

Injustice in Non-Transitional Regimes: The Eighth Anniversary of the Massacre of the Thai ‘Red Shirts’

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Abstract: The concept of transitional justice has been widely discussed in Thailand following the massacre of the Red Shirt protesters in 2010, which resulted in the highest death toll resulting from a military action against political protestors in Thai history. The eighth anniversary of that tragedy offers an opportunity to analyse Thailand’s response to the use of military violence against these political activists. This analysis is performed through the application of the seven conceptual components of transitional justice: regime change, finding truth, prosecution, security sector reform, victims-centeredness, reparation, and memorialization. The current study is based on an analysis of various textual sources, such as books, journal articles, news articles, online sources, and other documents. The evidence shows that in the case of Thailand, as in other countries, if the first component, regime change, is not realised such that the authoritarian regime is replaced by one that is civilian and democratic, then justice for past violence can never be established. As a result, the remaining six components of transitional justice in Thailand have been applied in a distorted and incorrect manner in the past eight years.

Keywords: anniversary, reconciliation, Red Shirt massacre, transitional justice, Thailand

Abstrak: Konsep keadilan peralihan telah diperbincangkan dengan meluasnya di negara Thai berikutan pembunuhan beramai-ramai oleh penunjuk perasaan berbaju merah dalam tahun 2010. Hal ini mengakibatkan bilangan kematian

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yang tertinggi hasil daripada tindakan militan terhadap penunjuk perasaan politik dalam sejarah negara Thai. Ulang tahun ke-8 tragedi tersebut memberikan peluang untuk menganalisis respons negara Thai terhadap penggunaan keganasan militan terhadap aktivis-aktivis politik. Analisis ini dilaksanakan melalui aplikasi tujuh konsep dalam komponen keadilan peralihan iaitu: perubahan rejim, pencarian kebenaran, pendakwaan, reformasi, sektor sekuriti, pemusatan mangsa, pampasan, dan peringatan. Kajian ini berdasarkan analisis pelbagai sumber teks, seperti buku, artikel jurnal, artikel berita, sumber-sumber atas talian, dan dokumen-dokumen lain. Bukti menunjukkan bahawa dalam kes negara Thai, seperti dalam negara-negara lain, jika sekiranya komponen pertama iaitu perubahan rejim tidak disedari, rejim authoritarian diambil alih oleh orang awam dan demokratik. Oleh itu, keadilan untuk keganasan yang lepas tidak akan terbentuk lagi. Justeru, enam komponen selebihnya dalam keadilan peralihan dalam negara Thai telah dilaksanakan dalam bentuk tidak kemas dan tidak betul selama lapan tahun yang lalu.

Kata kunci: Ulang tahun, penyelarasan, pembunuhan beramai-ramai baju merah, keadilan peralihan negara Thai.

Introduction

The concept of transitional justice has attracted the interest of scholars and practitioners throughout the world and has been extensively applied in academic studies. It focuses on cases of societies that have experienced tragedies of violence. It considers approaches to addressing past violent trauma, repairing intergroup relationships, and achieving reconciliation and justice. Looking only at cases in the ASEAN region, prominent examples include studies of the Cambodian genocide, (Williams & Palmer, 2016; Bernath, 2016; Manning, 2015; Elander, 2013; Sperfeldt, 2012; DeFalco, 2011; Gibson, Sonis & Hean, 2010; Klinkner, 2008; Chhang, 2007) the East Timor genocide, (Rothschild, 2017; Kent, 2014; Drexler, 2013; Robins, 2012; Kent, 2011) the Aceh massacres, (Jeffery, 2012) the Philippines under dictator Ferdinand Marcos, (Davidson, 2017) and episodes of violence in Myanmar. (Holliday, 2014)

In this study, the author seeks to shed light on one incident of violence in Thailand through the lens of transitional justice. The concepts of transitional justice and reconciliation have been widely discussed in Thailand following the massacre of pro-democracy protesters, the so-called Red Shirts, in April and May 2010. The Truth for Reconciliation Commission of Thailand (TRCT), established after

the massacre, regularly referred to transitional justice as an approach to achieve reconciliation and recommended the adoption of the South African reconciliation model for the country. In its final report, the Commission asserted, "TRCT has implemented the transitional justice concept by studying various deadly conflict experiences of many countries." (Truth for Reconciliation Commission of Thailand, 2012, p. 12) Further, the Commission invited Priscilla Hayner, a well-known transitional justice theorist, and Howard Varney, a senior adviser of the International Center for Transitional Justice, to serve as consultants for the truth-finding mission of the 2010 crackdown of Red Shirt protesters. The TRCT also invited Patrick Burgess, co-founder of Asia Justice and Rights (AJAR), Martti Ahtisaari, former president of Finland and 2008 Nobel Peace laureate, and former UN Secretary-General Kofi Annan to provide advice. (MGR Online, 2012)

In this article, the author examines the period after the dispersal of the Red Shirt protests in 2010 until its eighth anniversary in 2018 through the transitional justice framework. The study seeks to understand why we should study the incident and if the Red Shirt protesters should be considered victims. Previous studies by Thai and foreign scholars have systematically investigated the questions of the identity of the Red Shirts and the political, economic and sociocultural changes in the Thai social landscape that led to the formation of a new class (Walker, 2008; Ungpakorn, 2009; Thabchumpon & Duncan, 2011; Keyes, 2013). However, few studies have examined the Thai state's violent suppression of the Red Shirt pro-democracy movement through the lens of transitional justice.

The author argues that the 2010 crackdown and its legacy should be investigated as it resulted in the death of 90 civilians and 10 state security personnel, and injured more than 2,000 people (Sombatpoonsiri, 2017, p. 138). A number of civilians later died due to their injuries, and several bodies of civilians were found with their brains scattered due to precise shots by army snipers. Counting only the officially recognized deaths, the 2010 incident caused the highest death toll in Thailand's modern political history since the regime change in 1932 (Marshall, 2014, p. 12). The government's own records emphasize the undeniable fact that the government of Prime Minister Abhisit Vejjajiva engaged in a full-fledged war against Red Shirt protesters. The government spent more than three billion baht (US\$100 million) to control and disperse the

Red Shirts by mobilizing 67,000 soldiers. More than 700 million baht (US\$23.3 million) was spent on 25,000 police officers, and the total number of bullets fired was 117,932, together with 2,120 sniper rifle rounds, and 6,620 rubber bullets (People's Information Center, 2012).

Given the contested nature of the interpretation of the 2010 incident in Thailand, referring to the Red Shirts as victims may be problematic. While the Red Shirts have made a claim to victimhood, the prime minister at the time and officials involved in the incident have, in contrast, refuted this claim by stating that they were the victims of the protesters. Essentially, if someone acts as a perpetrator of violence but, after being hit back, claims to be a victim, the definition of victimhood immediately becomes problematic. As it turns out, the majority of those killed were unarmed civilians and the government's assertion that the six corpses found at the Pathum Wanaram Temple were killed by so-called 'black shirts' (third party groups or hired gunmen) has not been proven according to a court ruling and the testimonies of several witnesses. Similarly, the claim that the Red Shirts "burned down the country" is factually incorrect and refers to a few scattered incidents that occurred after the protest dispersal.

Apart from this, the motive of the perpetrators of the violence can be regarded as an indicator for determining who the real victims of the violent incident were in 2010. As the government dispatched troops armed with war weapons to disperse the protests, it is difficult to believe that it did not intend to crack down on the protesters or that the deaths and injuries inflicted on the Red Shirts occurred simply by accident. Importantly, when someone claims to be a victim but insists, they were the only victims, the term victim is immediately stripped of its meaning. In any case, this meaning of the term 'victim' is not only based on the Red Shirts' own claim to victimhood. In the eyes of a substantial part of Thai society, including Thai and foreign academics, due to the lack of power on the part of the lower middle class and grassroots people who form a large section of the population in Thailand and were the main constituents of the Red Shirts, the Red Shirts were overwhelmingly seen as the victims. This is reflected in several examples, such as these groups' statements about this incident, their organization of annual memorial events, their collective struggle for justice for the "victims" (in their view), news articles, and academic works, etc. These reasons

might, to a certain degree, help close the gap in answering the question of victimhood.

Before conducting an analysis of the Red Shirt massacre, a brief discussion of transitional justice, its components, and the theoretical framework used in this article will be provided.

Transitional Justice

The concept of transitional justice emerged for the first time in the mid-1990s with the objective of studying how, after the transition of authoritarianism to democracy, new democratic governments can achieve justice and clarity for violence and human rights violations that occurred at the hands of the government under the old regime (McGregor, 2013, p. 29; Henry, 2015, p. 199). In other words, “transition” is linked with periods of political change from an old to a new regime (Teitel, 2000, p. 69). The main objective of justice is to create the condition for reconciliation or building and repairing present relationships without being haunted by past conflicts and lingering hate (Hayner, 2001; Quinn, 2009). In this sense, before reconciliation is to be achieved, the injustices of the past must be addressed (Teeple, 2004, p. 172; Banerjee, 2003; Bunsee, 2003).

Scholars of transitional justice recognize a number of key elements or preconditions that are necessary to establish justice after the end of a dictatorial regime. For example, the International Center for Transitional Justice (ICTJ) identifies key elements (International Center for Transitional Justice, 2009) based on at least five conditions. First, as the establishment of justice under the structure of the old regime that was involved with human rights violations is difficult, a regime change has to occur first. Second, after regime transition, truth-seeking efforts related to past violent incidents have to be made. Usually, the establishment of truth commissions serves the purpose of investigating and reporting on systematic patterns of abuse, recommending changes, helping understand the underlying causes of serious human rights violations, and providing recommendations for a transition to a more just society. Third, the perpetrators of violence must face criminal prosecutions. Fourth, reparations must be made through which governments recognize and take steps to address the harms suffered. Such initiatives often have material elements (such as cash payments or the provision of free health services to the injured and crippled) as well as symbolic aspects (such as

public apologies or a day of remembrance.) Finally, institutional reform must be aimed at institutions that were involved in the use of violence, such as the military, police, secret services, and the courts, in order to prevent the recurrence of human rights violations. It promotes the process of reviewing and restructuring institutions so that they become transparent and verifiable under the democratic regime.

