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POLITICAL DISHARMONY IN THAI SOCIETY: A Lesson from the May 1992 Incident*

by

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I. DEVELOPMENT WITHOUT HARMONY

Thailand is known to be one of Asian countries experiencing a rapid economic growth; the fact of which the Thai government and business sector are so proud of. But the question here is: whether all segments of Thai population equally enjoy the economic prosperity of the country!

It seems that the Thai government's urgent attempt is to bring the country into being a newly industrialised country (NIC) by means of promoting unsustainable development. This current

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policy has left behind several social problems, namely, unequal income distribution, exploitation of natural environment, influx of rural migrants into big city due to the demolishing of rural communities, and the much-concerned prostitution problem. These problems tend to grow more complicated as the gap widens between the smaller group of population who are directly benefited from flourishing economy and the majority of disadvantaged people.

It is here and now that the question of harmonious development arises. Apart from the above obvious problems, the uneven emphasis on economic development partly results in some other issues of social concerns being neglected, particularly the education and politics. With so wide the gap between the advantaged and disadvantaged groups of population, and also the gap between the growth of economics and other social aspects, it is impossible for a country to evolve in harmony.

Regarding the political development, the issue of popular participation has been raised by various Thai social work forces. The passing of Tambol (sub-district) Council Bill in 1994, allowing the self-governance by local administrative bodies, is a crucial step towards political development in Thailand. However, it should not be forgotten that at least three "political disharmony" incidents in modern Thai society in which violent suppression of the people occurred, in October 1973, 1976, and in May 1992.

This report deals with the impacts of the May 1992 Incident upon the people at individual level. We hope that the attempt of Mahidol University Hotline Centre to search for, record and reveal the truth concerning the disappeared, the dead and the injured in the May 1992 Incident will provide substantial historical evidence for the sake of education of present and future generations. Nevertheless, the facts revealed in this report are only one aspect of the whole incident. Other aspects of the truth concerning the May tragedy are as yet to be revealed to fulfil the basic rights of people with the hope that the sad history will not repeat itself.
In addition, this report is meant to bridge political and social disharmony by means of finding out the fact, and making it known to public. It is anticipated that lessons learned from the May 1992 Incident will help generate the awareness of fundamental political rights among people, particularly among those who are in power. It will also contribute to equitable development for all and achieving unity for people's progress in the Thai society as well as in Asian societies as a whole.

II. THE VIOLATION OF THAI PEOPLE'S FUNDAMENTAL POLITICAL RIGHTS: A REFLECTION FROM THE MAY 1992 INCIDENT

The bloody May Event definitely reveals that at least two basic human rights of Thai people as stipulated in the 1991 Thai Constitution are violated. They are: (1) right and freedom to take part in a peaceful public rally or march, and (2) right and freedom to present and to receive news. During the May Crisis, Gen. Suchinda's government openly exploited state-controlled television and radio to distort facts about the pro-democracy rally. Those media presented only one-side information. Apart from blacking out the front-page news of International Herald Tribune, May 20, 1992 issue, and the editorial of Bangkok Post of the same date, the government ordered the shut-down of three other newspapers on May 21. These newspaper's "crime" was to present the truth!

Another violation of basic human rights during the May Event is the arrest of over 3,500 people, hundreds of them were women and children. Many arrested protesters gave the same facts on being tortured at various degrees from beaten up, left to sit sweltering in sunlight, soaked with gasoline and with death threatened, and left to starve.
The violation of these two fundamental rights led to the most severe violation of human rights, namely to kill and harm unarmed civilians. Reports from the Special House Committee and the Fact-Finding Committee led by Mr Sophon Rattanakorn¹ share the same conclusion that Gen. Suchinda's government used excessive force to crack down the rally.

It is noticeable that facts concerning the suppression of the pro-democracy protest such as name lists of military officers and military units responsible for rounding up, killing, and torturing the people during the Event, are never revealed to the public. It is believed that these facts were recorded on the report of the Defence Ministry’s Fact Finding Committee led by Gen. Pichit Kullawanit. Such crucial facts are still kept in secret from Thai people. This is once more a repeating history. Whenever the state commits a great crime to the people, a chance to bring out the culprits through a fair trial has never occurred in the Thai political history since 1932.

III. ROLE AND MISSION OF THE MAHIDOL UNIVERSITY HOTLINE CENTRE

The Mahidol University Hotline Centre was set up on May 22, 1992 amidst the confusion of the situation as well as the number of victims. It is the first time in Thai political history that the centre of this nature could be set up to compile information about the dead, wounded, and missing from a military crack-down. However, this was not the first time that civilians were murdered by the security

forces for the sake of "national security". There have been two previous demonstrations for democracy (14th October 1973 and 6th October 1976) when the protesters were brutally killed. What is left from these two incidents is the estimation of casualties and deaths, and the memory of the massacre of people by those in power at that time. But there was no systematic estimation of the casualties, particularly of those that disappeared from the demonstration. No effort had been made to gather the information of the possibilities of missing people from the 14th and 6th October tragedies which can answer whether there really are missing persons, and if there are, how many of than.

