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**Conflict, Mediation &  
Peace-Building**

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### **Dissolving Colours: Reconciliation in Thailand**

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#### **Abstract**

On May 22, 2014, the Thai military carried out a coup to restore order and bring about reconciliation between Red Shirt and Yellow Shirt supporters, a divide that has brought cycles of protest and bouts of violence to Thai politics since 2005. The military brought the violence to an end, suppressed all expressions of dissent, and established a Reconciliation Centre for Reform in order to "dissolve colours". The military approach, dubbed "Bringing Happiness to the People," has prioritised the grassroots, and has focused on the short-term, seeking to shift the mood and, through short-term measures, stimulate the economy. When it comes to designing longer-term reforms, disputants have been excluded from participation, leaving bureaucrats and soldiers to draw up and impose reforms. At best, this will create a very "thin" form of reconciliation, due to the short-term focus, and disputants, left out of the process, are unlikely to commit fully to it. With disputants largely left out of the reconciliation and reform process, the opportunity to create trust and develop new norms of respect will not eventuate. Consequently, the military will be in a position of needing to continue to intervene in politics to ensure this rather "thin" reconciliation survives. There are some indications that the military has begun transforming itself for this purpose.

On 22 May 2014, the Thai military carried out a coup, claiming that Thailand had reached a point where armed conflict threatened, a point where only the military could step in and bring about reconciliation between two opposing sides whose conflict had become intractable. In the transition to an interim constitution, the military's National Council for Peace and Order (NCPO) retained virtually unrestricted power over any decision it deemed necessary to promote reconciliation.<sup>1</sup> The military leadership thus took upon itself a role for which it had no training, and no experience. It seems to have taken on that role without any consultation with those who do have training and experience, either domestic or international. In this brief paper, I will examine the reconciliation process the Thai military has developed, and assess it against some of the research from leading scholars aimed at understanding reconciliation.

### **Truth and Reconciliation**

Rajeev Bhargava has argued that there are two different kinds of reconciliation. The weaker form, "thin" reconciliation, comes about when both sides in the conflict realise that victory is not possible, accept that compromise is the only solution, and lower expectations. According to Bhargava, "past enmity is not forgotten, but set aside so that one can move on with collective living...This kind of reconciliation was not what anybody aspires to but one that is more or less forced upon each."<sup>2</sup> This kind of "thin" reconciliation, we might add, is shallow, conditional, and prone to reversal, particularly, when the two sides have not abandoned the hope of vanquishing their opponents.

By way of contrast, Bhargava tells us, the stronger version of reconciliation refers to the cancellation of enmity or estrangement, via the owning-up of responsibility for wrongdoing followed by forgiveness....New values are born and shared. Relationships between groups become congenial, the result of a process driven by moral agents.<sup>3</sup>

In this stronger version of reconciliation, solutions are substantial and permanent, not the result of exhaustion and resignation. While Bhargava concedes that this approach to reconciliation may be utopian, it might be better said that it is aspirational, and should be the preferred approach, even if it must be piecemeal and incomplete. This approach, Bhargava

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<sup>1</sup> *Nation* 24 July 2014.

<sup>2</sup> Rajeev Bhargava, "The Difficulty of Reconciliation," *Philosophy and Social Criticism* 38 (no. 4/5), p. 371.

<sup>3</sup> Bhargava, p. 371.

notes, requires that injustices be confronted, not forgotten, as "moral injuries that are neglected putrefy in and demoralize the victim," while at the same time forgetting indicates to perpetrators that they can continue to act badly with impunity.<sup>4</sup> It is for this reason, among others, that Truth and Reconciliation Commissions have become so important in ensuring that peace is maintained so that issues can be resolved, and not simply forgotten.<sup>5</sup> Truth and Reconciliation Commissions have been used in Thailand in the past, with commissions previously established for both the conflict in the South, and for the conflict between Red and Yellow that provoked the recent coup. However, the major recommendations of the commissions were not implemented by the governments of the day. With no implementation, the work of the commissions had little impact, and the conflicts have both continued.

