a prioritization by the Thai civilian leadership during the 1990s of security sector reform. In August 1992, Prime Minister Anand Panyarachun, with support from the Palace and Privy Council, dismissed the army, air force and armed forces leaders and also revised (or in one case voided) security decrees which diminished the power of the armed forces in a crisis (Bamrungsuk 1999: 151–152).

Within the military, Army Commander Gen. Wimol Wongwanich (1992–1995) initiated a reform process. A 1994 Defense White Paper stressed the military's streamlined defense policy, including the following clause:

> "Restructure the Armed Forces so that it is more compact and has professional personnel with modern weapons and equipment so that it can guarantee the independence, sovereignty, and national interests of the nation." (Ministry of Defense 1994: 58)

The SSR campaign intensified during the term of reformist Army Commander Surayud Chulanond (1998–2002). These efforts derived from the state itself rather than civil society pressures. The 1997 Asian financial crisis and the growing supremacy of "civilianization" in Thai politics contributed to a decline in military appropriations.[29] This loss in revenue led many soldiers to increasingly expand their commercial interests as well

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28 Personal interview with US military attaché to Thailand Desmond Walton, January 18, 2014.

29 In 1997 the Thai defense budget was reduced by 25 percent, the highest decline in years. See Thailand's Office of the Prime Minister for statistics: http://bit.ly/1SwZmp8 (25.1.2016).

as rely on sometimes-shady business activities (Hänggi 2009: 10–11). To rein in illegal military activities and limit armed forces economic autonomy, in 1998, new Army Commander Surayud initiated deep administrative, organizational and financial reforms, aiming to downsize and streamline the military while removing allegedly corrupt soldiers. Surayud ordered crackdowns military-related "narcotics trafficking, extortion rackets, illegal bookmaking, unsecured loans from Thai Military Bank, and corruption in the conscription process (Ockey 2001: 201)." The Chuan government also sought to centralize weapons procurement, in order to establish greater government control over armed forces funding. But confronted with intense military resistance, this proposal was eventually shelved (McCargo/Pathmanand 2005: 132).

In 1999, with support from Prime Minister and Defense Minister Chuan, Surayud, approved a plan to reform the Ministry of Defense and restructure the military. The goal was to build a smaller, credible, professional, more efficient, more capable, and more transparent armed forces over the following 10 years.[30] There was also to be a "reallocation of military spending from personnel to procurement and training (Hänggi 2009: 11)." Ultimately, the military downsizing involved transforming the armed forces which had become top-heavy in terms of excess high-ranking officers by encouraging early retirements by many of these officials. The entire downsizing plan involved a total reduction of 72,000 personnel posts as well as a more unified structural command among the three services (Army, Navy, Air Force), the Defense Permanent Secretary, and the Supreme Command to improve coordination and facilitate control from the Office of the Prime Minister. Yet the plan was hindered by disagreements over whether the Defense Permanent Secretary or the Supreme Commander should have more authority. Finally, regarding the Deep South borderlands provinces, Chuan and Surayud were not, during their tenure, faced with an insurgency and thus never implemented any specific plan of action regarding the region. Instead they relied on army to control matters in that region.[31] The Deep South insurgency only erupted in earnest in 2004, when Thaksin Shinawatra was Prime Minister. In practice the rhetoric in support of Thailand's SSR changes simply faded away following the 2001 election of Thaksin Shinawatra as Prime Minister.

Serious efforts by the Thai military toward achieving greater SSR were weakened in 2001. This owed to three factors. First, the Chuan/Surayud drive toward SSR was actually much more ad hoc and piecemeal than comprehensive and all-embracing. Some have even criticized them as mere "window dressing" designed to provide the military a better public image given negative public perceptions of the military following the bloody "Black May" 1992 massacre (Beeson/Bellamy 2008: 119). As a result, the reforms were much more temporary in nature. Second, the post-2001 "War on Terror" in the aftermath of the 9/11 attack on the United States rejuvenated efforts to maintain Thailand's traditionally strong military. Third, newly-elected Prime Minister Thaksin Shinawatra effectively terminated Surayud's SSR program. Nevertheless, Thaksin moved toward establishing his own "sub-

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30 The Nation, Surayuth guns for reforms, February 19, 1999, http://bit.ly/1VwKV7p (10.3.2016).

31 Personal Interview with Dr. Mark Tamthai, Chiang Mai, Thailand, May 11, 2013.

jecttive control" over the armed forces, with his own relatives and cronies coming to take top positions (Kocak/Kode 2014: 92). However, the 2001–2006 Thaksin administration did produce some SSR successes. Indeed, in 2001 Thaksin repealed the 1952 Anti-Communist Activities Act (which had allowed the military to violate civilians' human rights with legal impunity) (Chambers 2013: 250). Also, by 2006, the military budget was reduced from 20% to 6.7% as a percentage of the national budget with its share of GDP diminishing from 4% to 1.4%. Moreover, in 2002, Thaksin oversaw a reform of all Thai ministries, including security agencies, with the goal to make them much more efficient.[32] Furthermore, in 2005, Thaksin enacted a new security decree, called the "Executive Decree on Public Administration in an Emergency." This new law placed the civilian Prime Minister at the head of any council that arose to oversee an emergency.