The ICTJ states that measures to emphasize truth-telling in isolation from efforts to punish perpetrators and to achieve institutional reforms can be viewed as largely ineffective. Similarly, when reparations are not linked to prosecutions or truth-telling, reconciliation efforts may be perceived as “blood money”—an attempt to buy the silence or acquiescence of victims. Reconciliation efforts based solely on a reform of institutions without to satisfy victims’ legitimate expectations of justice, truth, persecutions and reparations, is not only ineffective from the standpoint of accountability, but unlikely to succeed on its own terms. Therefore, each of the conditions noted above are crucial and need to be met.

Scholars are in general agreement on this point. Paloma Aguilar, a Spanish political scientist, puts forward four key elements of transitional justice: 1) perpetrators of violence must be held accountable; 2) any amnesty laws which elites of the old regime usually establish to whitewash their wrongdoings, must be abolished; 3) truth commissions must be created to work towards reconciliation; and 4) all regulations and political announcements under the dictatorship of the old regime must be voided (Aguilar, 2013, p. 246). Similarly, Mark Arenhovel proposes four conditions: truth commissions, criminal trials, bureaucratic purges, and international tribunals or courts (Arenhovel, 2008, p. 573). In the same manner, Dustin Sharp identifies four key elements: 1) establishment of justice; 2) truth-seeking efforts; 3) reparations for victims; and 4) guarantees of non-recurrence. Sharp argues that if all four conditions are met, a society in transition will be able to achieve accountability, democratization, and reconciliation (Sharp, 2013). Kofi Annan identifies democratization, security sector reform, and peace building as mutually reinforcing conditions of transitional justice (Security Council, 2004). Other scholars have identified similar mechanisms. For example, Juan Méndez (Méndez, 1997, p. 261) emphasizes the need: 1) to investigate, prosecute, and punish the perpetrators; 2) to disclose to the victims, their families, and society all that can be reliably established about those

events; 3) to offer the victims adequate reparations; and 4) to separate known perpetrators from law enforcement bodies and other positions of authority. Later academic studies have made efforts to take victim-centered approaches by investigating victims' traumatic narratives (Robins, 2012; Robins & Bhandari, 2012; Robins, 2011; Lundy & McGovern, 2008). Martin Chung argues that transitional justice after the occurrence of conflicts requires historiographical debates about the past tragedies of violence in order to restore the victims' honor, as well as commemoration and memorialization (Chung, 2017).

In this article, the author employs the transitional justice concept as a theoretical framework to analyze the aftermath of the suppression of Red Shirt protesters from 2010 until 2018, the eighth anniversary of the event, by employing seven core elements based on discussion above: 1) regime change; 2) truth finding; 3) prosecution; 4) security sector reform; 5) victims-centered approach; 6) reparations; and 7) memorialization. Methodologically, the study is based on an analysis of various textual sources such as books, journal articles, news articles, online sources, and other documents. The results of the study are organized according to the seven key elements.

Non-transitional regime; an obstacle to achieving justice

In 1997, Thai society was hit by the Asian financial crisis, locally known the *tum yum gung* [spicy shrimp soup] crisis, which caused a serious economic recession. In the same year, Thailand adopted the new "people's constitution," which is regarded as the most democratic constitution in the country's political history. In the 2001 elections, the Thai Rak Thai (TRT) Party, led by Thaksin Shinawatra, put forward a populist program that its constituents perceived as bringing about positive changes for the poor. After a landslide election victory, the party formed a government which would become the first civilian government ever to complete a four-year term in Thailand's political history. In the following election in 2005, TRT won another landslide victory, making it the first party to win an absolute majority in parliament. However, an anti-government movement, the 'Yellow Shirts,' emerged in opposition to Prime Minister Thaksin (Thais are referred to by their first names.) in response to several factors, including the government's human rights violations, Thaksin's increasing alienation of traditional elites, and his use of government power to seek personal benefit. The movement was

composed of a conservative network including capitalists, the middle class, and former members of the military and police, in alliance with the highest courts. The movement adopted the color yellow as it represents the birth color of King Rama IX. The Yellow Shirt protests created a political deadlock and consequently paved the way for the military to stage a coup on 19 September 2006, much to the satisfaction of the protesters.

After the coup, the military and the judiciary, in particular the Constitutional Court, acted as opponents of the supporters of democracy. This was reflected in the adoption of the 2007 constitution designed to curtail Thaksin's political power, followed by the dissolution of the TRT Party. Thaksin remains in exile today after a court sentenced him to prison and ordered the confiscation of more than 60 percent of his assets in 2010. The military junta passed several regulations to suppress anti-coup protests and strengthened its political influence.

Despite these efforts to undermine Thaksin's political machine, the dissolved TRT party returned under the new banner of the People's Power Party (PPP) and gained victory in the national election in late 2007. After anti-government protesters again took to the streets immediately after the election, the Constitutional Court ruled that Prime Minister Samak Sundaravej had violated the constitution by hosting a television cooking show after he took office. The tenure of his successor, Somchai Wongsawat, was short-lived as Yellow Shirts protesters seized Government House and shut down both of the capital's airports in November 2008. Amid this political crisis, the Constitutional Court dissolved the ruling PPP, finding government supporters characterized as a "judicial coup" (McCargo, 2014). Meanwhile, the military played a role in persuading a faction of the government to defect to support the main opposition party, the Democrat Party. As a result, Abhisit Vejjajiva became prime minister by questionable means facilitated by the armed forces planning in a military camp (Nanuam, 2008).

Against this background, the Red Shirt movement emerged in opposition to the military's political interference. The movement was fueled by protesters' discontent resulting from the 2006 coup against an elected government, perceived double-standards in the judicial system, and a sense of political disenfranchisement at the hands of the established elite and the middle class, which repeatedly ignored the

voices of the political majority. The movement adopted the color red to symbolize resistance and the struggle for change (Taylor, 2012, p. 137). Since they saw him as a puppet of the bureaucratic-aristocratic establishment, they called on Abhisit to resign and demanded new elections. The first large protest campaign was organized in April 2009. It became known as Bloody Songkran, in reference to the Thai New Year, after the government led a crackdown on the protesters injuring at least 120 people. Although the government claimed there were no deaths, some Red Shirts maintain that at least six of their members were killed. Many believe the number was far higher (Ockey, 2010, p. 11). The next Red Shirt demonstration in April - May 2010 was brutally crushed by the government, resulting in 90 deaths, the highest death toll in the country's modern political history. The dispersal of the protest was orchestrated by Suthep Thaugsuban, Deputy Prime Minister and Head of Security Affairs, General Prawit Wongsuwan, Minister of Defence, General Anupong Paochinda, army commander, and General Prayuth Chan-ocha, the leader of the 2014 coup and current prime minister (Farrelly, 2012, p. 304).

In the 2011 election, another Thaksin-affiliated party, the Pheu Thai Party (PTP), led by Thaksin's sister Yingluck Shinawatra, won a landslide victory once again. As in the previous election, the party gained an absolute majority in parliament. But once again, the government was ousted by a well-planned and systematically executed military coup on 22 May 2014 (Chachavalpongpun, 2014, p. 171). In run-up to the coup, the Constitutional Court ruled that Yingluck had abused her power when she transferred a high-ranking civil servant and ordered her removed from office. In an earlier ruling, the Court had obstructed the PTP in its push to amend the 2007 Constitution to make the senate fully elected (McCargo & Thabchumpon, 2014, p. 421).

In reviewing this brief summary of events, it becomes clear that since 2006, each of three elected prime ministers had to struggle within a political system dominated by the military: two were ousted within one year in 2008, and one remained in office for two years and 75 days from 2011 to 2014. This system has been described as military bureaucratic authoritarianism by political scientist Surachart Bamrungasuk, who argues that Thai politics depends on a mechanism in which the army controls the country. This arrangement finds support from the elites, the middle class and the judiciary with the promise to "sustain stability" in

Thailand (Bamrungsuk, 2015). Human rights scholar Tyrell Haberkorn argues that there is an unceasing effort by Thai royalist, military, and capitalist elite allies to retain power under this regime (Haberkorn, 2015). In this perspective, the Thai polity never completed its democratic transition that it began in 1932. This despite the successful conduct of peaceful and fair elections. Therefore, it is of little surprise that the military faction that led the 2014 coup has made little-concealed efforts to eliminate the perceived threat of the Shinawatra family from politics. It has also actively suppressed supporters of Thaksin, most of whom have allied with the Red Shirts, who represent a majority of eligible voters, and discredited electoral politics as a source of corruption and dirty politics (Chachavalpongpun, 2014, p. 176).

Apart from the incomplete democratic transition, the Thai polity is on a path determined by the military junta that rests on three pillars: an administrative structure directed by military officers rather than elected politicians; promulgation of an ideological apparatus that mystifies the Thai polity around the monarchy and gives prominence to anti-corruption efforts over democratization; and establishment of an alliance among traditional elites, military forces, and the urban middle classes (Sopranzetti, 2016).

Against the background of the crackdown on Red Shirt protesters in 2010 and an incomplete democratic transition based on civilian rule, establishing justice appears to be nearly impossible. Somsak Jeamteerasakul, a Thai progressive intellectual, posed the question: “Before there can be justice, doesn’t there first need to be a transition? Doesn’t the military regime need to be abolished so that the electoral system can be supreme?” (Maimeenamskul, 2010) In the next section, consideration will be directed to how lack of regime transition has continuously disrupted other elements necessary for transitional justice.

Truth seeking and creating legitimacy for perpetrators of violence

Not long after the crackdown on the Red Shirts, the government set up the Truth for Reconciliation Commission of Thailand (TRCT), headed by ex-Attorney General Kanit na Nakorn. The mission of the TRCT was to engage in fact-finding concerning the bloodshed during April and May 2010 and to identify the roots of the conflict and the ensuing violence in Thai society (Wiriyapanpongsa, 2010, p. 1a). Academics and representatives of the victims questioned whether the truth-seeking

efforts could be successful under the old repressive regime through a process initiated by the government that it dominated and was responsible for the subject violent repression of protestors.