### **The Reconciliation Process**

While the specific steps in a reconciliation process vary according to circumstances, the broad outlines of the process have been conceptualised in the work of Rafi Nets-Zehngut.<sup>6</sup> In summarising literature on reconciliation, he notes that the process includes six steps, with the effectiveness of those steps largely determined by two important factors. The six steps include, first, ending the violence; second, consensus on a resolution, embodied in a signed agreement; third, reduction in the emotions and rhetoric that underlie the conflict, and an increase in positive norms, such as tolerance, and concern for human rights; fourth, commitment on the part of the leaders of the hostile parties to reconciliation; fifth, creation of shared interests to provide a foundation for mutual benefit; and sixth, economic improvement. It might be simpler to group the six steps into two categories, one, we might call overcoming hostility, comprising an end to violence and a reduction in the emotions and rhetoric underlying the conflict, and a second category that we might call the development of a new cooperative dynamic, comprising an agreement on a resolution and commitment to reconciliation, and development of shared interests. Economic improvement can be considered separately. For the process to be effective Nets-Zehngut argued, it must be based on justice, and it must develop and expand trust between the parties.<sup>7</sup>

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<sup>4</sup> Bhargava, p. 372.

<sup>5</sup> See Paavani Reddy, "Truth and Reconciliation Commissions," *UN Chronicle* 41 (December 2004-February 2005):19-21.

<sup>6</sup> Rafi Nets-Zehngut, "Analyzing the Reconciliation Process," *International Journal on World Peace* 24 (September 2007). Nets-Zehngut presents several different versions of the process, I employ here one that he has summarised from the literature, as it is clear and concise.

<sup>7</sup> Nets-Zehngut, p. 57.

Thus while a "thin" form of reconciliation may be forced on hostile parties, such reconciliation tends to be superficial and often short-lived. More effective reconciliation requires that issues be resolved based on justice and formal agreement, and that trust be built between the parties. Suppressing issues is generally not thought to be an effective means of reconciliation.

### **Thailand and the Coup**

Ironically, the events that would ultimately lead to the coup grew out of what the government claimed were attempts to promote reconciliation.<sup>8</sup> Based on the report of the Truth for Reconciliation Commission of Thailand (TRCT), which had been established by the Abhisit/Democrat party government, the Yingluck/Pheu Thai government introduced a bill to the parliament that would grant amnesty to those involved in the conflict between the pro-Pheu Thai Red Shirts and the anti-government Yellow Shirts. The TRCT report had found fault with both sides, and with the military, and had subsequently been criticised by all sides. Among its recommendations, the TRCT had suggested amnesty for protestors involved in the political violence since 2006, but warned that an amnesty bill could lead to renewed conflict, and called for a limited amnesty, based on the principles of human rights and justice, rather than a blanket amnesty.<sup>9</sup> Both Red and Yellow Shirt activists also resisted a blanket amnesty, with the Red Shirts unwilling to see amnesty for politicians and soldiers responsible for the violent military crackdown on their protests in 2010, while the Yellow Shirts were concerned that an amnesty might allow the return of their primary enemy, former prime minister Thaksin Shinawatra, Yingluck's elder brother. Facing resistance on all sides, early in 2013, the Yingluck government ignored the warning in the TRCT recommendations and set in motion an amnesty bill.

As opposition increased, especially among the Yellow Shirts and the opposition Democrat party, the government sought a compromise, eventually proposing a bill that would grant amnesty to ordinary protestors while leaving protest leaders and government officials subject to the judicial process. The compromise bill passed in the first reading and was sent to a scrutiny committee to consider amendments in the second reading. However, when the bill emerged from the scrutiny committee, it had been amended so that it provided a blanket

<sup>8</sup> James Ockey "Thailand in 2013: The Politics of Reconciliation," *Asian Survey* 54 (No. 1, 2014), pp. 39-46.