However, the September 19, 2006 military coup halted any more efforts at Thai SSR. Indeed, under the 2006–2008 military-imposed Surayud government, armed forces spending spiraled higher and higher. "The regime's first budget, for fiscal year 2007, contained a 60% rise in military spending. The following year, the defense budget rose 18%."[33] Though the pro-Thaksin People's Power Party was elected to govern Thailand in December 2007, and led the country between February and December 2008, it accomplished little in terms of SSR. Perhaps one of the only bright notes was that civilian Prime Ministers Samak Sundaravej and Somchai Wongsuwat successively served as Defense Minister.

Under the 2008–2011 government of anti-Thaksin Prime Minister Abhisit Vechachiwa, military clout and resistance prevented any substantive moves toward SSR by the civilian government. Nevertheless, Abhisit supported a strong military to thwart the influence of Thaksin's militant Red Shirt supporters, many of whom violently demonstrated against the Abhisit government. Perhaps one exception to a lack of civilian control under Abhisit was the National Security Council. This body, initiated in the 1970s, had by 2008 become more heavily influenced by civilians than soldiers given that only two NSC members were active-duty military officers. In July 2009, civilian power on the NSC increased even more with PM Abhisit Vechachiwa's appointment of Thawil Pliensri as NSC Secretary General. This occurred despite intense lobbying by then-Army Commander Anupong Paochinda for a replacement with an army background. The appointment of Thawil marked an impressive SSR: the National Security Council has had 14 Secretary Generals over the years, only three of which have been civilians (Nanuam 2009). A second modification under Abhisit was his move to gain democratic control over the counter-insurgency in Thailand's Deep South. To this end, his Democrat Party successfully pushed to convert the Southern Border Provinces Administrative Centre (originally controlled by the armed forces) into an independent, legislative-based agency (Askew 2009). The SBPAC has been responsible for development in the Deep South while

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32 Panitan Wattanayagorn, cited in IPU/Geneva Centre for the Democratic Control of Armed Forces: Security Sector Reform in the National and Regional Contexts (Regional Seminar), Phuket, Thailand, September 1–2, 2006 (Summary and Conclusions by Senator Jintana Sookmark).

33 Bangkok Post, Military Must be Accountable, July 2, 2009.

also serving to centralize communications between the state and local people.[34] However, it has only been partially successful, as indicated by the fact that, since 2004, the number of insurgency-related deaths and injuries has continued at high levels.

In 2011, with the election of Yingluck Shinawatra, a few efforts were made to achieve SSR. In the Deep South, despite opposition from Army Commander Prayuth Chan-ocha, Yingluck pushed to place both the SBPAC and the Internal Security Operations Command, operating as separate agencies in the Deep South, under the umbrella of a bureau that would be headed by a civilian. This attempt was connected to her government's effort to bring civilian control over Thai counter-insurgency efforts in that region.[35] Her administration thereupon commenced negotiations with one insurgent group with the aim of ending hostilities in the troubled region. In addition, Yingluck promoted defense and military officials who were extremely supportive of heightened elected civilian control. These included Gen. Sukampol Suwannathat, who served as Minister of Defense from 2012 until 2013. Sukampol tried, but failed, to gain more control for the executive branch over annual military reshuffles. In addition, from 2013 until 2014 Gen. Niphat Thonglek served as Permanent Secretary of Defense. Niphat has been described as perhaps the most senior Thai military officer supportive of a consolidated Thai democracy as well as the exclusion of the military from politics.[36] Meanwhile, perhaps the most ambitious was her Defense Minister's April 2012 establishment of a Defense Ministry Operations Command, a new three-level operations center designed to bring greater military efficiency in support of government security efforts. Level One, for normal conditions, was placed under the supervision of the chief of the Defense Ministry's Office of Policy and Planning. The second level became triggered when security-related conditions (including natural disasters) affected the general public. This level was supervised by the defense permanent minister, General Sathien Permthongin. Finally, the third level became triggered during outbreaks of domestic rioting or border clashes. This tier was supervised by the Defense Minister. The idea was to place all levels of emergency under the Defence Ministry, where military loyalists to Yingluck and Thaksin Shinawatra held the dominant positions (Chambers 2013: 351–352).

Yet by late 2013 and early 2014 security sector reform in Thailand appeared to have become unreachable. By that time, the country had become acrimoniously and violently divided between pro and anti-Shinawatra demonstrators. In addition, in early 2014, with

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34 The SBPAC was originally established in 1981 by the quasi-military regime of Prime Minister Prem. At that time, it was under the Internal Security Operations Command, a military entity led by the Prime Minister. In 2002, Thaksin Shinawatra dissolved the SBPAC, substituting it with two civilian-led and dominated entities: the Southern Border Provinces Peace Enhancement Directorate and the Southern Border Provinces Peace Enhancement Policy Directorate, each headed by Thaksin's Deputy Prime Minister. Following the 2007 coup, the SBPAC was revived to oversee the South and placed again under ISOC. Afterwards, the military once again dominated Deep South policy (ISRA News, Another New Organization for the Deep South?, January 27, 2011, http://bit.ly/1OJ87dl (25.1.2016).

35 The Nation, Repeating the Same Old Mantra in the Deep South, May 9, 2012, http://bit.ly/1K6u0Eu (25.1.2016).

36 Personal interview with anonymous Deputy Military Attaché, Bangkok, Thailand, January 19, 2014.

Yingluck Shinawatra serving as Prime Minister alongside a strong, anti-Shinawatra military, it was unlikely that the armed forces would willingly support SSR to enhance civilian supremacy over it. In the end, the May 22, 2014 coup was useful for SSR only in one cynical way: the putsch brought to an end any ambiguity about the extent to which civilians might be able to influence the armed forces – they certainly could not.

