

# Details of lese majeste charges against Giles Ji Ungpakorn

Tuesday 20 January 2009, by [UNGPAKORN Giles Ji](#) (Date first published: 20 January 2009).

Today, the police informed me that I have been charged with lese majeste because of 8 paragraphs in Chapter 1 of my book "A Coup for the Rich". The paragraphs are listed below.

**According to the police charge sheet, the charges arise from the fact that the Director of Chulalongkorn University bookshop decided to inform Special Branch that my book "insulted the Monarchy".** The bookshop is managed by the academic management of the university. So much for academic freedom!

## **Paragraphs deemed to have "insulted the Monarchy"**

(1) The major forces behind the 19<sup>th</sup> September coup were anti-democratic groups in the military and civilian elite, disgruntled business leaders and neo-liberal intellectuals and politicians. The coup was also supported by the Monarchy. What all these groups have in common is contempt and hatred for the poor. For them, "too much democracy" gives "too much" power to the poor electorate and encourages governments to "over-spend" on welfare. For them, Thailand is divided between the "enlightened middle-classes who understand democracy" and the "ignorant rural and urban poor". In fact, the reverse is the case. It is the poor who understand and are committed to democracy while the so-called middle classes are determined to hang on to their privileges by any means possible.

(2) The junta claimed that they had appointed a "civilian" Prime Minister. Commentators rushed to suck up to the new Prime Minister, General Surayud, by saying that he was a "good and moral man". In fact, Surayud, while he was serving in the armed forces in 1992, was partly responsible for the blood bath against unarmed pro-democracy demonstrators [1]. He personally led a group of 16 soldiers into the Royal Hotel which was a temporary field hospital. Here, his soldiers beat and kicked people [2]. News reports from the BBC and CNN at the time show soldiers walking on top of those who were made to lie on the floor. Three months after the 2006 coup, on the 4<sup>th</sup> December, the King praised Prime Minister Surayud in his annual birthday speech.

(3) The members of the military appointed parliament received monthly salaries and benefits of almost 140,000 baht while workers on the minimum wage receive under 5000 baht per month and many poor farmers in villages live on even less. These parliamentarians often drew on multiple salaries. The government claimed to be following the King's philosophy of "Sufficiency" and the importance of not being greedy. Apparently everyone must be content with their own level of Sufficiency, but as Orwell might have put it, some are more "Sufficient" than others. For the Palace, "Sufficiency" means owning a string of palaces and large capitalist conglomerates like the Siam Commercial Bank. For the military junta it means receiving multiple fat cat salaries and for a poor farmer it means scratching a living without modern investment in agriculture. The Finance Minister explained that Sufficiency Economics meant "not too much and not too little": in other words, getting it just right. No wonder Paul Handley described Sufficiency Economics as "pseudo-economics" ! [3] In addition to this, the junta closed the Taksin government's Poverty Reduction Centre, transferring it to the office of the Internal Security Operations Command and transforming it into a rural development agency using Sufficiency Economics [4].

(4) It should not be taken for granted that the anti-Taksin military-bureaucratic network is a network led by or under the control of the Monarchy, despite any Royal connections that it might have. Paul Handley argues that the Monarchy is all powerful in Thai society and that its aim is to be a just (*Thammaracha*) and Absolute Monarch [5]. For Handley, Taksin was challenging the Monarchy and seeking to establish himself as “president”. There is little evidence to support the suggestion that Taksin is a republican. There is also ample evidence in Handley’s own book that there are limitations to the Monarchy’s power. Never the less, Handley’s suggestion that the 19<sup>th</sup> September coup was a Royal Coup, reflects a substantial body of opinion in Thai society.

(5) The Monarchy over the last 150 years has shown itself to be remarkably adaptable to all circumstances and able to gain in stature by making alliances with all sorts of groups, whether they be military dictatorships or elected governments. The Monarchy may have made mild criticisms of the Taksin government, but this did not stop the Siam Commercial Bank, which is the Royal bank, from providing funds for the sale of Taksin’s Shin Corporation to Temasek holdings [6]. Nor should it be assumed that Taksin and Thai Rak Thai were somehow “anti-Royalist”. For over 300 years the capitalist classes in many countries have learnt that conservative Constitutional Monarchies help protect the status quo under capitalism and hence their class interests. However, it is also clear that the Thai King is more comfortable with military dictatorships than with elected governments. This explains why the Monarchy backed the 19 September coup.