Evidence shows that, typically, Truth and Reconciliation Committees (TRC) established by a government of the old regime usually fail in their mission. In the case of the TRCs in Uganda in 1974 and Chad in 1991, the committees whitewashed evidence of the government's violence against its own people. Winichakul a historian at Wisconsin University, argues that,

“those directly or indirectly involved with violent repression or those whose interests are at risk by an investigation must be removed from power and kept away from the mechanism to establish justice and reconciliation. The Kanit committee was created by Abhisit for his very own benefit; what a ridiculous set up!” (Winichakul, 2010).

In contrast to TRCs in South Africa (1995), Morocco (2004), Guatemala (1996), Peru (2001), and Timor-Leste (2002), (Hayner, 2010) Thailand's TRCT did not include any civil society members or representatives of the victims. It was composed mainly of people who were not sympathetic to the Red Shirts and who had little fondness for Thaksin. One committee member stated that the commissioners were essentially “people who don't like Thaksin.” (McCargo & Thabchumpon, 2014, p. 382). Furthermore, the Commission restricted its investigation by refusing to identify criminals (Isranews, 2012).

Allocated a budget of 77 million baht (US\$2.7 million), the TRCT conducted a two-year investigation and published its final report in 2012. What made the commission's truth-seeking efforts most problematic was its focus on governmental sources of information: official documents; interviews with members of the military and high-ranking police officers; and statements obtained from the Centre for the Administration of Peace and Order (CAPO), which was involved in the suppression of the Red Shirts and led by Suthep, General Prawit, General Anupong, and General Prayuth. These information sources represented the perpetrators of the violence and led the Commission to the conclusion that the Red Shirt protests turned violent because of the actions of so-called 'black shirts' or third-party groups acting on behalf of the Red Shirts, which justified the authorities' use of force. While TRCT had interviewed Red

Shirt protesters in the provinces after their participation of the protest in Bangkok, (Such as in Chiang Mai, Lamphun, Khon Kaen, Lampang, Ubon Ratchathani, Sakon Nakhon, Udon Thani, Mukdahan etc. cited in Truth for Reconciliation Commission of Thailand, 2012) the final report did not include any victim testimonies or detailed description of human rights violations. It also failed to describe the extent of the impact of the bloodshed on Red Shirt victims and their families. Prach Panchakunathorn, a Thai academic, stated, “there has never been any internationally accepted truth commission that prioritized the testimonies of state officials (who are also alleged offenders) while giving so little attention to the testimonies of witnesses, victims and their families.” (Panchakunathorn, 2013a). He further observed that the TRCT report primarily emphasized the responsibility of the protesters and ignored the actions of the government and the armed authorities. The report failed to address the entrenched culture of impunity in the armed forces (McCargo, 2015, pp. 5-20).

The TRCT reached the conclusion that Thaksin was primarily responsible for the conflict and it called on him to withdraw from politics. The commission chose to neglect the political role of the military and that the military has never been subjected to real civilian control (McCargo & Thabchumpon, 2014, p. 388). As a result, the Commission’s final report did not accuse the military or the coup regime of any impropriety. The report did not identify a need for security sector reform in any way. It essentially accepted as given the military’s impunity culture. Furthermore, it offered no criticism of the Thai judiciary’s actions after 2006.

In 2013, Thailand’s National Human Rights Commission, an independent state body, published a report that similarly failed to assign responsibility to the regime for human rights violations during the political protests and the crackdown of 2010. Apart from neglecting to include testimonies of victims and protesters, the investigation’s results heavily depended on mainstream mass media sources which were hostile to the Red Shirts. It concluded that most of the media reports were biased (Panchakunathorn, 2013b) and reproduced the anti-protester narrative, such as the ‘black shirt’ lie and the accusation that Red Shirts were responsible for widespread arson. It also reflected the media’s failure to report on civilian victims who lost their lives to the bullets of the army.

It is clear that both reports sought to legitimize the regime's use of force against the protesters and whitewash both the military and the Abhisit government. The "truth process" ultimately accomplished what the regime's violent suppression of the Red Shirts was intended to do: Reinforce the institutional position of the military-dominated regime and its institutional partners that comprise Thailand's "social cage," (Sripokangkul, Draper, Crumpton & Muangming, 2019) and insulate it from criticism and judicial or electoral accountability.

Later, the People's Information Center (PIC), (People's Information Center, 2012) a group of academics and sympathizers of the Red Shirts, made their own truth-seeking efforts and produced an independent investigation funded through donations of US\$41,000 (1.2 million baht). The PIC published a report entitled "Truth for Justice: Events and impacts of the dispersal of demonstrators, April-May 2010," which included a broad investigation of all incidents that occurred during the protest supported by documented evidence and witness testimony. As it reconstructed incidents in detail and provided photographic evidence of violence for each case, it resembled the 1983 report *Nunca Más* (Never Again) of Argentina's National Commission on the Disappeared (CONADEP). It also included many witness testimonies and provided the victims a voice. The PIC report was met with acclaim by Thai and foreign academics but was largely ignored by the Thai regime and the TRCT.

The regime and its instrumentalities clearly resisted truth finding that is necessary for transitional justice. It might be said that it pursued a contrary course of action intended to present an "alternative truth" intended to insulate it from responsibility for the 2010 violence against political dissidents. The government-appointed TRCT "investigation" was a sham. The denial of truth and efforts to create barriers to find it can be assessed on three levels: 1) objective truth or truth that can provide detailed explanations of the who, what, where, why, when, with whom; 2) memory truth or subjective experience of violently abused victims 3) the truth about the structural root causes of the conflict from an impartial viewpoint. In this context, McCargo and Thabchumpon argue that the TRCT's failure to lead a fair investigation and its avoidance of criticizing the role of the military and blemishing its public image helped pave the way for the 2014 coup. (McCargo & Thabchumpon, 2014, p. 377)

Unceasing suppression of the Red Shirts and impunity

The lack of regime change and the failure to establish the truth made it impossible to seek justice through prosecution of the perpetrators of the 2010 violence. While the Abhisit government had talked about reconciliation, its efforts focused on continued persecution of Red Shirt protesters and maintenance of a climate of fear. The use of an emergency decree enabled the government to arrest suspects without an arrest warrant and hold them for up to 30 days. Seven Red Shirt leaders were imprisoned for nine months, while others fled to neighboring countries. The government's Department of Special Investigation (DSI) built criminal cases against 25 Red Shirts leaders, accusing them of terrorism. The preferred method of the Centre for the Administration of Peace and Order (CAPO) was widely described as "arrest and detention in military camps to squeeze out information." (Matichon, 2010). A number of Red Shirts were coerced into admitting to the allegations against them.

As a result, up to 1,857 Red Shirts (People's Information Center, 2012) across the country were arrested. Many of these were prosecuted for lèse majesté violations, (Taylor, 2012, p. 131) i.e., royal defamation under Article 112 of the Criminal Code. Some provincial Red Shirt leaders and their guards were killed in military operations, including at least six people in the provinces of Nakhon Ratchasima, Udon Thani, Sisaket, Pathum Thani, and Chiang Mai. These operations were described with euphemisms including "picking red flowers" and "picking falling leaves." A number of academics and political activists were also subjected to military intimidation (Sripokangkul, 2015).

The government also established 'cyber scout' units to monitor "radical" online activity, censor mass media television and online media, and close websites and magazines linked to the Red Shirts. The government shut down or blacklisted community radio stations, which had become the most popular information channels for Red Shirts throughout the country. Many public events were also cancelled in the aftermath of the massacre.

The return of democracy under the Yingluck government came with the hope for reconciliation through an amnesty. However, its proposal for an amnesty neglected the prosecution of the perpetrators of violence. Instead, it sought to pardon all sides equally, including those directly

involved in the crackdown on the Red Shirts like Abhisit, Suthep, and soldiers who had fired upon and beaten the protesters. Yingluck's Pheu Thai Party hoped to exchange amnesty for the perpetrators of violence for pardons for indicted Red Shirts and for Thaksin, who had been prosecuted in absentia after his self-exile following the 2006 coup. In late 2013, the parliament passed the Blanket Amnesty Act. It angered many Red Shirt leaders and their supporters, who argued that the perpetrators of the 2010 violence should be brought to justice. At the same time, conservatives and members of the middle class who despised Thaksin also opposed the law, which they saw as an attempt to bring the exiled former prime minister back home. This discontent sparked a protest movement, led by Suthep, which involved many of the former Yellow Shirts activists. When the government reacted to the mass protest with the dissolution of parliament and a call for snap elections, Suthep's protesters moved to obstruct the election. Amid the subsequent chaos, Army Commander General Prayuth Chan-ocha staged a coup against the caretaker government of the Pheu Thai Party on 22 May 2014. The leaders of the Suthep protest worked in close coordination with the military to plan and execute the overthrow of the government. After the coup, Suthep revealed in an interview with the *Bangkok Post* that he had regularly consulted since 2010 with coup-leader Prayuth to uproot the political network of Thaksin. During the protest, Suthep claimed to have received a message of support from Prayuth: "Before martial law was declared (on May 20), General Prayuth told me that you and your masses are too exhausted. It's now the duty of the army to take over the task." (Suksamran, 2014).

In the context of a non-transitional regime and the absence of comprehensive truth-seeking initiatives, Red Shirts continued to become victims after the 2014 coup. According to a report by the Internet Law Reform Dialogue (iLaw), a Thai human rights NGO, thirteen months after the coup, at least 772 people had been ordered to undergo so-called 'attitude adjustment,' a euphemism for re-education sessions targeting dissenters. In total, 475 people had been arrested, of which 209 remained in detention. Additionally, 143 people were prosecuted in military courts and 46 in civil courts. Another 51 people were put on trial for Article 112 violations (ilaw-freedom, 2015). From the coup d'état until 2017, at least 2,408 people appeared in military court, charged with 1,886 offenses. The predominant charges were Article 112

violations (lèse-majesté) (Bureau of Democracy, Human Rights and Labor, 2018). Four years after the coup d'état, on 22 May 2018, the military junta had prosecuted 640 people, including 131 sentences for Article 112 violations, 78 accusations of provocation under the Article 116 of the Penal Code, 41 charged with violations of the Constitution referendum process, and another 390 sentenced for violating the diktat of the coup leader which forbids political gatherings (BBC Thai, 2018). The majority of those prosecuted were Red Shirts and democracy activists. They were not only prosecuted but exposed to intimidation tactics by the military (Sopranzetti, 2017, p. 233). In the eyes of the military government, dissenters were enemies, including Red Shirts, former political prisoners, dissident thinkers, writers, students, and scholars, among others (Haberkorn, 2014, p. 2).