5.2 SSR since 2014

The 2014 coup stunted security sector reform efforts in Thailand. SSR remained important, but not for reasons of improving "democratic governance and civilian control (OECD 2009)."

In fact, the rhetoric of SSR continued to be voiced by Thailand's military junta – as a rhetoric strategy to explain why Thai people should appreciate and acquiesce to the apparent requirements of security forces to increase their budget, persist in dominating the country, enshrine more legal powers for the military (with less accountability) and deepen control over society. When speaking of Thai security sector "reform," military representatives seldom actually use the term itself. It does exist, however, in a 2013 Defense Ministry White Paper which has continued to be approved since the 2014 coup. That White Paper states the following:

> "Developed countries have directed their interests to Security Sector Governance (SSG) of other countries, focussing especially on transparency of process, operations, opinion, values, customs and accountability to the public, and that these must be conducted under domestic and international law. SSG is a complex subject and, most importantly, must comply with the national context or society. Therefore, it is becoming more necessary for countries to undertake Security Sector Reform (SSR) in order gain more acceptance, domestically and globally." (Ministry of Defense 2013)

Interestingly, this language seems to imply that SSR, as a translatable norm across the globe, must be undertaken by Thailand to appease the "developed countries" instead of to benefit Thai people. Yet the insinuation is also made that SSR values "must comply" with Thailand's "context," thus rationalizing any re-contextualization of it by Thai security managers.

Every Friday evening, since the May 22, 2014 coup, junta leader Prayuth Chan-ocha has addressed the nation on television and radio. On his program, which is called "Bringing Happiness back to the People," he has mentioned junta or military-directed changes in society while rationalizing more military control.

For example, shortly after the putsch, Prayuth stated:

> "[T]here were many reasons as to why it was necessary for the NCPO to take control of national administration since 22 May. The most important of these is because we respect democracy. We must […] examine [...] how Thailand can be resilient in the face of the many challenges that democracy brings. We therefore need to adjust ourselves in many ways – from administration methods to the budget system, even the electoral system – the starting point of democracy itself. Checks and balances need to be improved. Parliamentary dictatorship has to be removed." (Prayut 2014a)

These words make it clear that in the view of the junta, the coup and clampdown on society by security forces were necessary to protect democracy and improve democracy. And indeed, some SSR definitions declare that security must be provided "in a manner consistent with democratic norms, human rights principles and the rule of law" (OECD 2007: 28).

In other speeches, Prayuth lauds the junta's commitment to diminishing corruption, improving able administration, bolstering independent regulation, protecting human rights, and a host of other goals which are also the objectives of SSR.

> "My intention is to create unity among Thai people. People should feel that they and their properties are protected; that they live in a just and moral society – a society that does not tolerate corruption." (Prayut 2014a)

> "In improving […] the administration of governmental agencies, independent regulatory agencies, and state enterprises – the aim is to achieve efficiency, transparency, fairness, and accountability [...]. There is need to re-organize the work of the public sector to be more efficient. Integration in the work of the concerned authorities, such as security agencies, Ministry of Labour, Ministry of Commerce, Ministry of Foreign Affairs, business owners and industry associations, to determine the best measures to retain our credibility on human rights that is universally recognized [...]. The NCPO has to expedite the re-organization so that workers get welfare and fair treatment. And to prevent slave labour, child labour, human rights violations and exploitation by influential groups." (Prayut 2014b)

Junta representatives even took their claims of support for human rights to international fora. In 2014, the Foreign Minister of the regime spoke before the United Nations:

> "Let there be no doubt that Thailand is not retreating from democracy. But we do need time and space to bring about reconciliation, to undertake political reform, and to strengthen our democratic institutions. We do not wish for a repeat of what happened on May 22 [the coup]."[37]

A year later, in 2015, Prayuth himself addressed the UN:

> "Thailand has always accorded priority to protecting and promoting human rights for all groups of people [...]. Thailand is undertaking comprehensive reforms on several fronts to make our country stronger and better in the hope that we will achieve security, prosperity, sustainability and pave the way toward resilient democracy." (Cited in Blake 2015)

Since the coup, the junta has attempted to install across Thailand an ideology of reform which it calls the "national core values" to reinforce the country."[38] Such values, which include honesty, sacrifice and discipline, dovetail with the junta's drive to instill such values into Thailand's security forces and thus make them more streamlined and efficient. Nevertheless, the "core values" do not offer any room for opening up political space or building democratic civilian control. Indeed, though the junta-appointed National

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37 Bangkok Post, Tanasak Pleads for More Time at UN, September 29, 2014, http://bit.ly/1K6nuxJ (25.1.2016).

38 Royal Thai Government, NCPO Announces 12 National Core Values to Reinforce the Country, July 11, 2014, http://bit.ly/1PvwGxN (25.1.2016).

Reform Steering Assembly (NRSA) has had 505 reform proposals submitted to it, none has touched upon security sector reform per se.[39]

In its translation of SSR to Thailand's local setting, the National Council for Peace and Order (NCPO) has placed emphasis on producing stronger and more efficient security forces. The recontextualized meaning of SSR for the Thai junta is to build a powerful military, both in size and technology prowess which can stimulate an "awe factor" in potential enemies, both domestic and foreign. These were the words of Prayuth himself rationalizing the purchase of three military submarines from China: "They [the submarines] are not for battle, but so that others will be in awe of us."[40] Yet Thailand has no foreign enemies to speak of though the argument has been made that Thailand needs submarines and other military hardware to ensure that Thai military strength keeps up with its neighbors.