<sup>9</sup> รายงานฉบับสมบูรณ์ [Final Report], คณะกรรมการอิสระตรวจสอบและค้นหาความจริง เพื่อการปรองดองแห่งชาติ (คอป.) [Truth for Reconciliation Commission of Thailand (Kho. Oo. Po.)], กรกฎาคม ๒๕๕๓ – กรกฎาคม ๒๕๕๕ (July 2011-July 2012), pp. 245-46.

amnesty, with coverage that might well have included former prime minister Thaksin. In the third and final reading in parliament, on November 1, the opposition Democrat party objected vociferously, eventually walking out of the meeting, at which point, the governing party voted the blanket amnesty through.<sup>10</sup> This blanket amnesty and especially the possibility that it might allow Thaksin to return, led to widespread and enduring Yellow Shirt protests.<sup>11</sup> Subsequently, a dissolution of parliament on December 8, 2013, and a series of judicial decisions further undermined the ability of the caretaker government to govern and made the holding of a new election problematic. Ultimately, the military decided to carry out a coup to restore order. Thus an ostensible attempt at reconciliation instead led to the overthrow of the constitutional regime.

### **The Military as Mediator**

The military's attempts at portraying itself as a neutral mediator in the reconciliation process have been problematic from the beginning. It was, after all, a military coup in 2006 that led to the creation of the Red Shirt movement, and the military had consistently sided with the Yellow Shirts and the Democrat party, as it later helped install a Democrat party government. The military was responsible for the suppression of the 2010 Red Shirt demonstrations, with the loss of many lives, and had been attributed some of the blame in the TCRT report. This history called into question the neutrality and suitability of the military as a mediator. More recently, throughout the protests, the military sought to remain neutral, and to encourage dialogue, calling the prime minister and the protest leader to a meeting in the early stages, and again calling a meeting of all sides when martial law was declared, just before the coup. However, after the coup, the protest leader, Suthep Thuaaksuban, who had been deputy prime minister during the 2010 crackdown, claimed that he had been in touch with the army commander throughout the protests, and they had worked together to overthrow the government. While the army commander angrily refuted Suthep's claim, it, along with the past history, called into question the neutrality and suitability of the military as a mediator.<sup>12</sup> Questions regarding the military's neutrality thus proved an early challenge to reconciliation.

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<sup>10</sup> Ockey (2014), p. 44.

<sup>11</sup> The demonstrations were led by Suthep Thuaaksuban, a Democrat party leader who had resigned from parliament to join demonstrations, and called this movement the PDRC. Protesters comprised the Yellow Shirt supporters and Democrat party supporters loyal to Suthep and other leaders who joined the PDRC. To simplify and to highlight continuities, I have continued to describe the PDRC here as Yellow Shirts.

<sup>12</sup> The military has continued to act in ways that will not appear neutral to many, removing top bureaucrats seen as loyal to the Yingluck government while leaving in place those who openly supported the Yellow Shirts/PDRC. The acting legislature, the NLA, was packed with active duty and retired soldiers, but also

## The Military and Reconciliation

As noted above, in the literature, there are two broad categories of actions in the reconciliation process; overcoming hostility, and the development of a new cooperative dynamic. Along the way, it is important to make decisions based on justice and develop trust between the sides.

*Overcoming Hostility.* The Thai military took control of the country in a two-step process, declaring martial law on May 20, giving it control over security, then carrying out the coup on May 22, giving it control of all government functions. During that brief period of martial law, the military called a meeting of leaders from both sides in an attempt to obtain an agreement. An agreement between the hostile sides, even if marred by coercion, might have provided a starting point for later discussions. However, the military gave up the initiative so quickly that it is fair to question the strength of the commitment to reaching an agreement. The primary focus of the military then turned to ending the violence and reducing the emotions and rhetoric associated with the conflict. Martial law remained in place, and political activities, including not just protests and demonstrations but meetings of parties or party leaders, were banned. Meanwhile, the military required political leaders, opinion leaders, community leaders, academics, and others it thought might have a role in the demonstrations to report for "talks". Some, including former prime minister Yingluck, were held in military camps for several days, others were warned and released. Expressions of opposition to the coup were also banned in the media and in social media, and even symbolic public demonstrations were suppressed.<sup>13</sup> The military in succeeding days uncovered what it claimed were arms caches that might have been used in more violent conflict, if it had not intervened.<sup>14</sup> As a result of this heavy-handed suppression, the violence quickly ended.