Thus, rather than prosecute those responsible for the perpetration of violence against innocent political protestors, the Thai government followed a course of harassment and prosecution of the victims of this violence. The essential logic of transitional justice was suborned in the interest of protecting the regime.

Violence from non-reformed security sectors and untouchable, uncheckable and uncontrollable status

The Thai military historically understands itself as an important part of national security and has continuously exercised political influence since 1947. Despite brief periods when it lost direct political power, for example after the unsuccessful suppression of the popular uprising on 14 October 1973, it always returned to its dominant political position, often by the use of force, e.g. through the massacre of students on 6 October 1976. In the aftermath of the 1991 military coup, soldiers hunted down droves of citizens in what came to be known the *Black May* of 1992. However, after the 1992 tragedy, for the first time in the country's modern political history, the armed forces returned to the barracks for a period of more than 14 years, until the coup of 2006. The 1992-2006 period of military withdrawal from politics was not related to civilian governments' push for military reform to submit the armed forces to civilian control and establish civilian supremacy, and nor did the military professionalize during these years. The withdrawal can rather be explained by the armed forces' tainted public image after the violent crackdown on peaceful protesters in 1992. It is regrettable that

during the 14 year period, democratically elected governments failed to take the opportunity to conduct root-and-branch security reform and to revamp the armed forces. For this reason, it was an easy task for the military to overthrow the elected government in 2006.

This is not to say no efforts were made to place checks on military power, only that they were mainly through ad hoc personal initiatives aimed at appeasement that, in the end, backfired. There was little effort to realize meaningful institutional transformation. During his time in office from 2001-2006, Thaksin attempted to create personal relationships with members of the military and granted them special favors in order to sway them to his side. This included granting high government positions to military officers, increasing the military budget, and giving the military an important say on issues of foreign policy. Thaksin also appointed family members and army classmates to important positions in the hope of receiving military support for the government. Under Thaksin's government, the military enjoyed freedom in managing itself in terms of its overall vision, arms purchases, and annual budget increases. The military also played a significant role in Thaksin's 2003 war against drugs, which constituted an enormous extension of power and influence into civilian policing for the armed forces. These actions worked against substantive security sector reform. Facing suspicion and potential military intervention, and concerned for the impact on government stability, the Yingluck government that was elected in 2011 adopted a similar strategy of appeasing the military.

This meant that after the 2006 coup, the military had extended its role and increased its influence in Thailand by:

- 1) Increasing the use of violence. The military played a pivotal role in the repression of anti-coup protesters in 2006, the dispersal of the Red Shirts demonstration in 2009's Bloody Songkran, and the tragic crackdown of the large Red Shirt protest in 2010. Acting as a 'state within a state' against the democratically elected Pheu Thai Party government, it lent support to Suthep's anti-government protesters. In the aftermath of the ensuing coup, the military cracked down on dissent and rounded up anti-coup groups. It can be said that the armed forces used power to force compliance at the points of bayonets.

- 2) Strengthening organizational independence. The military prevented state agencies from intervening, controlling and checking the armed forces. After the 2006 coup, it facilitated the enactment of two important laws: the Internal Security Act of 2008, which decisively increased the power for the military to keep the peace in the country and the Rules of Military Officers Act of 2008, which abolished the right of elected politicians to transfer military generals. The army's acquisition of weapons was enhanced as its annual budget continued to increase. The military budget rose from US\$2.4 billion in 2006 to US\$5.9 billion in 2013, US\$5.7 billion in 2015, and then to US\$6.3 billion in 2017 (World Data Atlas, 2018). Retired military officers were also granted positions in the Privy Council.
- 3) Emphasizing its anti-democratic position. After the 2006 coup, the military appointed many lawmakers who were known opponents of Thaksin to draft a new constitution and to assist in the impeachments of democratic-minded politicians (Taylor, 2013, p. 135). This strategy was also adopted after the 2014 coup against Yingluck and her government. In addition, during the election campaign in 2011, high-ranking members of the military appeared on national television asking voters to not cast their ballots for the Pheu Thai Party, which they labelled "bad." Likewise, the army chose not to protect the governments of Samak Sundaravej and Somchai Wongsawat against the mob rule of the 'Yellows Shirts' in 2008 (Chambers, 2010, p. 841). Another example of the military's anti-democratic stance was its role in bringing to power the government of Abhisit Vejjajiva, which was literally formed within in the walls of a military camp. Commanders of units closely associated with Army Commander Prayuth, many of whom were involved in the 2010 crackdown, were also granted higher positions in the following reshuffle (Ockey, 2014, p. 41). The military will likely continue to exercise political power through official channels given its prerogative to appoint the 250-member senate, which will be tasked with the selection of the prime minister. Another mechanism for the military to wield power after the election is a 20-year strategy plan, a long-term policy with which civilian governments will be forced to comply.

Assessed through the analytic lens of transitional justice, it becomes clear the Thai military poses an obstacle to the institution of a

transitional regime that can act as caretaker for the development of the country's democracy. The comparison with the cases of Chile and Argentina reveals a stark contrast. Both countries have sought to reform their militaries by expelling military officers from the political arena, reducing the size of the armed forces, cutting military budgets, reforming intelligence agencies, repealing laws and regulations passed during periods of dictatorship, and initiating bureaucratic purges, among other measures. As a result, Chile and Argentina managed to consolidate their democratic systems and reduce the risk of military intervention in the future (Chuter, 2006, p. 4). Since courts played important roles in their militaries' ability to maintain power and control, they also reformed their judiciaries to varying degrees (Burt, 2011). In contrast, the Thai military has never been subjected to reform and neither has the judicial system. Courts in Thailand have repeatedly given their blessing to military coups. In cases of political violence, Thai courts have never acknowledged human rights violations that citizens have suffered. Two cases in point are the Red Shirt crackdown in 2010 and the human rights violations that followed the 2014 coup (Dressel, 2018, p. 272). Apart from the lower courts, the influence of the Constitutional Court has been extended since the 2006 coup, with several new judges appointed under the 2006–07 dictatorship (Chambers, 2010, p. 841). For democracy supporters in Thailand, it was obvious that the Constitutional Court consistently adopted a double-standard (Taylor, 2012, p. 127) in its rulings and equated judicial power with state power, (McCargo, 2014, p. 434) often leading to political crises. This was the case in the Court's decision to remove Prime Minister Samak from office and hastily dissolve the PPP, which became one of the major rallying points for the Red Shirt protesters up until the crackdown in 2010. The Court also played an important role in other instances, such as the impeachment of Yingluck and its ruling to void the election of February 2014. Another example of the Court's extended influence is the ruling that prevented the civilian parliament from amending the 2007 Constitution. The courts' duty is generally seen as a balance to political power relations. But, in the case of Thailand, the Constitutional Court has been criticized for serving the established arbiters of power to create exceptions in the application of justice in order to pave the way for another military coup (Mérieau, 2016).

Thailand's Constitutional Court has become an opponent of the country's democracy supporters. Donald Horowitz, political scientist at Duke University, writes that in general, constitutional courts can provide efficient support for transition and the creation of established democracies. However, Horowitz also warns that constitutional courts that are drawn into political arguments and conflicts tend to suffer from reduced credibility and integrity. Therefore, constitutional courts should not foray into the political sphere. Horowitz raises the example of Indonesia's constitutional court, which was established in 2003. The court has been practicing passive jurisdiction without expanding its power, an example that stands in contrast to Italy's court, which used its powers to change the language of laws. Horowitz stresses that self-limitation to cases related to the constitution and refraining from overstepping a mandate functions as a protection against the politicization of the court and also ensures the balance of the legislative, executive and judicial branches (Horowitz, 2016).

It is plausible to assume that had the Thai military and the judicial sector undergone reforms to in the direction of democratic standards, the path to new violence against the country's citizens would have been closed and the foundation for sustainable coexistence under the rule of law could have been laid. However, an obstacle that is difficult to overcome in judicial reform efforts in Thailand is the court's self-perception of being tied to the institution of the monarchy instead of being part of the people. The Constitutional Court does not deem it necessary to be linked to the people (Piu-nual, 1990; Sripokangkul & Chambers, 2017). Nidhi Eoseewong, a Thai historian, makes the argument that "judges are still allowed to think that they are part of the monarchy in providing service. They don't think they are part of the people's sovereignty, with a duty to protect rights and freedom as enshrined in the constitution." (PrachataiTV, 2013). This principle should be contested and deconstructed thoroughly (Dressel, 2018).

From non-victim centered to long-lasting victimhood

When considering victims of violence, it is possible to distinguish between direct victims, those killed or physically injured, and indirect victims, who were affected emotionally or psychologically or experienced loss of property. The second group includes victims' families and relatives, as well as their close friends. The 2010 crackdown led to large numbers

of both types of victims. This study focuses on victimhood in terms of the degree to which victim-survivors receive legal, political and social recognition, as well as the degree to which victims can exercise their role as active citizens to vocalize and represent their claims (de Waardt, 2016). The term victimhood here refers to the recognition that an individual or a group continue to be victims after a violent incident, such as the crackdown on the Red Shirts in May 2010.

In the months leading to the crackdown of March to May 2010, as well as after the dispersal of the protesters, members of the political and economic elites and upper middle class individuals used the mass media to dehumanize the Red Shirts, often depicting them as animals, or 'red buffaloes,' a very derogatory term in Thai culture as buffaloes are considered to be stupid animals (Sombatpoonsiri, 2017, p. 138). There were metaphors relating Red Shirts to various other animals, as well as to slaves who lack the capacity to think for themselves. Similarly, during the protests there were signs written by Bangkok residents saying, "Country folk get out," "Rags get out," the protesters were "foot cleaning rags," (Ploygamphet, 2010) implying they should stay down under the elite's feet (Taylor, 2012, p. 131). They were also described as "hired mobs, mean barbarians drunk on liquor and... not a group of people with ideologies like the elite Yellow Shirts." In contrast to the work of truth commissions in other countries, in the final report of the TRCT, these traumatic and painful narratives were excluded.