(6) In April 2006 the present Thai Monarch stated on the issue of the use of Section 7 [7] that: *“I wish to reaffirm that section 7 does not mean giving unlimited power to the Monarch to do as he wishes... Section 7 does not state that the Monarch can make decisions on everything... if that was done people would say that the Monarch had exceeded his duties. I have never asked for this nor exceeded my duties. If this was done it would not be Democracy.”* [8] However, by September and certainly by December, the King publicly supported the coup.

(7) For this reason there is a very important question to ask about the 19<sup>th</sup> September 2006 coup. Did the Thai Head of State try to defend Democracy from the military coup which destroyed the 1997 Constitution on the 19<sup>th</sup> September? Was the Head of State forced to support the military junta? Did he willingly support those who staged the coup? Did he even plan it himself, as some believe? These are important questions because the military junta who staged the coup and destroyed Democracy have constantly claimed legitimacy from the Head of State. Starting in the early days of the coup they showed pictures of the Monarchy on TV, they tied yellow Royalist ribbons on their guns and uniforms and asked the Head of State to send his representative to open their military appointed parliament. Later in his annual birthday speech in December, the King praised the military Prime Minister. We need the truth in order to have transparency and in order that Civil Society can make all public institutions accountable. What we must never forget is that any institution or organisation which refuses to build transparency can only have conflicts of interest which it wishes to hide.

(8) In the early part of his reign the Monarch was young and unprepared for the job. He only became King because of an accident which happened to his elder brother. More than that, the Thai government at the time was headed by General Pibun who was an anti-Royalist. Therefore the Monarchy faced many problems in performing its duties as Head of State. This helps perhaps to explain why the Monarchy supported the military dictatorship of Field Marshall Sarit. It is Sarit who was partly responsible for promoting and increasing respect for the Monarchy [9]. But many years have passed. The status and experience of the Thai Head of State have changed. The Monarch has much political experience, more than any politician, due to the length of time on the Throne. Therefore the Monarch today exhibits the confidence of one who has now gained much experience. For example, he chastised elected governments, like that of Prime Minister Taksin. The important

question for today therefore is: if the Monarch can chastise the Taksin government over the human rights abuses in the War on Drugs [10], why cannot the Monarch chastise the military for staging a coup and abusing all democratic rights?

**Reading through these paragraphs it is clear that this lese majeste charge is really about preventing any discussion about the relationship between the military junta and the Monarchy. This is in order to protect the military's sole claim to legitimacy: that it acted in the interests of the Monarchy.**

Associate Professor Giles Ji Ungpakorn

Faculty of Political Science

Chulalongkorn University, Bangkok, Thailand

20 Jan 2009

[Ji.ungpakorn@gmail.com](mailto:Ji.ungpakorn@gmail.com)

---

## Footnotes

[1] See Kevin Hewison (2006) "Genral Surayud Chulanon: a man and his contradictions". Carolina Asia Center, University of North Carolina at Chapel Hill.

[2] Surayud admitted this to *Thai Post* 22 June 2000.

[3] Paul Handley (2006) *The King Never Smiles*. Yale University Press, page 415.

[4] *Bangkok Post* 4 January 2007.

[5] Paul Handley (2006) already quoted.

[6] *Bangkok Post* 24/01/06.

[7] Section 7 of the 1997 Constitution stated that in time of crisis the King could appoint a Prime Minister. But although this was a demand of the P.A.D. in 2006, there was much debate about whether the period before and after the 2<sup>nd</sup> April 2006 elections was an appropriate time to use Section 7.

[8] *Matichon* daily newspaper 26 April 2006. In Thai.

[9] Thak Chaloemtiarana (1979) Thailand: the politics of despotic paternalism. Social Science Association of Thailand and Thai Khadi Institute, Thammasat University. P. 309.

[10] In December 2003 the King called on the government to carry out an investigation into the killings of the 2,245 people.