Mahidol University Hotline Centre was set up for humanistic purposes and protection of the rights of the May casualties. Therefore, a special effort has been made to systematically check validity and accuracy of data collected from various sources. All figures and news released from the Hotline must be able to explain the methods used to obtain its number and account of the incident. The most vital aspect for the Hotline is, thus, the accuracy of our information. We have been working without any preassumption of what the numbers of the May casualty should be because we want to "let the facts tell the truth".

The democratic political climate resulting from the protest during the 17-21 May 1992 has enabled the Hotline to work without any political sanction or any force or pressure from the government. The Mahidol Hotline has become the only centre of proven information about the May victims. Our tasks at an early period were:

1. Holding a seminar on how to organise an efficient field hospital for a future riot in the city.

2. Medical Study on the death and injury of the May victims. This special task provides crucial information to understand the nature of the crack-down.
3. Receiving phone-in reports of the missing. This is a major task and a sensitive one, as the nature of the work is a public service amidst the political tension and under the pressure of the inflicted people.

3.1 The Eight Information-Gathering Centres

The Jira Boonmark Centre run by NIDA's graduate students and the Chulalongkorn University Student Information Centre were the first two centres to be set up to receive phone-in reports of the missing. After the Event, six others centre were set up to perform the same task. They were the Relief centre for the Pro-Democracy Victims run by Foundation for Children; the Lawyer Council's Ad Hoc Relief Centre; the National Student Federation of Thailand's Centre; the Ramkhamhaeng University Information Centre; the Relief Centre of the Law Faculty, Thammasat University; and the Mahidol University Hotline Centre. In order to obtain the most accurate information, all eight centres agreed to set up "the Eight Information-Gathering Centres" on the Disappeared on June 6, 1992. The Mahidol Hotline was assigned to be the coordinating centre of the collecting and cross-checking all eight centres responsible for information received through each centre by dBase program.

Besides the eight centres, there are three governmental agencies under the Interior Ministry responsible for the missing issue. While the cooperation among the eight centres ran smoothly and efficiently, the cooperation between the Eight Information-Gathering Centres and the Interior Ministry's agencies hardly existed. At first the state agencies seemed to distrust and fear to exchange their information. As a result the number of the missing they released to the media was always different from that released by the Eight Information-Gathering Centres. One reason was the lack of sincerity and commitment of the government at that time to deal with the missing issue. This is clearly seen when the former Prime Minister Anand Panyarachun made a joke about the missing persons during his speech to the Foreign Correspondents Club on
July 1, 1992. To protest the PM’s indecent conduct and to request for a clear-cut measure to track down the missing, the Eight Information-Gathering Centres sent an open letter to the former Prime Minister Anand on July 3, 1992. The open letter resulted in more cooperation from the state agencies.

3.2 Main Tasks of the Mahidol University Hotline Centre

In Brief, the activities conducted by the Hotline from the beginning up to now can be concluded as follows:

(a) Collecting data on missing people, deaths and the casualties.

(b) Interviewing eye-witnesses and those involved in the demonstration or the families and friends of the May casualties.

(c) Disseminating the updated number of the May casualties to the mass media and interested organisations.

(d) Working closely with several human rights NGOs and the Committee of the May Heroes' relatives in particular.

(e) Participating in various governmental committees working on tracing the missing people. This helps in strengthening effectiveness and coordination between the Hotline and various organisations as listed below:

* better collaboration with government and non-government organisations and the families of the May casualties.

* speeding up the coordination for more accurate information about the missing.

* gaining more details of those reported missing but have returned home later.

* closely watching the government’s activities on investigating the missing.
VI. THE INJURED, THE DEAD, AND THE MISSING

Since the Mahidol University Hotline Centre has begun its operation up to November 16, 1993, the number of the victims from the May Event can be categorized as follows:

- 44 were dead:
  41 were already identified and laid claim by their family.
  3 are unidentified, and for whom a funeral rite has been arranged by Mahidol University on 22 October 1993.
- 670 were injured according the latest data collected by the Mahidol University Hotline Centre on November 16, 1993, of this total, 8 have become handicapped and 1 suffers from mental illness.
- 80 are still missing from the total number of 2,080 cases reported to be missing.
  41 are evaluated to disappear in the May Event.
  39 are evaluated as missing but non-related with the Event.