In addition, not a single state agency made an effort to assess and publicize the painful experiences of protest participants. Such efforts were only made by a number of academics and websites. The Yingluck government allocated US\$5.5 million (168 million baht) to organize public forums for national reconciliation between June and July 2013, with 75,700 people participating in 77 provinces. At first participants for the forums were to include 5 percent political victims and 95 percent general public. Political victims were defined as people involved in the political protests whose lives had been impacted in different ways, such as being injured or by the loss of family members or loved ones. As the forums' launch drew closer, the decision to include political victims was reversed, and the general public's participation was increased to 100 percent. The government was concerned about the Red Shirts' anger and the risk of fostering an atmosphere of irreconcilability (Sripokangkul, 2013).

After the landslide victory of the Yingluck government, which Red Shirts had effectively paid for in blood, they were urged to forget the pain of the past, to forgive and accept the amnesty goals of the government. In an interview, Thaksin, in reference to one Red Shirt volunteer nurse victim, stated, “Although the mother of Kamonked Akhad... is still angry that her daughter was shot by soldiers, and she does not want amnesty—this is normal—but we have to pay regard to the interests of the majority and let the minority sacrifice [their desire for justice].” (Bangkok Post, 2012, p. 7) Similarly, Pheu Thai Party MP Jirayu Houngsub stated, “When all sides want to move forward to achieve reconciliation, they must forget the past conflict, and forgive and overlook some issues, otherwise the country won’t be able to progress.” (Khaosod, 2012a, p. 10) Surapong Tovichakchaikul, foreign minister under the Yingluck administration, added, “It is positive that all sides want to forgive another and put an end to issues of the past because the country needs to move forward.” (Khaosod, 2012b, p. 10) In conclusion, these statements reveal that the Red Shirts had value only as “hostages” to achieve the objectives of the blanket amnesty that the government sought to implement. The deaths of Red Shirt protesters who had sacrificed for broader socio-political reform had thus occurred in vain (Kipgen, 2016, p. 163). Since the 2014 coup, a large number of Red Shirt protesters have been subjected to prosecution, both inside and outside prison on bail. In this way, the oppressive structures and inequality in Thailand have continuously been strengthened and reproduced at the loss of the underprivileged and powerless. This situation has caused immense pain to the Red Shirt victims, especially when they realized that they ultimately had to yield to the overwhelming oppression.

In addition, as mentioned previously, many ‘Red Shirts’ were incarcerated on the charge of violating Article 112, or *lèse-majesté*, which was more widely used following the political conflict after the 2006 coup d’état. The number of people imprisoned due to Article 112 violations increased under Abhisit because his government used the *lèse-majesté* law as a blanket tool to suppress political opposition. Regardless of the law’s use as a political tool against the Red Shirts, the Pheu Thai Party never regarded those jailed as victims, even though some received the maximum prison sentence of 20 years and are still serving time. Although progressive academics, such as those in the Nitirat Group, have petitioned for the abolition of Article 112, Prompong

Nopparit, spokesman for the Pheu Thai Party, stated, "The standpoint of the Pheu Thai Party is not to change Article 112. If someone wants to change it, they will have to campaign by themselves. If the majority of the population agrees, the Pheu Thai Party might reconsider its position not to change Article 112. But if the Red Shirts want to change it now, collect petitions yourselves." (Matichon, 2012b, p. 13) Deputy Prime Minister Chalerm Ubumrung reinforced this stance when he stated that "the government has no policy on this matter; we are royalists." (Thaipost, 2012).

During a demonstration led by Suthep Thaugsuban against the Yingluck government, there were daily insults and slurs against the Red Shirts, including speeches against democracy, and the principle of one person, one vote. Some speakers argued that three hundred thousand votes in Bangkok were worth more than 15 million 'worthless' votes from the upcountry Red Shirts. Chitpas Kridakorn, a leader of the anti-government protesters, stated, "We have to fight and to reform until it is clear that not everyone should have an equal vote; evil people should not have the same vote as good people, and stupid people should not have an equal vote to smart people." (Matichon, 2014)

After the 2014 coup, the military government descended on Red Shirt areas in the northern and northeastern regions, organizing "reconciliation" training that included screening videos about King Rama IX and the historical loss of Thai territories based on the royalist-nationalist ideology (Strate, 2015) It also called on Red Shirts to not speak about political issues (The Isaan Record, 2014) in order to avoid disturbing unity in the country, as if they had been the cause of all the problems. In summary, every government following the crackdown in 2010, including the civilian Yingluck government, systematically excluded Red Shirts from political participation.

Reparations under cynicism and insult

After the violent dispersal of the Red Shirts, the question of reparations for victims was at first not publicly discussed as the Abhisit government fed anti-Red Shirt discourses that portrayed the protesters as "demons." However, in February 2011, small compensation payments were granted to some victims. The Rights and Liberties Protection Department of the Ministry of Justice paid out compensation to the families of those who died and were injured during the crackdown in only 64 cases. Phayao

Akhad – the mother of volunteer medic Kamonked Akhad who was killed – complained: “An investigation of the names of those killed and injured found that some of those shot and injured received only 200 baht in compensation (US\$6) and the families of those killed received 50,000 to 100,000 baht (US\$1,500 to US\$3,000).” (Khaosod, 2011, p. 15). Chumporn Petchmuang, who lost his 28-year-old son Warin Wongsanit to an army billet on 19 May 2010, said that one year after the incident he had not received any kind of victim support. Similarly, the family of Rop Sukstit, who was killed at Pathum Wanaram Temple, like the families of other victims of the incident, never received any compensation (VoiceTV, 2011). In the view of Prajak Kongkirati, a Thai political scientist,

“In spite of the compensation for the some of the victims who were injured or disabled and relatives of those killed, the reparations were granted inconsistently. It resembled alms-giving more than expressing the state’s acceptance of its wrongdoings. For this reason, Thai-style compensation fails to restore the human dignity of those affected by losses.” (Kongkirati, 2010)

Later, during the Yingluck government, the state’s most substantial contribution involved support provided to victims of political violence regardless of their political affiliation: US\$258,300 (7.75 million baht) for deaths or disabilities; US\$52,300 (1.75 million baht) for severe injuries; US\$20,300 (695,000 baht) for non-severe injuries; and US\$7,000 (235,000 baht) for minor injuries. Later, during the Yingluck government, the state’s most important contribution was the support provided to victims of political violence regardless of their political affiliation: US\$258,300 (7.75 million baht) for deaths or disabilities; US\$52,300 (1.75 million baht) for severe injuries; US\$20,300 (695,000 baht) for non-severe injuries; and US\$7,000 (235,000 baht) for minor injuries (Dailynews, 2012, p. 15). However, the government’s reparations to victims was harshly criticized by those who despised the Red Shirts, like Vorakorn Chatikavanij, wife of Korn Chatikavanij, former deputy leader of the Democrat Party, who referred to it as “a new kind of business with good profits... the business of demanding democracy.” (Matichon, 2012b, January 13) Similarly, Chai Chidchob, a member of the opposition (Bhumjaithai Party) looked down on the practice of paying victims, saying, “It will lead to even more protests

and people will not be afraid because some people try all their lives and are not able to gather [even] 100,000 baht” (Post Today, 2012b) These ideas can be summarized in the words of General Somjet Boonthanom, an appointed senate member, who said:

“Just like the 7.75 million baht being regarded as compensation, from another perspective it is life insurance because 7.75 million is a lot when some people cannot even accumulate 1 million... In this case people were hired to cause violent incidents and the life insurance is 7.75 million baht.” (Sukarun, 2012).

The compensation payments were also criticized by direct and indirect victims themselves, who accused the Yingluck government of neglecting the search for truth and the need for bringing the perpetrators to justice. Nattapat Akhad, younger brother of Kamonked Ahkad, a volunteer nurse who was shot in Pathum Wanaram Temple, commented, “Although we received compensation, it does not mean our suffering has ended.” (Sukarun, 2012). Nidhi Eoseewong, criticized the Yingluck government, saying,

“The bodies you step on are all Red Shirts and you hit them on the head with seven to eight million baht. That is enough, right? But it appears that the Red Shirts themselves are shaken, too, because they have the feeling that they cannot stand stepping on bodies like this.” (Daily World Today, 2012)

The Thai state’s reparation efforts focused mainly on monetary compensation, which stands in contrast to other countries that provided financial assistance and various social welfare measures, as well as mental health care to victims (Roht-Arriaza & Orlovsky, 2009, pp. 179-191). However, in a positive light, Thailand’s case still compares better to countries that did not provide any monetary compensation to victims at all. For example, in the case of Ghana, 89 percent of the victims who testified with the country’s National Reconciliation Commission stated that they needed financial assistance, but because of the country’s poor economic situation the government could not allocate a sufficient amount to the victims (Alidu, Webb & Fairbairn, 2009, p. 140) In Timor Leste, only a small number of victims received compensation (Robins, 2012), which was also the case in Peru (Laplante & Theidon, 2007) and various African countries (Roht-Arriaza & Orlovsky, 2009).

After the 2014 coup, the military government discredited many of the Yingluck government's policies, including victim reparations. At present, the Office of the National Anti-Corruption Commission is preparing a case against Yingluck's cabinet, arguing that compensation payments were made without any legal basis (Tnews, 2017).

Closed Space and de-memorialization of the 2010 massacres

Memorialization means providing space to remember and pay respect to victims of regime violence to assure that the tragedy of the past is not forgotten. This includes collective acknowledgement of the pain of the past coupled with a hope that memorializing the atrocities will prevent society from repeating its past failures. Opening up space for memorialization can take various forms. For example, photos may be collected and stories shared about the violent incident in a museum. A graveyard may be built where the names of the victims are included on one or more plaques or statues. Memorialization can include books, academic articles, newspapers, films, artwork, adapting education curriculums, and street art and exhibitions (Huysen, 2011). Memorialization also can be expressed through annual ceremonies and public apologies from the state.