Another reason, however, is because the Thai junta possesses domestic foes such as Thaksin Shinawatra and "Red Shirts." In other words, the Thai junta's variant of SSR aims to produce security forces that will intimidate or "awe" potential enemies within the domestic population. As such, the military budget has expanded dramatically since the 2014 coup with the number of soldiers has also increased.

Meanwhile, Thai security force educational institutions, while seeking to promote SSR among soldiers, have only concentrated on those SSR efforts which improve military capabilities rather than aiming for making security forces more accountable and transparent to civilians. This standpoint can be seen in the lectures and publications of military officers themselves.

A 2015 journal article by a military officer looked at the use of spectrum as a national communications resource and how this might be better managed for national security purposes. The article's objective was to propose more efficient "guidance and regulations on spectrum management for national security agencies" (Raicharoen 2015: 83).

Also, in September 2014, a Thai army general from the Strategic Studies Center of the country's armed forces gave a speech at an academic conference in Chiang Mai, Thailand entitled "Rethinking Security Sector Reform and Governance in Thailand." In the country's post-coup environment, he extolled the military's continuing achievements in building greater capacity and efficiency as a fighting force as well as combating non-traditional threats such as natural disasters deriving from climate change. But when a person queried the general about when the military might return to the barracks, and give power back to elected civilians, the general suddenly announced an appointment elsewhere and departed from the event.[41] Clearly, the Thai military today values aspects of

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39 Prachathai, 10 ways to revolutionize the Thai Military: exposing the junta's blind spot, November 13, 2015, www.prachatai.com/english/node/5611 (25.1.2016).

40 Prachathai, Insiders' thoughts on the Thai junta's submarine question, July 13, 2015 www.prachatai.com/english/node/5305 (10.3.2016).

41 Representative of the Strategic Studies Center/Royal Thai Armed Forces (2014).

SSR which emphasize greater effectiveness and capability over any universalist notion of also placing the armed forces firmly under elected civilian control.

Ultimately then, the NCPO has supported OECD-proposed SSR objectives such as enhancing effective governance in the security system, improving delivery of security and justice services, and sustaining justice and security service delivery (OECD 2007: 21). Where the regime has parted ways with this definition has been in promoting local ownership of Thailand's security sector reform process. Thailand's post-2014 SSR has been "owned" by the junta alone, in terms of control over translation: the local formulation and implementation of global SSR discourse. Henceforth the only part of Thai SSR which has been people-centric has been in the populace's required receipt of security sector reforms as the junta saw fit. Rather than a situation of "enlightened reformers reforming the deformed" (as might have characterized 1992–2006 Thailand), Thai SSR since 2014 has become a case of "deformed reformers reforming the deformed" or simply "sector sector deform."

5.3 Thai Security Sector "Deform" and External Actors

The Thai junta's deformed approach to SSR has found assistance from a transition in foreign donors supporting Thai SSR. Immediately after the 2014 putsch, the US blocked US$4.7 million in security-related aid for Thailand, half of the US$10.5 million that Washington annually provides to Bangkok.[42] As with the 2006 coup, these cuts were required under US legislation which forbids US security assistance to countries which have experienced coups until democracy is restored. And as with the 2006 putsch, the aid cut-off helped other security aid donors (particularly China) become more influential in Thailand. Indeed following the 2014 coup, Chinese-Thai military relations have particularly blossomed. Chinese military assistance has grown by a yet-unspecified amount, with Thailand now demonstrating a preference for Chinese military hardware: in 2015 the Thai junta tentatively agreed to pay US$1.06 billion for three Chinese-made submarines (Nanuam 2015). China is also working with Thailand to enhance military cooperation in terms of more exchanges of military officers, greater provision of Chinese military education for Thai soldiers, a larger Chinese role in the development of Thailand's defense industry and joint intelligence cooperation.[43] Moreover, China-Thailand military exercises have increased, with China's Defense Minister offering to expand the countries' recently-commenced joint military maneuvers to include an air force component. Finally, the Thai Ministry of Defense is considering permitting China to launch a multi-billion dollar project which would enhance the Thai naval base at

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42 South China Morning Post, US Cuts More Thailand Aid in Response to Military Coup, June 25, 2014, http://bit.ly/1nJfI2P (25.1.2016).

43 The Nation, Thailand, China Agree to Closer Military Ties during Senior Official's Visit, April 25, 2015, http://bit.ly/1z0bGaI (25.1.2016).

Sattahip while giving Chinese security forces potential long-term access to the facility (Crispin 2015a).

Chinese security sector reform efforts concentrate on building efficiency in the capacities of security forces. Meanwhile, China considers "Thailand's political problems as an internal issue" (Jory 2014). There is no normative condition for China's military trainings and education programs which demands elected civilian control as has been generally required by the United States, European Union countries, Australia, and Canada. By moving away from relying on these countries for security force provisioning, Thailand's junta distances itself from their idealized SSR mindset. Yet in 2015, with China having become a pivotal player in Southeast Asia's geopolitics, the US, Japan and Australia are diminishing their opposition to a military-led Thailand (Ichihara et al. 2015). An indicator of the US softening was the successful meeting between the administrator of the US National Aeronautics and Space Administration (NASA) and Prayuth's Science Minister (Crispin 2015b). This reduced opposition to the junta will likely diminish the role of foreign players in pushing for a form of SSR in Thailand which necessitates democratic, civilian control. Ultimately, in Thailand's post-2014 era of military rule, China is poised to become the country's foremost, international partner in security sector reform. China's support in this area buttresses the capabilities of the Thai military and police in ensuring order which allows the junta to sustain its hold over the Thai people who themselves possess no proactive role in the SSR process. International contributions to Thai SSR have thus evolved toward the deforming of previous SSR gains in Thailand.