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includes 10 senators who opposed the Yingluck government (*Bangkok Post* 2 Aug 2014) and several anti-government academics (*Nation* 4 August 2014). This question of neutrality is a crucial point, as the interpretation of military actions changes dramatically from reconciliation to suppression of its opponents if the military has taken a clear side in the conflict. We will nevertheless treat the process as reconciliation for the purposes of this article, with this *caveat* noted.

<sup>13</sup> Culminating in Announcement 97 in late July, which "Essentially...prohibits negative reporting about the coup and the coup-makers by either the media or any person" (*Bangkok Post* 25 July 2014). Suppression extended to small symbolic acts meant to oppose the coup, see *Nation* 6 June 2014; 24 June 2014; 6 July 2014).

<sup>14</sup> "Army Aims to Heal Rift," *Nation* 28 May 2014 summarises a few of these events.

For reducing the emotions and rhetoric associated with the conflict, the military government appointed Lt-General Kampanart Ruddith, an assistant army chief of staff,<sup>15</sup> to head up its newly created Reconciliation Centre for Reforms (RCR). Rather than work with the leaders of the two factions, the RCR decided to focus efforts locally, aiming to bring about reconciliation at the family and then community level. The campaign was dubbed "Bringing Happiness to the People," an indication that the focus was to be on changing the mood in the country. The campaign focused on festivals held in communities around the country. The festivals included the showing of patriotic movies - historical epics with a focus on past monarchs<sup>16</sup> - free music concerts, with the focus on patriotic songs, sporting and cultural events, and parades.<sup>17</sup> At a Bangkok festival at Sanam Luang, government ministries set up tents to showcase their achievements.<sup>18</sup> A weekly programme broadcast on all television and radio stations called "Returning Happiness to People in the Country" was introduced, where Army Commander and coup leader Prayuth Chan-ocha explained NCPO initiatives to viewers. In addition, free buses were introduced on some lines in Bangkok, petrol prices were subsidised, and free medical care and barber services were provided in some areas by mobile military teams. While the main focus was on "bringing happiness," some attempts were made at political reconciliation. In some cases, leaders were brought in for breakfast talks about their opposing points of view, though, even Lt-General Kampanart agreed, with little success, as "reconciliation cannot be forced."<sup>19</sup> He also noted the problems in re-educating villagers, who he said had been brainwashed by community leaders, so that they do not understand "true" democracy. According to Lt-General Kampanart, the villagers "believe that democracy is going to the poll and the majority voice is respected and they refuse to accept other pieces of information."<sup>20</sup> (The Lt-General did not indicate what "true" democracy comprised.) The RCR, working with the Internal Security Operations Command

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<sup>15</sup> Lt-General Kampanart Ruddith graduated from Armed Forces Preparatory School class 16. A former commander of Infantry Regiment 31 of the Kings Guard, at the upper levels he served mostly in staff positions. He also played a role in "crowd control" during the suppression of the 2010 Red Shirt protests. See *Nation* 4 June 2014.

<sup>16</sup> At the Bangkok festival, the movies Naresuan, Suriyothai, and Kabot Thao Srisudajan were shown, see *Nation* 24 July 2014.

<sup>17</sup> *Nation* 1 June 2014; 1 July 2014; 24 July 2014.

<sup>18</sup> *Nation* 23 July 2014.

<sup>19</sup> *Nation* 1 July 2014, see also *Nation* 7 June 2014. And yet we have the warnings delivered to those required to report to the NCPO after the coup, and in some cases Red and Yellow Shirt leaders were required to swear oaths that they would not participate in conflict in the future, see *Nation* 3 June 2014.