In the case of Thailand, after the Red Shirt crackdown, the incident became part of a politics of amnesia. It was effectively de-memorialized. In the immediate aftermath of the violent dispersal of the Red Shirt protesters on 19 May 2010, almost 10,000 Bangkokians, including celebrities and actors, participated in a public event to clean the streets after the protest under slogans such as "Returning happiness to the people of Bangkok" and "Together, we can do it," accompanied with singing the national anthem. A news report about the event stated that "it was indeed a striking image that reflected that strength of the Bangkok people." (Post Today, 2010a). The event pretended that there had never been bloodshed and that no people had died in the bloodbath resulting from the military's dispersal of protesters. Political scientist Kasian Tejapira described the cleaning event an attempt at de-memorialization. "The cleaning day might reflect that a city like Bangkok doesn't want to remember and prefers closure." (Tejapira, 2010) This was echoed in Jim Taylor's critique that Red Shirt protests in Bangkok, including the massacres in early 2010, will be erased from formal historical narratives, just as the streets and walls were washed clean along with any evidence

of state brutality less than a few days after the massacre (Taylor, 2012, p. 122).

Although a group of Red Shirts has regularly gathered at the site to draw attention to the memory of the violent incident that occurred at the Ratchaprasong Intersection in central Bangkok holding signs bearing the slogans "HERE is MASSACRE" and "Do Not Forget," each time they were detained by soldiers. It was only Red Shirts who focused on the maintenance of painful memories of the past, while the rest of society chose silence. They began organizing memorial events one year after the incident. But sadly, during the event in 2012, while a large number of Red Shirts were in tears and lighting candles to remember those who died, former Prime Minister Thaksin told them through a public Skype call: "The government is looking at the future of the country and we ask for the Red Shirts' understanding and your sacrifice... We want the country stop fighting. We should all be looking forward and forget the past." (Matichon, 2012c, p. 13). In the same year, former Prime Minister Abhisit, who has never apologized for the violence, in an interview with BBC stated, "We have never even tried to break up the protests; we just set up checkpoints and street fights broke out. It was bad luck that people were killed." The reporter further asked, "Do you accept partial responsibility for the deaths?" Abhisit answered, "No." However, he did admit to ordering the use of live ammunition, saying that he does not regret the use of force because it was a legitimate way to deal with the protestors. Abhisit also stressed, "Let me say that I have joined conferences all over the world and in the case of G20 summits, there are some people who get killed because officers try to carry out their work. And there have to be inquiries into the deaths to prove whether the deaths were lawful. But the prime minister does not take responsibility for what happens." (Prachatai, 2012) Thaksin called on the Red Shirts to forget the past, and Abhisit, while not denying that protestors died from the bullets of soldiers, compared himself to other world leaders whom he considers "above the fray" of the political scuffles that take place in the streets.

After the 2014 coup, the push for de-memorialization continued as the junta banned Red Shirts from organizing memorial events. Red Shirt groups have still tried to hold such events, but they have been closely monitored by security authorities. Anniversary events for the 2006 and 2014 coups have also been banned. As part of de-memorialization,

soldiers confiscated Red Shirt signs in 15,000 to 20,000 villages that had announced themselves Red Shirt villages countrywide (Sitthi, 2017). Many symbols, like red t-shirts, red scarfs, red flags, red bathing bowls as well as books and magazines, which had pictures of Thaksin and Yingluck Shinawatra or of other Red Shirt leaders and photographs related to Red Shirt protests, were seen as dangerous. These symbols were burned, destroyed or confiscated (Sripokangkul, 2015, p. 125) or Red Shirt villagers had to hide them (Presser & Drahmoune, 2014). In addition, all Red Shirt-affiliated television and radio stations were forced to close down. Similarly, villagers were forbidden from wearing Red Shirts because it was regarded as a betrayal of the nation and of the monarchy. In the northern province of Chiang Mai, soldiers forced Red Shirt supporters and their leaders to take off their shirts (Prachatai, 2014). In the case of the Red Shirt song titled “Fighter from the dust”, which represents the struggles of the Red Shirts, the military government later adopted the same title in a song to honor the king (Jin Kammachon, 2016). Interviews with villagers in the northeastern province of Khon Kaen by the author revealed that even villagers who hung Red Shirts outside their homes simply out of a superstitious belief to protect themselves against ghosts had to ask for permission from the military, who would come to investigate if these villagers had political motivations.

Against this background, it can not only be said that the space for memorialization was closed but that Thai elite society has systematically attempted to de-memorialize the massacre of Red Shirts. The de-memorialization described above fits into the category of repressive erasure proposed by Paul Connerton, who identifies types of forgetting which usually follow the outright destruction of all enemies. This method was meant to erase the narratives of Red Shirts and negate them any space in history through a deliberate and self-congratulatory attempt to forget rather than forget out of shamefulness or by recognizing one’s own mistakes in any way (Connerton, 2008).

Conclusion

The findings of this study demonstrate the consequences when the key elements of transitional justice are not followed. In effect Thailand represents a case of what might be referred to as a non-transitional regime. Truth-seeking after the 2010 Red Shirt incident were a one-sided

exercise representing only perspective of the state. "Truth" became a vehicle for whitewashing state officials' wrongdoings. Persecution by the perpetrators of violence continues as the perpetrators continue to wield power in Thailand. Hopelessness persists with regard to security sector reform, a victim-centered approach to reconciliation and efforts for memorialization. Although financial reparations benefited some Red Shirt direct and indirect victims, victim support in the absence of other key elements of transitional justice is problematic.

Finally, the author would like to comment on two questions. First, regarding how the TRCT understood the concept of transitional justice, which it referred to extensively in its efforts to create reconciliation in Thailand after the 2010 incident. Next is why Thailand has been unable to establish justice for the incident.

In Thailand, the transitional justice concept was altered in a way that it was disconnected from its meaning. In the words of the TRCT, it based its work on "principles of transitional justice drawn from studies from various countries that experienced violent conflict that could not be resolved through the regular judicial process." (Truth for Reconciliation Commission of Thailand, 2012, p. 13) In its understanding, transitional justice provided an alternative to the regular judicial system. This problematic approach raises the question of how justice can be established in a non-transitional regime. Clearly, the TRCT did not understand the core meaning of the concept but instead used it as jargon to earn credibility. This lack of faithful application of the concepts of transitional justice fit the underlying narrative of Thai political reality. Furthermore, there is not only transitional justice but also several other concepts that Thai society managed to alter in this way (Tejapira, 2009). This problematic approach raises the question of how justice can be established in a non-transitional regime. Clearly, the TRCT did not understand the core meaning of the concept but instead used it as jargon to display credibility.

Addressing the second question, why was there only limited justice for the Red Shirts in Thailand if compared to the four factors that ensured the establishment of justice in the case of some Latin American countries? (Lessa et al., 2014)

First, Thailand's civil society did not demand justice after the incident. Much of the middle class appeared to exhibit satisfaction with

the death of Red Shirt protesters. Red Shirts were not only not seen as “normal” members of Thai society, they were viewed as worthless and apart from society. The 2010 incident resulted in many dying in vain. Thai anthropologist Yukti Mukdawijitra has argued that in the eyes of the elite and the middle class, a death is only meaningful if the person who died had accumulated sufficient prestige (Mukdawijitra, 2010)

Second, in Thailand there was an absence of domestic judicial leadership and other leaders willing to sacrifice themselves for justice, as were the Argentinian judges Claudio Bonadio, Roberto José Marquevich, Leopoldo Schiffrin (Borzutzky, 2007, p. 182), or Juan Salvador Guzmán Tapia, who fought for justice and the persecution of many perpetrators. Beyond the case of the persecution and massacre of Red Shirts, Thailand’s judiciary has proven over time that it is not a robust institution. Unlike Argentina’s Raul Alfonsín (1983-1989), Nestor Kirchner (2003-2007), or Chile’s presidents Patricio Aylwin (1990-1994), Eduardo Frei (1994-2000), Ricardo Lagos (2000-2006) and Michelle Bachelet (2014-2018), Thailand has never produced a civilian leader strong enough to fight the military regime. These South American civilian leaders were fearless in standing against the military despite facing the threat of assassination at the hands of the armed forces.

The third factor relates to the absence of veto players in Thailand who would have demanded justice for the victims. With regard to the Pheu Thai Party, the party whose power Red Shirts paid for with their blood, five points can be made. First, the party attempted to distort the meaning of reconciliation in order to make it synonymous with the term amnesty. Second, the party avoided seeking the truth as it called on victims to sacrifice, forget, and forgive. Third, the party tried to create a close relationship with the established elite in the hope of achieving the first two points. Fourth, it refused to give victims access to the reconciliation process. Finally, the party favored a kind of reconciliation that shied away from a reform of the institution of the military and independent bodies like the judiciary.

The fourth factor is partially related to the absence of international pressure from powerful countries or international organizations. After military interventions and the crackdown on the Red Shirts, powerful nations who were friendly with Thailand, a non-treaty NATO ally, did

not chastise the Thai government for using violence against its own people. International organizations like the United Nations and the European Union did not react with substantive sanctions, and ASEAN followed its usual policy of non-interference in the internal political matters of its member states. In Asia there are no international justice bodies like the Inter-American Court of Human Rights, an independent organization that rules in human rights cases. As Thailand follows an ideology of ultra-nationalism and fears the loss of judicial sovereignty, it has not ratified the treaty to be under the jurisdiction of the International Criminal Court. As a result, the Red Shirts massacre in 2010 received an international silent treatment, which served to tacitly support the Thai domestic culture of impunity, as exhibited in other cases of regime-promoted, such as the massacres of 14 October 1973, 6 October 1976 and the Black May in 1992. This phenomenon of international silence and domestic political amnesia has also occurred in neighboring, including Cambodia and Indonesia (Chandler, 2008; Lambourne, 2009).