5.4 Thailand's Security Sector "Deforms-in-Progress"

The National Council for Peace and Order (NCPO) junta, in moving towards its proclaimed objectives of reforming the security sector to make security forces stronger and more efficient, has made several modifications, such as the application of military law across the country, the creation of a peace maintaining force, the harsher application of *lèse-majesté* laws (insults against monarchy); the legal enshrinement of enhanced authoritarianism; and other areas. These security "reform-deforms" have served to further entrench military control over the civilian sector.

With regard to military courts, the 2014 coup placed these at the top of the judiciary. Post-coup military decree 37/2557 requires that any criminal cases connected to national security must be tried in military courts. Procedures in these courts tend to be longer, mostly lack transparency, and the judges are all military officers. Since the coup (until September, 2015), 700 civilians were tried in military courts (including 144 political cases).[44]

A second SSR "deform" in Thailand has been the creation of the Peace Maintaining Force (PMF). This body of soldiers was tasked with arresting and detaining any person

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44 Bangkok Post, Activists Urge End to Military Court Trials, September 11, 2015, http://bit.ly/1nJg61k (25.1.2016).

perceived by the junta as insurgents, repress armed groups, and search out potential caches of war weapons. Its commander could mobilize troops from the air force, navy and police (Nanuam 2014).

A third "deform" has been the regime's harsher enforcement of the *lèse-majesté* law. Under Section 112 of Thailand's Criminal Code, anyone found guilty of defaming, insulting or threatening the king, queen, heir-apparent or regent can be imprisoned for up to 15 years. Though the law treads across free speech, the junta and its allies appear to have used Section 112 to imprison progressive Thais which it perceives as opposing the continuity of the monarchy-military old order. Since the 2014 coup, the military has investigated at least 53 individuals for insulting royalty with the far majority of cases ending in conviction.[45]

A fourth pillar of military control has been through its legal enshrinement of enhanced authoritarianism. Initially, following the May putsch itself, Thailand was administered under the Martial Law Act of 1914. The Act placed Thailand under the direct control of the Army Commander and gave military courts veto power over civilian ones. On March 20, 2015, the junta began to apply Section 44 of a 2014 interim constitution in place of the Martial Law Act. Section 44 stated that whenever the junta leader believed it was necessary to deal with "any act," he could issue "any order […] regardless of the legislative, executive or judicial force of that order." The said order would be considered "legal, constitutional and conclusive."[46]

A fifth "deform" is in the arena of the Thai economy, the junta has established supremacy over state corporations. In June 2014, the NCPO established a "super-board," chaired by junta leader Prayuth, which was charged with overseeing and reforming all 56 of the country's state enterprises. The junta pressured several state enterprise board members to resign, and these were replaced by individuals more considered by the junta to be more amenable to its interests. The stated objective was to make the state enterprises focus more on service efficiency and spending transparency (Pinijparakarn 2014).

A sixth "deform" is in local administration. The Thai junta has taken careful aim at reducing political decentralization. Political decentralization as a national policy initiated in 1994 evolved toward local democracy for Thais at the local level. In July 2014, the NCPO suspended elections to all of the bodies at these levels and issued two announcements stipulating guidelines for a new structure of decentralization in Thailand. Unlike the 2006 coup-makers, who left local level governance alone, the current coup-makers seem intent on re-centralizing state political control over the country (Grichawat 2014).

A seventh "deform" involves policy in Thailand's Deep South. There the military has quickly returned to exert complete control over policy in the troubled region. On May 30, 2014, the junta proclaimed Announcement 34/2557. The decree invalidated the Abhisit

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45 Chicago Sun-times, Royal Critics in Thailand Get Record Sentences, September 4, 2015, http://bit.ly/1ZYDxEV (25.1.2016).

46 Temporary Constitution, Thailand, July 23, 2014 http://bit.ly/1nnj62R (25.1.2016).

administration's 2010 law that had removed the Southern Border Provinces Administration Center (SBPAC) from under the control of the armed forces-dominated Internal Security Operations Command (ISOC), and made the SBPAC and ISOC separate entities. Thus, beginning in late May 2014, SBPAC would once again be under the control of ISOC and hence the military.[47] The July Announcement 98/2557 formalized a three-level structure to confront the insurgency. At all levels, the military was in charge while there was no policy input by civilians.[48]

An eighth "deform" involves budgeting. The junta has increased defense spending year by year since the 2014 coup. The national budget for fiscal year 2015 allocated US$6.07 billion or 5% for defense (Saiyasombut 2014). Thailand's proposed 2016 national budget anticipates an allocation to defense of US$6.3 billion, representing a nominal increase of 7% over military spending in 2015, amounting to almost 8% of the total state expenditure for that year and about 1.5% of the country's GDP. According to *Jane's Defense Budgets*, the Royal Thai Army generally receives 50% of defense expenditures while the Air Force and Navy receive 22% (Grevatt/Caffrey 2015). The junta's justification for the higher budget for security forces is not to improve or make reforms in the country's security sector. Rather, as Prayuth himself has said: "If we don't increase the budget and purchase new weapons, then nobody will fear us" (LeFevre 2015). The junta chief has also doubted whether corruption can derive from increased military procurements: "How can individuals benefit from such procurements when they are done between governments? There is no way such money would go into someone else's pocket" (Nanuam/Wong-Anan 2015). However, in 2015, it was revealed that regarding the Thai military, "there has been no independent scrutiny of defence policy by the legislature, a lack of budget transparency, and insufficient institutional measures concerning most aspects of the procurement cycle." These are the findings of a November 2015 Report by Transparency International.[49]

