

# Another victim of Thailand's lèse majesté law

Wednesday 13 June 2012, by [Patchanee Kumnak](#) (Date first published: 12 June 2012).

## Introduction

Last month, sixty-two-year-old Thai political prisoner Ampon "Ah Kong" Tangnoppakul died in custody at the Bangkok Remand Prison. Ah Kong had been arrested and charged on 3 August 2010 under Thailand's notorious lèse majesté law - Article 112. The case rested upon four SMS messages supposedly containing offences to the monarchy. Ah Kong was alleged to have sent them to the secretary of the former un-elected Prime Minister Abhisit Vejjajiva. Australian readers will remember Abhisit as the man who presided over the massacre of pro-democracy red-shirts in April-May 2010.

The court failed to prove that Ah Kong had actually sent the messages, but in November 2011 he was finally convicted and sentenced to 20 years because he couldn't prove that he didn't send them. Now an innocent old man is dead. His blood is on the already blood-stained hands of Thailand's rulers.

Ah Kong always maintained his innocence. His case quickly joined the ranks of other political prisoners in Thailand including the labour activist Somyot Prueksakasemsuk and the Prachatai website editor Chiranuch Premchaiporn. As prominent critic Andrew Spooner recently noted, the number of people behind bars under Article 112 is unknown - but constantly growing.

Socialist Alternative sides with all those inside and outside Thailand who demand the scrapping of Article 112 and the release of all remaining political prisoners.

The following statement on Ah Kong's death comes to us from Patchanee Kumnak, Co-ordinator of the Thai Labour Campaign. Patchanee was a guest at the Marxism 2012 conference in Melbourne last Easter. Her statement has been edited for length.

**Liam W**

---

## **Thai authorities must take responsibility for Ah Kong's death as victim of lèse majesté law**

First of all, let me express sadness and grief over Amphon a.k.a "Ah Kong" ("Grandpa" in Thai) who passed away at the Bangkok Remand Prison's hospital on May 8, 2012. He had been convicted and sentenced to 20 years under the lèse majesté law, after allegedly sending four text messages offending the monarchy to the personal secretary of former Prime Minister Abhisit Vejjajiva. Amphon always insisted he did not send the text messages.

His conviction created sensation among those who uphold justice, not least because Ah Kong was 61

years old and would have been 81 by the time he completed his term. Ah Kong wasn't a Red Shirt protester. He was simply an old man with a wife, three children and four nieces and nephews. His family is poor, as was his health. During his trial Ah Kong was denied bail, making it impossible to prepare a proper defence, and there were many other problems that contributed to denying him a fair trial.

Ah Kong is not the only victim of the *lèse majesté* law. Thai labour campaigners, labor unions, NGO workers and socialist organizations in Thailand and abroad have also been campaigning for the release of Somyot Prueksakasemsuk, a labour activist who is accused of *lèse majesté*. But governments, both previous and current, are ignoring the situation. Despite the death of Ah Kong in prison, Prime Minister Yingluck Shinwattra insists that the government will not amend Article 112, and she ignores the issue of prisoners being denied the right to bail.

We want to emphasize that the injustice is a structural problem. The system turns the innocent into criminals, and therefore it is the Thai court who must be held responsible for all victims.

Thailand's prisons are only for the poor people. This fact has been acknowledged for years, but never changed. Why?

Thai prisons are worse than hell. The prisoners, who are viewed as the lowest social class, have to be held in conditions worse than the crime they were convicted of. The writer wants to be the voice for those victims attacked by *lèse majesté* law who have been silenced for speaking out against the coup.

*Lèse majesté* cases are increasing in number and with ever-harsher punishment. Daranee Charncherngsilapakul, aka "Da Torpedo", had already served three years of an eighteen-year sentence handed down by a secret closed trial in the Criminal Court, when her re-trial was undermined by a secret session in the Constitutional Court which found the original trial was legitimate and her sentence was valid. This ruling was handed down before Daranee's re-trial had actually finished. Or the case of Somyot Prueksakasemsuk, labour activist, whose case has been pending and who has also been denied temporary release. And the same goes for Surachai Darnwattananusorn, a leader of the Red Siam Group. These people merely have oppositional political opinions, but in Thailand they are treated as if they were murderers.

The issue highlights some aspects of Thai society:

1. The attitude of echoing those in power by saying "if you don't want to go to jail, then don't commit any crime" is the wrong view, and won't bring about any reform of the law, justice system and social system. Such people would demand we respect the law but wouldn't let us amend the law, which denies any freedom to criticize and any political participation in democratic system.
2. Innocent people are treated as if they were criminals. Somyot Prueksakasemsuk is only a suspect, not yet even convicted of *lèse majesté*, but he has been chained during the trial and forced to wear a prison uniform – an innocent man in prison uniform!

Political prisoners in Thai jails are mistreated, not properly represented, not contacted by relatives, tortured, and denied medical care. Thai prisons are also well known for overcrowded rooms, low-quality food and mixing of the prisoners. Those who were convicted for petty theft are imprisoned together with those convicted of serious crime, and abuses among the prisoners are unavoidable. Thai prisons therefore have become places full of stress and pressure leading to suicide or murder inside the prison.

It's necessary that we examine the Thai social system, which is hierarchical, prejudiced and biased

against the poor. It also shuts off those of different political opinions and sometimes the state use violence against its people.

Thai authorities never hold themselves accountable to the very people who are the victims of the state. They instead empower those who are already in power to suppress and exploit the people, especially the poor, and to maintain the status quo.

The leader of this government, Prime Minister Yingluck Shinawatra must take responsibility for all this. She has the power to issue a royal decree temporarily releasing political prisoners. This government must also move to bring to justice the former Democrat Party leaders, who were involved with ordering the military to crackdown on protesters in April-May 2010. The government, however, simply ignores it and is only willing to help with specific cases such as former Prime Minister Thaksin Shinawatra, Yingluck's elder brother.

The government is one of the elements of the broader Thai state that is contributing to the current conflict and hierarchical society. If they still refuse to release political prisoners unconditionally and amend the lèse majesté law, the problem will get worse and worse just like the case of Ah Kong, which is perhaps the final straw indicating the illegitimacy of this government in running this country.

**Patchanee Kumnak**

---

---

**P.S.**

\* From Socialist Alternative (Australia):

[http://www.sa.org.au/index.php?option=com\\_k2&view=item&id=7357:another-victim-of-thailands-l%C3%A8se-majest%C3%A9-law&Itemid=389](http://www.sa.org.au/index.php?option=com_k2&view=item&id=7357:another-victim-of-thailands-l%C3%A8se-majest%C3%A9-law&Itemid=389)