<sup>20</sup> *Nation* 1 July 2014.

(ISOC), also gathered opinion and information that it said would be used later in the reconciliation and reform process.<sup>21</sup>

While the NCPO has been able to stop the violence, and has been able to reduce the antagonistic rhetoric, there has been no real progress in developing positive norms, such as respect for human rights, respect for democratic outcomes, or respect for a minority point of view. Rhetoric has been suppressed, so that it is not clear whether it will simply re-emerge when suppression ends, and the "happiness" campaigns look to be only short-term measures, which are unlikely to be sustained. Thus successes have been limited in effect and duration.

*Development of a New Cooperative Dynamic.* The RCR has been in place for a relatively short time, and creating new norms and dynamics may be a more long term process.. Nevertheless, the RCR and the coup government have set out the pathway they intend to follow; and, in military style, they have adhered closely to it, so that we can at least evaluate the plan and the preliminary results. The military has set out a three-stage plan to return the country to democracy. The first stage, reconciliation, is to be completed within three months, the second stage, reform, is to take about one year, followed by preparation for an election, to be held by October 2015. The primary focus of the reconciliation stage, as outlined above, has been the "Bringing Happiness to the People" campaign, along with the suppression of all public political expression, except support for the coup group.

As noted, the military made a brief, quickly aborted attempt to convince Red and Yellow Shirt leaders to come to a resolution in the period between declaring martial law on May 20, and the coup on May 22. No further attempts have been made; furthermore, Red and Yellow Shirt leaders have not been allowed to communicate publicly with their followers. Thus there has been very limited discussion either between the sides, or even within the sides, which contributes to the ineffectiveness of the meetings at the grassroots level, as the lack of space for discussion precludes any cues to how leaders, colleagues and friends might react. Thus the high level of suppression, while it might lower the tone of rhetoric and prevent expressions of dissent against the coup regime, is also a barrier to reconciliation.

If we turn to the second stage of the roadmap, reform, other than the presence of anti-Yingluck members of the National Legislative Assembly (NLA), again there has been no attempt to include the disputants in a meaningful way; rather the plan appears to be to

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<sup>21</sup> *Nation* 3 June 2014.

exclude them. The reforms are to be drawn up by a National Reform Council, appointed by the government and the NLA. Each of the parties to the dispute, the Red Shirts, and the PDRC/Yellow Shirts, and other political parties, including the Democrat party, have been allowed to nominate two representatives to the 250 person reform council, with no guarantee that the nominees will be selected. Reduced to, at best, observer status, all appear set to decline to make a nomination.<sup>22</sup> Thus the reforms will be drawn up and imposed without the participation of the disputants. This makes it less likely that an agreement will be reached between disputants, or that the sides will commit to ending hostilities. Development of shared interests is also unlikely if not impossible with the disputants not a part of the process. Instead, the approach appears to be to simply impose the agreement; without active participation and agreement, reconciliation may not be embraced by either side, leaving the military and the bureaucracy in the position of having to maintain the imposed agreement through bureaucratic mechanisms, backed up by the threat of force.

Last, the general attitude toward encouraging participation may be relevant. We can see this attitude in the cancellation of local elections. We can, perhaps, see it more clearly in the approach to resolving longstanding disputes at Mab Ta Phut industrial estate between residents, concerned for the environment, and industrialists, focused on improved infrastructure and further growth. A leading member of the NCPO, an air force general, was sent on an inspection tour, where he met with industrialists and provincial authorities. No meetings were scheduled with the community, or with environmentalist groups. Guidelines were then issued, with no further participation or discussion.<sup>23</sup> Thus while reconciliation may be aimed at the grassroots, to this point, they appear to be excluded from decision-making.

The military has not sought to involve the disputants in the reconciliation or reform process in a meaningful way. No discussion of justice or amnesty has been undertaken. Rather reform is to be imposed by soldiers, bureaucrats, and conservative academics, some of whom have in the past, been on one side in the conflict. The likely result is that rather than bring about reconciliation, the military will thus become a separate disputant, seeking to impose its vision of reforms on others. Acceptance by Red and Yellow is likely to remain highly conditional, with a return to conflict retained as an option.