A ninth "deform" is, in the area of telecommunications. This sector is overseen by the Office of the National Broadcasting and Telecommunications Commission (NBTC). Traditionally, the 10-member NBTC has been dominated by civilian commissioners. However, since the 2014 coup, its commissioners have been composed of 50 percent retired military and 50 percent civilians.[50] In terms of policy, in 2015 the NCPO enacted an upgrading of the 2007 Computer Crimes Act (promulgated by the 2006–2008 military junta), a law which became notorious for repressing internet freedoms and sending to prison individuals deemed by the state to prison. The new Cyber Security Law allows for the establishment of a state-run cyber security committee authorized to access information on personal computers, cell phones and other electronic devices without a court order.[51]

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47 Personal Interview with anonymous academics, Deep South Watch, Pattani, Thailand, October 6, 2015.

48 International Crisis Group (2015: 16–17).

49 See Thailand in the Government Defence Anti-Corruption Index 2015: http://bit.ly/1Um0Wt0 (25.1.2016).

50 NBTC, www.nbtc.go.th/wps/portal/NBTC/Home/Home2 (25.1.2016).

51 Committee to Protect Journalists, Cyber Security Bill Threatens Media Freedom in Thailand, IFEX, January 22, 2015, http://bit.ly/1SHbo0D (25.1.2016).

A final tenth "deform" has been the junta's establishment of new political institutions designed to prepare Thailand for a new democracy. These institutions were the National Legislative Assembly (NLA), a National Reform Council (NRC) and a Constitutional Drafting Committee (CDC). The first body contained 220 members, including 9 police, 80 active-duty military officers and 32 retired soldiers.[52] The other two institutions were more indirectly under the sway of the junta. In October 2015, the junta replaced the NRC with a new appointed National Reform Steering Assembly, which was half-filled with military appointees. A new CDC was appointed as well (LeFevre/Thepgumpanat 2015).

At the bottom of priorities for Thailand's junta are non-traditional security needs. In February 2015, the US-Thai joint military exercise Operation Cobra Gold was held on a reduced scale. The participants highlighted the importance of "non-lethal activities" such as military advances in humanitarian assistance and disaster relief. In fact, since the coup, the Thai armed forces have highlighted the importance of soldiers in disaster response efforts, such as the military's role in responding to the country's horrendous 2011 flooding. Though this may be true, Thailand's security sector has been fundamentally more focused upon keeping the military in power.

Ultimately, reforms initiated under Thailand's ruling junta seem to be meant to merely strengthen security forces rather than work towards a vision of deeper SSR which includes elected civilian supremacy over the military. As such, these reforms are defilements of OECD conceptions of civilianized security sector reform. The Thai military fully understands the original intention of the global SSR narrative that was communicated to Thailand beginning in the 1990s. However, they have adapted SSR as a rhetoric tactic to rationalize their continuing aggrandizement of power and thereby also pay tribute to the normative power of this global norm.

6.   Conclusion: Demilitarization When?

The Thai military regime's claim that security sector reform perseveres post-coup is not an inaccurate statement. This is because translation and vernacularization of the global discourse of SSR is alive and well in Thailand. Military elites have appropriated the concept of SSR – originally aimed at providing efficient and accountable security for citizens. They have translated this original conception into a rhetoric strategy aimed at rationalizing an expansion in the size of security forces, the legal enshrinement of more power for the military, and a longer duration for authoritarian control over Thailand. As mentioned in the Introduction to this Report, Latour (2005) stressed that no translation of ideas can occur without some level of deformation. However, Thai security sector "deform" is exceptional in the extent of its translated interpretation by Thai military leaders. SSR in Thailand does continue but not in a way which SSR assessors would consider in any theoretically accepted

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52 Authors calculations, based upon "Members of the National Legislative Assembly, Parliament of Thailand (Senate)," www.senate.go.th/w3c/senate/senator.php?url=home&term_id=18 (25.1.2016).

form. Indeed the military dictatorship is strengthening its own variant of SSR. Thailand's 2014 coup has resulted in SSR becoming a function of Thai military interests in maintaining and extending its power at the expense of traditional SSR goals such as military down-sizing, transparency, accountability and any outside (civilian) monitoring of military activities. In this sense, Thailand's military, to satisfy its own interests (as well as allied aristocrats) has spoiled or deformed any actual process of security sector reform. International donors involved in Thai SSR have, since the 2014 coup, transitioned to be those with no conditionality for technology transfer to the Thai military. Post-coup, Thailand's military and its culture of "security" define and dictate security needs for Thai citizens, seeing many Thais as enemies of the state. In sum, post-coup military domination and military culture, as encouraged by Thai aristocrats and donors with no conditionality, have deformed SSR attempts in Thailand. While the armed forces might allege that Thailand stands under civilian control given that a dynastic civilian monarch is the head of state, this is not elected civilian control. SSR in Thailand today is fraught with "rule of law" and sound principles of governance only in terms of how the military formulates and implements them. As such, "rule of law" and efficiency in governance by, for and of the junta characterizes Thailand's SSR.