It is ironic that since the 2014 coup, which has made Thailand the only country under fully-fledged military rule, the junta has continuously been talking about bringing reconciliation to the people. However, the Red Shirts massacre in 2010 is completely absent from the military's reconciliation discourse. Reconciliation thus becomes a mechanism to impose a unity on society which everyone has to follow, according to the government's diktats. In conclusion, it is extremely difficult to cast a positive light on the quest for justice for the 2010 incident, and there cannot be any assurance that the victims who were devalued and treated as inferior sub humans will not once again have to face the same tragic fate in the future.

References

- Aguilar, P. (2013). Judiciary involvement in authoritarian repression and transitional justice: The Spanish case in comparative perspective. *International Journal of Transitional Justice*, 7(2), 245-266.
- Alidu, S., Webb, D., & Fairbairn, G. J. (2009). "Truths" and "Re-Imaging" in the Reconciliation Process. *Peace Review*, 21(2), 136-143.
- Arenhövel, M. (2008). Democratization and transitional justice. *Democratisation*, 15(3), 570-587.
- Bamrungasuk, S. (2015). *Militocracy*. Bangkok: Matichon Press.
- Banerjee, S. (2003). Reconciliation without Justice?. *Economic and Political Weekly*, 38(20), 1935-1937.

- Bangkok Post. (2012, April 16). Thaksin targets auspicious homecoming. *Bangkok Post*, p. 7.
- BBC Thai. (2018). 4 years since coup; Stability, Prosperity and Sustainability for whom?. *BBC Thai*, Retrieved from https://www.bbc.com/thai/resources/idt-sh/thai_junta
- Bernath, J. (2015). 'Complex Political Victims' in the Aftermath of Mass Atrocity: Reflections on the Khmer Rouge Tribunal in Cambodia. *International Journal of Transitional Justice*, 10(1), 46-66.
- Borzutzky, S. (2007). The Politics of Impunity: The Cold War, State Terror, Trauma, Trials and Reparations in Argentina and Chile.
- Bunsee, B. (2003). Reconciliation without Justice. *Economic and Political Weekly*, 38(22), 2202-2205.
- Bureau of Democracy, Human Rights and Labor. (2018). *Thailand 2017 Human Rights Report*. Washington, D.C.: United States Department of State. Retrieved from <https://www.state.gov/documents/organization/277365.pdf>
- Burt, J. M. (2011). Challenging Impunity in Domestic Courts: Human Rights Prosecutions in Latin America. *Transitional Justice: Handbook for Latin America*, 285-314.
- Chachavalpongpun, P. (2014). The politics of international sanctions: the 2014 coup in Thailand. *Journal of International Affairs*, 68(1), 169-185.
- Chambers, P. (2010). Thailand on the brink: Resurgent military, eroded democracy. *Asian Survey*, 50(5), 835-858.
- Chandler, D. (2008). Cambodia deals with its past: Collective memory, demonisation and induced amnesia. *Totalitarian Movements and Political Religions*, 9(2-3), 355-369.
- Chhang, Y. (2007). The Thief of History—Cambodia and the Special Court. *The International Journal of Transitional Justice*, 1(1), 157-172.
- Chung, C. M. (2017). Against Loveless Judging: Fritz Bauer and Transitional Justice in Postwar Germany. *International Journal of Transitional Justice*, 12(1), 9-25.
- Chuter, D. (2006). Understanding security sector reform. *Journal of Security Sector Management*, 4(2), 1-22.
- Connerton, P. (2008). Seven types of forgetting. *Memory studies*, 1(1), 59-71.
- Daily World Today. (2012, June 14). Thailand in crisis. *Daily World Today*, p. 2.
- Dailynews. (2012, May 25). Compensation to political victims. *Dailynews*, p.15.
- Davidson, N. R. (2017). Alien Tort Statute litigation and transitional justice: bringing the Marcos case back to the Philippines. *International Journal of Transitional Justice*, 11(2), 257-275.

- de Waardt, M. (2016). Naming and shaming victims: The semantics of victimhood. *International Journal of Transitional Justice*, 10(3), 432-450.
- DeFalco, R. C. (2011). Accounting for famine at the extraordinary chambers in the courts of Cambodia: The crimes against humanity of extermination, inhumane acts and persecution. *International Journal of Transitional Justice*, 5(1), 142-158.
- Dressel, B. (2018). Thailand's Traditional Trinity and the Rule of Law: Can They Coexist?. *Asian Studies Review*, 42(2), 268-285.
- Drexler, E. F. (2013). Fatal knowledges: the social and political legacies of collaboration and betrayal in timor-leste. *International Journal of Transitional Justice*, 7(1), 74-94.
- Elander, M. (2012). The victim's address: Expressivism and the victim at the extraordinary chambers in the courts of Cambodia. *International Journal of Transitional Justice*, 7(1), 95-115.
- Farrelly, N. (2012). Thailand: Thaksin Survives Yet Disquiet Floods the Kingdom. *Southeast Asian Affairs*, 2012(1), 301-317.
- Gibson, J. L., Sonis, J., & Hean, S. (2010). Cambodians' support for the rule of law on the eve of the Khmer Rouge trials. *International Journal of Transitional Justice*, 4(3), 377-396.
- Haberkorn, T. (2014). Martial Law and the Criminalization of Thought in Thailand. *The Asia Pacific Journal*, 40(5), 1-13.
- Haberkorn, T. (2015). Repression, resistance, and the law in post-coup Thailand. *Current History*, 114(773), 241-243.
- Hayner, P. B. (2002). *Unspeakable truths: Confronting state terror and atrocity*. Routledge.
- Henry, N. (2015). From reconciliation to transitional justice: The contours of redress politics in established democracies. *International Journal of Transitional Justice*, 9(2), 199-218.
- Holliday, I. (2014). Thinking about transitional justice in Myanmar. *South East Asia Research*, 22(2), 183-200.
- Horowitz, D. L. (2006). Constitutional courts: A primer for decision makers. *Journal of Democracy*, 17(4), 125-137.
- Huyssen, A. (2011). International human rights and the politics of memory: Limits and challenges. *Criticism*, 53(4), 607-624.
- ilaw-freedom. (2015, July 14). June 2018, 1 year and 1 month of military government. *iLaw*, Retrieved from <https://freedom.ilaw.or.th/en/node/230>
- International Center for Transitional Justice. (2009). *What is transitional justice?*, Retrieved from <http://www.ictj.org/about/transitional-justice>

- Isranews. (2012, September 20). Kanid talked about Thaksin. *Isranews Agency*, Retrieved from <https://www.isranews.org/isranews-article/16487-2012-09-20-05-38-35.html>
- Jeffery, R. (2012). Amnesty and accountability: The price of peace in Aceh, Indonesia. *International Journal of Transitional Justice*, 6(1), 60-82.
- Jin Kammachon. (2016, November 12). Nak su tu lee din [YouTube video], Retrieved from <https://www.youtube.com/watch?v=fSjVqB4mzSk>
- Kent, L. (2011). Local memory practices in East Timor: Disrupting transitional justice narratives. *International Journal of Transitional Justice*, 5(3), 434-455.
- Kent, L. (2014). Narratives of suffering and endurance: Coercive sexual relationships, truth commissions and possibilities for gender justice in Timor-Leste. *International Journal of Transitional Justice*, 8(2), 289-313.
- Keyes, C. F. (2013). *Finding Their Voice*. Chiang Mai: Silkworm Books.
- Khaosod. (2011, January 29). Phayao Akhad idea about compensation. *Khaosod*, p. 15.
- Khaosod. (2012a, April 8). Jirayu Houngsub's opinion toward reconciliation. *Khaosod*, p. 10.
- Khaosod. (2012b, April 24). Surapong Tovichakchaikul's opinion toward reconciliation" *Khaosod*, p. 10
- Kipgen, N. (2016). Militarization of Politics in Myanmar and Thailand. *International Studies*, 53(2), 153-172.
- Klinkner, M. (2008). Forensic science for Cambodian justice. *The International Journal of Transitional Justice*, 2(2), 227-243.
- Kongkirati, P. (2010, November). Transitional Justice. *Prachatai*, Retrieved from <https://prachatai.com/journal/2010/11/31944>
- Lambourne, W. (2009). Transitional justice and peacebuilding after mass violence. *International journal of transitional justice*, 3(1), 28-48.
- Laplante, L. J., & Theidon, K. (2007). Truth with consequences: Justice and reparations in post-Truth Commission Peru. *Human Rights Quarterly*, 29, 228-250.
- Lessa, F., Olsen, T. D., Payne, L. A., Pereira, G., & Reiter, A. G. (2014). Overcoming impunity: Pathways to accountability in Latin America. *International Journal of Transitional Justice*, 8(1), 75-98.
- Lundy, P., & McGovern, M. (2008). Whose justice? Rethinking transitional justice from the bottom up. *Journal of Law and Society*, 35(2), 265-292.
- Maimeenamkul, P. (2010, November 3). Transitional Justice in Argentina case. *Prachatai*, Retrieved from <http://www.prachatai.com/node/31728/talk>