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<sup>22</sup> *Nation* 12 August 2014. The smaller *Chat Thai* party intends to nominate representatives.

<sup>23</sup> *Bangkok Post* 7 August 2014.

*Economic Improvement.* Due to restrictions placed on the Yingluck government after the December dissolution of parliament and the calling of an election, and due to the protests and violence, the economy had languished. Restrictions prevented even the payment of farmers for rice under a government subsidy scheme. Upon taking office, the NCPO immediately paid the farmers, raising its popularity while at the same time injecting a large amount of money into the economy. The NCPO announced a crackdown on corruption, and followed up with some high profile changes, including, for example, an investigation of the rice scheme and a crackdown on taxi queues and duty free goods at the airport. It also pushed through several large-scale infrastructure projects that had been proposed by the previous government but held up by the courts. With the NCPO having raised spending above levels proposed by the previous "populist" government, the economy has improved dramatically, although the short-term gains will need to be turned into sustainable growth.

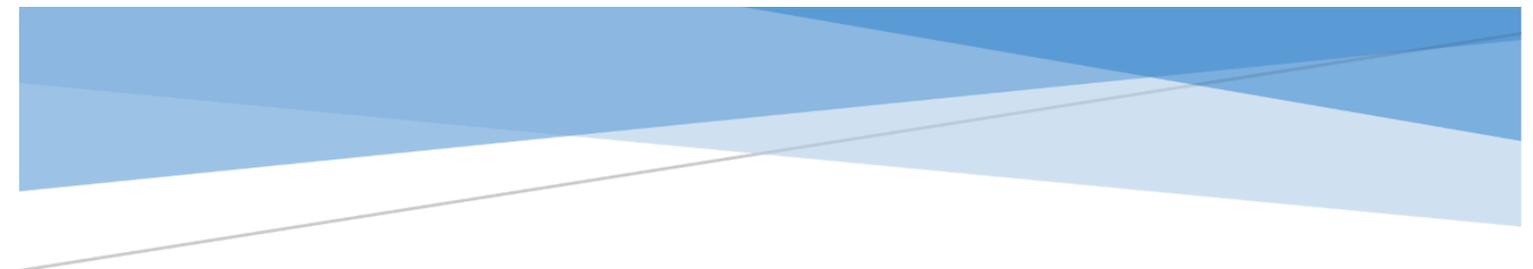
## **Conclusions**

At best, the Thai military has created a very thin kind of reconciliation, by halting the violence, "increasing happiness," and improving the economy. It has done little to promote reconciliation between the disputants, primarily because it has been so resistant to participation, and so resistant even to open discussion. Consequently while we can expect short-term results, "happiness" will be difficult to sustain in the absence of the creation of positive norms of respect, in the absence of agreement to a resolution and commitment to ending hostilities. No attempt has been made to seek justice, or to enhance trust.

Consequently, we should expect that whatever reforms emerge, the military, and the bureaucracy, will have to play an enhanced role in politics over the longer term, in order to hold the thin, superficial reconciliation in place. Perhaps this has become part of the plan: not only has the military taken strong measures to protect its legitimacy, it has taken control of the NLA, and has increased the number of military districts by about a third, so that there is a now military district for each province, along the way, opening up a large number of new positions for the excessive number of Thai generals.<sup>24</sup> Underemployed and over-staffed for its defense role, unwilling or unable to pursue a more effective reconciliation, despite its promise to restore the democratic institutions undermined by the coup, we might well see the military play a leading role in Thai politics for some time to come.

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<sup>24</sup> *Bangkok Post* 24 July 2014; James Ockey, "Broken Power: The Thai Military in the Aftermath of the 2006 Coup," in Pavin Chachavalpongpun, *Good Coup Gone Bad*, Singapore: ISEAS, 2014.



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