This report has examined the evolution of civil-military relations and security sector reforms in Thailand from the late 1800s until 2016. Associating itself with the monarchy, the military has time and again managed to stay close to the center of power while democracy has been weak and civilians have been either too divided or unable to contain military checks on civilian efforts to expand and consolidate pluralism. Though Thailand in 1992 appeared to have finally de-coupled itself from a polity under enormous military influence, the 2006 coup resurrected military influence across the elected governments after 2007. Meanwhile, the 2014 coup has enabled the armed forces to monopolize power over all other political actors except for the palace.

At this stage, in 2016, with the military in a strong position of power, it can influence the current writers of the country's next (and the country's 20th) constitution to enshrine greater military powers into the charter or accompanying laws. Indeed, in Thailand's next constitution, we are likely to see the following modifications:

- Dominant quota of appointed Senators and a Senate with enhanced powers
- A military entirely able to decide on annual reshuffles – no influence from elected civilians
- More control of military over security decrees
- An unelected PM (can be military) will be permitted
- Greater autonomy of military from civilian control regarding slush funds
- Greatly expanded number of sinecures for senior brass
- Expanded jurisdiction for military courts
- Greater insulation of military from civilian control regarding domestic deployments
- Probable inclusion of Article 188 (2007 Constitution) legally enshrining the military's right to putsch?
- A Crisis Panel (See below)

The junta leaders will likely follow one of three models to sustain their clout. First, they might not dismantle the NCPO and thus let it exist alongside any new democracy. Second, they might attempt to sit upon and dominate the King's council of advisors – the Privy Council – to sustain their power. In fact, Thailand's Privy Council is soon to see a sea change in membership, with or without royal succession. Several of its members are well over the age of 80 (Privy Council Chair Prem Tinsulanonda himself is in his mid-90s). If the palace wants to establish a new generation of powerful Privy Councilors (with Prem fading from the scene), it may decide to bring in the current junta leaders. Third, the regime leadership might extend its power through the constitutional establishment of a "crisis panel." In fact, the National Strategic Reform and Reconciliation Commission (NSRRC) was included in the first draft of the as yet to be promulgated 20th constitution for Thailand and is likely to be put into the second draft. The panel, whose decisions would be considered final and legally binding, could take power from an elected government (as well as parliament) to "commit or suppress" any "crisis" if it believed that the elected government was unable to contain the crisis. No definition was given for "crisis" in the first constitutional draft which thus would allow the NSRRC to decide for itself in a case by case manner. Only two-thirds of the panel would have to approve any NSRRC take-over of an elected government. The NSRRC would be composed of 23 people, with only two being elected civilians, a Prime Minister and Speaker of the Lower House. The remaining members would consist of the Senate Speaker (unelected), commanders of the Army, Air Force, Navy and Armed Forces, Police, a former House Speaker, a former Prime Minister and a former head of the Supreme Court. Twelve other members would be selected by Thailand's parliament, which is expected to be 50%-appointed when the next constitution is finally enacted. Members of the panel would have a tenure of five years, extending beyond the four-year duration of any elected government.

The potential establishment of the NSRRC would legally enshrine a democracy in Thailand under the tutelage of unelected entities, especially the military and former junta leaders. It would also legitimize a putsch. As a former Prime Minister, current junta leader and Prime Minister Prayuth Chan-ocha could sit on the body. As one Thai politician lamented, "It's like a state within a state. They [the military] can dominate by this special power in the constitution."[53] Indeed, if the military can dominate Thai politics through either extending its junta organization astride a new democracy, ascending to dominate the Privy Council or establishing control over an NSRRC, then it will strengthen Thailand's parallel state which is the asymmetrical partnership of power between the country's monarchy and armed forces above any elected civilian competitors.

In 2016, Thailand's military regime appears unencumbered by challenges from soldiers and civilians alike. Within the armed forces, the junta is enjoying stable support and its faction looks set to continue dominating the army leadership perhaps for the next 10 years. Meanwhile, divisions among civilians regarding the junta have prevented any

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53 Khaosod, "Chaos" Clause Empowers Unelected Panel to Seize Power, August 17, 2015, www.khaosodenglish.com/detail.php?newsid=1439808569 (25.1.2016).

serious civilian resistance from developing. The country's perpetual "coup-ing" has helped to make coups socially acceptable, especially when they are endorsed by the palace. Though elections have been promised for late 2017, even if they do come, the military will likely remain autonomous of civilian control. Any moves toward a diminishing of military clout will remain stillborn as long as the following conditions persist: 1) civilians remain divided (over the issue of Thaksin) and the military is mostly united; 2) a rationale for military involvement continues (keeping order in the midst of chaos over the issue of the Shinawatras as well as the issue of the Deep South insurgency); 3) the need to preserve continuity and order at the close of King Bhumipol's reign amidst the palace's support for a strong military. For the future, a counter-coup from other soldiers is unlikely and would occur only if the junta fails to continue satisfying the individual and corporate interests of most soldiers and units. As for civilians, any possibilities that they will eventually unite against the junta depend upon the depth and length of the current economic downturn; the ability of the regime to ably react to the crisis; whether the junta seeks to maintain control over Thailand beyond its promised relinquishment of power in 2017; and if any military massacre of opponents of military rule is revealed by the media. In other words, Thailand will have to experience much more economic and political instability before civilians of all colors begin to unite against armed forces rule. In such a case, Prayuth's coup of 2014 and the prolonged control by the junta could ironically produce an indirect infusion of stronger civilian control and democracy later on down the road of Thailand's political trajectory. Only then can serious security sector reforms meant to consolidate these values begin to emerge.