- Manning, P. (2015). Reconciliation and perpetrator memories in Cambodia. *International Journal of Transitional Justice*, 9(3), 386-406.
- Marshall, A. (2014). *A Kingdom in Crisis*. London: Zed Books.
- Matichon. (2010, August 20-26). Abolition of Emergency Decree in Emergency Situation. *Matichon Weekly*.
- Matichon. (2012a, May 17). Anti-Article 112 Amendment. *Matichon*, p. 13.
- Matichon. (2012b, January 13). Vorakorn Chatikavanij's Views toward the Compensation Policy. *Matichon*.
- Matichon. (2012c, May 20). Thaksin asks for reconciliation" *Matichon*, p. 13.
- Matichon. (2014, June). Chitpas Kridakorn as the Leader in the Chulalongkorn University Graduation Ceremony. *Matichon*. (In Thai).
- McCargo, D. (2014). Competing notions of judicialization in Thailand. *Contemporary Southeast Asia: a journal of international and strategic affairs*, 36(3), 417-441.
- McCargo, D. (2015). Transitional justice and its discontents. *Journal of Democracy*, 26(2), 5-20.
- McCargo, D., & Thabchumpon, N. (2014). Wreck/Conciliation? The Politics of Truth Commissions in Thailand. *Journal of East Asian Studies*, 14(3), 377-404.
- McGregor, L. (2013). Transitional justice and the prevention of torture. *International Journal of Transitional Justice*, 7(1), 29-51.
- Méndez, J. E. (1997). Accountability for past abuses. *Human Rights Quarterly*, 19(2), 256-281.
- Mérieau, E. (2016). Thailand's deep state, royal power and the constitutional court (1997–2015). *Journal of Contemporary Asia*, 46(3), 445-466.
- MGR Online. (2012, February 17). Yingluck vows to reconciliation before Kofi. *Manager Online*, Retrieved from <https://mgronline.com/politics/detail/9550000022208>
- Mukdawijitra, Y. (2010, April 26). Politics of Massacres. *Prachatai*, Retrieved from <http://www.prachatai.com/journal/2010/04/29135>
- Nanuam, W. (2008, December 11). Government Hopefuls Rendezvous with Anupong 'The Manager'. *Bangkok Post*.
- Ockey, J. (2010). Red Democracy, Yellow Democracy: Political Conflict in Thailand. *New Zealand International Review*, 35(6), 8-12.
- Ockey, J. (2014). Thailand in 2013: The politics of reconciliation. *Asian Survey*, 54(1), 39-46.
- Panchakunathorn, P. (2013a). *A Comparative Study between Thai TRC and Other Foreign Commissions*. Bangkok: Creative Space for Diliberative

- Democracy, Retrieved from http://www.parliament.go.th/ewtadmin/ewt/parliament_parcy/download/article/article_20131010111402.pdf
- Panchakunathorn, P. (2013b, August 18). Human rights, the law and violence in 2010. *New Mandala*, Retrieved from <http://www.newmandala.org/human-rights-the-law-and-violence-in-2010>
- People's Information Center [PIC]. (2012). *Truth for Justice: Events and Impacts of the Dispersal of Demonstrators, April-May 2010*. Bangkok: PIC.
- Piu-nual, C. (1990). Prachatippatai bab thai kuam kit tang karn muang kong tha harn thai (2519-2529)(Thai-style democracy: The political ideas of the Thai military (1976-1986).
- Ploygamphet. (2010, June 15). On Holiday. *Praew* 44. (In Thai).
- Post Today. (2010a, May 21). Big Cleaning in Bangkok. *Post Today*.
- Post Today. (2012b, April 4). Chai believes reconciliation leads to violence. *Post Today*, Retrieved from <https://www.posttoday.com/politic/news/146843>
- Prachatai. (2012, December 11). Abhisit Vejjajiva Interview on BBC World News. *Prachatai*, Retrieved from <http://prachatai.com/journal/2012/12/44161>
- Prachatai. (2014, June 29). Troops in Humvee Arrest Fried Squid Seller Wearing a Red Shirt. *Prachatai*, Retrieved from <https://prachatai.com/journal/2014/06/54314> (accessed on 30)
- PrachataiTV. (2013, March 18). The Court as a Mechanism of a Regime [YouTube video]. Retrieved from <https://www.youtube.com/watch?v=Td-M3EUWk4>
- Presser, L. & Drahmoune F. (2014, June 18). Military Raids and Thai Red Shirt Disquiet. *Aljazeera*, Retrieved from <https://www.aljazeera.com/indepth/features/2014/06/military-raids-thailand-red-shirt-disquiet-20146168465762406.html>
- Quinn, J. R. (2009). *Reconciliation (s): Transitional justice in postconflict societies* (Vol. 6). Montreal: McGill-Queen's Press-MQUP.
- Robins, S. (2011). Towards victim-centred transitional justice: Understanding the needs of families of the disappeared in postconflict Nepal. *International Journal of Transitional Justice*, 5(1), 75-98.
- Robins, S. (2012). Challenging the therapeutic ethic: A victim-centred evaluation of transitional justice process in Timor-Leste. *International Journal of Transitional Justice*, 6(1), 83-105.
- Robins, S., & Bhandari, R. K. (2012). *From victims to actors: Mobilising victims to drive transitional justice process*. Kathmandu, Nepal: National Network of Families of the Missing and Disappeared (NEFAD).

- Roht-Arriaza, N., & Orlovsky, K. (2009). A complementary relationship: Reparations and development In P. D. Greiff & R. Duthie, *Transitional justice and development: Making connections*, 170-213.
- Rothschild, A. (2017). Victims versus veterans: agency, resistance and legacies of Timor-Leste's truth commission. *International Journal of Transitional Justice*, 11(3), 443-462.
- Security Council. (2004). *Report of the Secretary-General on the Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies* by Kofi Annan. New York: United Nations
- Sharp, D. Interrogating the Peripheries: The Preoccupations of Fourth Generation Transitional Justice'(2013). *Harvard Human Rights Journal*, 26(1), 149-178.
- Sitthi, K. (2017). *The Coup and Crisis: The 2014 Military Coup d'état and the Redshirt movement in Thailand*. Paper presented at The Association for Asian Studies Annual Conference, Toronto, Canada on March 16-19, 2017.
- Sombatpoonsiri, J. (2017). The 2014 Military Coup in Thailand. *Asian Journal of Peacebuilding*, 5(1), 131-154
- Sopranzetti, C. (2016). Thailand's Relapse: The Implications of the May 2014 Coup. *The Journal of Asian Studies*, 75(2), 299-316.
- Sopranzetti, C. (2017). The Tightening Authoritarian Grip on Thailand. *Current History*, 116(791), 230-234.
- Sperfeldt, C. (2012). Cambodian civil society and the Khmer Rouge Tribunal. *International Journal of Transitional Justice*, 6(1), 149-160.
- Sripokangkul, S. (2013). Synthesis of Problems and Obstacles Regarding "Public Forums Nationwide for National Reconciliation": a Case Study of 6 Provinces in the Northeastern Region, Thailand. *NIDA Case Research Journal*, 5(2), 113-163.
- Sripokangkul, S. (2015). Reconciliation as Free-Floating Signification: Reconciliation after 2014 Coup in Thailand. *Asia-Pacific Social Science Review*, 15(2), 108-132.
- Sripokangkul, S. (2015). Thai society and reconciliation after the 2010 massacre, In C. Satha-Anand, *Nonviolence Space: Knowledge, Secret and Memory*. Bangkok: Protestista.
- Sripokangkul, S., & Chambers, P. (2017). Returning Soldiers to the Barracks: Military Reform as the Crucial First Step in Democratising Thailand. *Pertanika Journal of Social Sciences and Humanities*, 25, 1-20.
- Sripokangkul, S., Draper, J., Crumpton, C. D., & Muangming, A. (2019). Understanding the Social Environment Determinants of Student

- Movements: A Consideration of Student Activism in Thailand and the Thai “Social Cage”. *International Journal of Asia-Pacific Studies*, 15(1).
- Strate, S. (2015). *The lost territories: Thailand's history of national humiliation*. Honolulu, HI: University of Hawai'i Press.
- Sukarun, N. (2012, April 25). Reconciliation collapses. *Post Today*, p. 2
- Suksamran, N. (2014, June 23). Suthep in talks with Prayuth ‘since 2010’. *Bangkokpost*, Retrieved from <http://www.bangkokpost.com/news/local/416810/suthep-in-talks-with-prayuth-since-2010>
- Taylor, J. (2012). Remembrance and tragedy: understanding Thailand’s” Red Shirt” social movement. *SOJOURN: Journal of Social Issues in Southeast Asia*, 27(1), 120-152.
- Teepel, G. (2005). *The riddle of human rights*. Aurora, Ontario: University of Toronto Press.
- Teitel, R. G. (2000). *Transitional Justice*. New York: Oxford University Press.
- Tejapira, K. (2009). Thammarat/good governance in glocalizing Thailand. *Words in Motion: Toward a Global Lexicon*, edited by Carol Gluck and Anna Lowenhaupt Tsing (Durham: Duke University Press, 2009).
- Tejapira, K. (2010, July 16). Humans overlooks Demons. *Matichon*.
- Thabchumpon, N., & Duncan, M. (2011). Urbanized villagers in the 2010 Thai Redshirt protests. *Asian Survey*, 51(6), 993-1018.
- Thaipost. (2012, May 18). Royalist government. *Thaipost*, p. 10.
- The Isaan Record. (2014, September 28). Reconciliation Trainings Target Northeastern Villages. *The Isaan Record*, Retrieved from <http://isaanrecord.com/2014/09/28/reconciliation-trainings-target-northeastern->
- Tnews. (2017, September 14). The First Yingluck Cabinet Prepares for Trial. *Tnews*, Retrieved from <http://www.tnews.co.th/contents/358052>
- Truth for Reconciliation Commission of Thailand (TRCT). (2012). *Final Report of Truth for Reconciliation Commission of Thailand (TRCT) July 2010 to July 2012*. Bangkok: TRCT.
- Ungpakorn, G. J. (2009). Class Struggle between the Coloured T-Shirts in Thailand. *Journal of Asia Pacific Studies*, 1(1), 76-100.
- VoiceTV. (2011, Jun 8). Requests for Reparation. *Voice*, Retrieved from <https://www.voicetv.co.th/read/11915>
- Walker, A. (2008). The rural constitution and the everyday politics of elections in Northern Thailand. *Journal of Contemporary Asia*, 38(1), 84-105.
- Williams, S., & Palmer, E. (2016). Transformative Reparations for Women and Girls at the Extraordinary Chambers in the Courts of Cambodia. *International Journal of Transitional Justice*, 10(2), 311-331.

- Winichakul, T. (2010, November 5). Transitional Justice in Thailand case. *Prachatai*, Retrieved from <https://prachatai.com/journal/2010/11/31766>
- Wiriyapanpongsa, S. (2010, July 10). Committee holds first meeting, vows to focus on social inequality and injustice. *The Nation*, p. 1a.
- World Data Atlas. (2018). Thailand - Military Expenditure in Current Prices. *Knoema*, Retrieved from <https://knoema.com/atlas/Thailand/Military-expenditure>