There is, of course, a role that non-Thais can play in moving Thailand towards less militarized control of power and the security sector. First and most importantly, governments and potential donors abroad need to maintain a constant drumbeat of pressure to return Thailand to democracy as soon as possible. The NCPO's promise of giving back democracy to the people has been pushed back again and again with the junta now placing the date at late 2017. Foreign diplomats, journalists and international organizations need to hold them to that date. It does not help Thai democracy (and in fact produces confused signals) for a foreign government to simultaneously call for a return to democracy in Thailand while also sending representatives to enthusiastically meet with dictator Prime Minister Prayuth Chan-ocha. Second, international organizations working on SSR must adhere to the principle of diminished cooperation with Thai security forces until democracy is restored. As such, returning the country to pluralism becomes the incentive to obtain SSR donor cooperation. In this regard, the Geneva Centre for the Democratic Control over the Armed Forces (DCAF) must be congratulated for keeping to these standards. Third, foreign actors should provide more investment into Thai civil society formation and be more active in encouraging greater unity of non-military groups within Thailand. This can be done by giving vocal support to Thai groups resisting the junta as well as encouraging more forums for political parties, "people power," and NGO activities. Fourth, once a return to a form of democracy returns to Thailand, foreign governments and organizations can become increasingly involved in turning Thai security forces away from deformed narratives of SSR – which simply bolster military capabilities, and instead socialize the Thai military and police towards an appreciation of

the deeper SSR narratives of civilian control and democracy. Fifth and finally, foreign donors should support a return to a democratic system in Thailand which places the military squarely under elected civilian control (not palace control) along specific criteria of demilitarization (see below). Ultimately, it is in such "soft power" interventions – with or without the cooperation of Thailand's military regime – where international actors can play a role in moving Thailand toward democracy.

Ending the Thai military's domination of politics, terminating its control over the security sector and achieving the end of a security sector "deform" narrative which simply stresses military power at the expense of civilians can only truly begin internally by Thais themselves: civilians must become consciously united against military intrusions across the practice of electing civilians to make public policy – democracy. At that point, Thailand needs to resuscitate its abandoned security sector reform (which they employed and labeled as such) of 1998–2001. Such SSR needs to be sustained over time and work towards demilitarization. Demilitarization in Thailand would remove active-duty security officials from the political stage, forbidding them from countermanding the public viewpoints of elected civilian superiors; mandating that they obey these superiors (unless doing so would clearly violate the constitution); severely penalizing any security official who ignores orders from or attempts to putsch an elected civilian government; banning active-duty soldiers from civilian state positions; and finally placing policy decision-making, especially in the areas of external and internal security, military organization under the firm control of elected civilians. The judiciary would transparently monitor soldiers, who would no longer be subject to legal impunity under current security decrees. Demilitarization would also involve the establishment of a fully-elected Senate to which military officials could not be appointed; civilian control over military reshuffles; civilian oversight of military border activities; and diminishing the size of the military budget (which must be audited by civilians) and force size to a minimum level. Though in 2016, such objectives might seem unlikely, SSR supporters in Thailand need to start building the foundations of working toward these goals.

Academic, NGO, media and other civil society groups can, at present (despite military rule) work together through internet and at small gatherings to begin addressing this issue – one which has never been important on the civil society agenda despite the number of coups which have occurred in Thailand and the military's historical legacy of enormous clout. Moderate members of the Thai elite and armed forces need to also get involved. Perhaps most importantly, Thailand's traditional aristocratic institution must stop supporting military putsches and military regimes. Yet it must be realized that any lasting moves toward reforming Thailand's security sector will take a great deal of time and must involve continuing unity in pushing the issue forward by as many actors as possible. Perhaps even military leaders will have to find it in their interest to back moves toward civilian control. Only with such unity of purpose can Thailand finally move towards real and lasting reforms of a democracy-led security sector.

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Abbreviations

ANT	Actor-Network Theory
BF	Berghof Foundation
CDC	Constitutional Drafting Committee
DCAF	Center for Democratic Control of the Armed Forces
DSI	Department of Special Investigations
FES	Friedrich-Ebert-Stiftung
FIDH	International Federation of Human Rights
FMF	(US) Foreign Military Financing
GDP	Gross Domestic Product
HRC	Human Rights Commission
IMET	(US) International Military Education and Training
IPF-SSG	Inter-Parliamentary Forum on SSG in Southeast Asia
IPP	Platform of Insider Peacebuilders
IPU	Inter-Parliamentary Union
ISOC	Internal Security Operations Command
NACC	National Anti-Corruption Commission
NASA	National Aeronautics and Space Administration
NBTC	National Broadcasting and Telecommunications Commission
NCPO	National Council for Peace and Order
NGO	Non-governmental Organization
NLA	National Legislative Assembly
NRC	National Reform Council
NRSA	National Reform Steering Assembly
NSC	National Security Council
NSRRC	National Strategic Reform and Reconciliation Commission
OECD	Organization for Economic Cooperation and Development
PM	Prime Minister
PMF	Peace Maintaining Force
PPP	People's Power Party
PSACC	Public Sector Anti-Corruption Commission
RTArF	Royal Thai Armed Forces
RTAF	Royal Thai Air Force
SBPAC	Southern Border Provinces Administrative Center
SSG	Security Sector Governance
SSR	Security Sector Reform
TDRI	Thailand Development Research Institute
TI	Transparency International
UCL	Union for Civil Liberty
UDD	United Front for Democracy against Dictatorship
UNHCHR	United Nations Office of the High Commissioner for Human Rights