4.1 The Demographic and Socio-Economic Characteristics of the May Event's Victims

Most victims were single men. While a little over 80 percent of the dead and the injured were single, the percentage among the missing was 62 percent. The average age of the missing was 30.2 while that of the injured and the dead were 28 and 26.2 respectively. The average years of schooling of the dead and the injured was around 10 years compared with only 5.8 years for the missing with whom 74 percent having only primary education or less.

As for occupation, 55 percent of the missing, 43 percent of the wounded and 25 percent of the dead were blue collar workers, such as wage labourers, petty traders and street vendors. Eighteen percent of the wounded had their own business; and 16 percent of the missing were unemployed. For those who were not working but studying, the highest proportion was found among the dead (16
percent) whereas it accounted only 8 and 5 percent for the injured and the missing respectively.

Over 85 percent of the victims had their workplace or school located in Bangkok. The majority of the casualties also had their domicile in Bangkok; that is, 61 percent for the wounded, 41 percent for the dead and 45 percent for the missing. For those whose domicile was outside Bangkok, most of them were from the Northeastern part of Thailand.

The above data indicate that the victims of the May Event were mostly male single labourer in their working age. In other words, they were low-income persons. That is, most victims were not the "middle-class" whose majority comprised the mass rally, as the papers dubbed them "mobile-phone mob" or "yoghurt mob". However, it is noticeable that percentage of the "middle-class" among the injured was higher than that among the dead and the missing. Then it seems that some "middle-class" were willing to be hurt but not to die for their cause.

4.2 The Causes of the Violence

Obviously a very large number of the injured -- 670 cases -- points out an intense degree of violence occurred in the May Event. The Violence stemmed from 2 causes. First, the decision of the authority to use the "Phan Piree Pinart (Enemy Destroyed Plan)" to disperse the peaceful rally. Such plan allowed the military and police forces to use lethal weapons to suppress the protesters. Second, the lack of medical unit preparation to cope with the riot situation. According to the seminar on the preparation of field medical unit for city riot held by the Mahidol University Hotline Centre on June 15, 1992, the major problems which hindered the rescue of the wounded were as follows:

* An order by Interior Ministry prohibited all hospitals under the Bangkok Metropolitan Administration to
send out medical unit and personnel to rescue the injured outside the hospitals.

* The lack of safety for the medical personnels as seen in one incident when policemen fired at Siriraj Hospital's ambulance to obstruct the rescue operation. The worst incident was when several doctors who worked at the emergency unit set up in the Royal Hotel's lobby was beaten up by soldiers even though they had already shown their physician I.D. card. Such violent actions completely violate international principles that highly regard the safety of the medical unit, even in the battle field it must be honoured by adversary's side.

4.3 How the Protesters are Injured

Information from the Public Welfare Department's report on the 124 cases of the injured victim in the May Event shows that:

* The injured were harmed by two major means, namely shot (80 cases), beaten up (37 cases), and other means (7 cases) such as shrapnel, gasoline scald, barbed wire cut.

* Most shot victims were shot at their legs (19 cases), while the beaten-up were mostly hit at their heads (10 cases). Three victims were severely hit until they became unconscious.

The above picture of the injured reflects the inhumanity of the authority who saw their fellow Thai protesters as enemies who deserved to be cracked down violently by military forces. Wounded legs, to some extent, point out that people were shot when they tried to run away from the suppression scene. According to epidemio-

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logical study\textsuperscript{3}, 18.6 percent of the wounded were just standing still before they were shot. This shows that the protesters were unarmed civilians who rallied peacefully. Moreover, the crackdown scene shows that the firing range was unlimited; soldiers fired into the crowd at random. This is why as high as 23.7 percent of the wounded were not pro-democracy protesters, but people who were on the way home, who were just driving past by, on who went out for dinner.

4.4 When, Where, and How the Dead were Killed

The study of autopsy reports of 39 victims by the working group led by Doctor Withoon Ungpraphan\textsuperscript{4}, which was one of special tasks of the Mahidol Hotline Centre, revealed that:

\textit{On May 18, 1992}

16 Victims were killed in the early morning, among this:
12 died on the way to the hospitals.
4 died in the hospitals.

They were mostly shot in the back, while running away.

\textit{On May 19, 1992}

16 Victims were killed, among this:
12 died on the way to the hospitals.
4 died in the hospitals.

They were mostly shot in their head and neck at long range possibly by sharpshooter soldiers.

\textsuperscript{3} The House Medical Doctors from Seven Institutions, An Epidemiological Study on the Dead and the Injured who Received Medical Treatment in Hospitals due to Pro-Democratic Demonstration during 17-20 May 1992, unpublished manuscript, June 1992.

After May 19, 1992

7 Victims were killed, among this:
4 died in the hospitals.
3 bodies were found and sent to the hospitals.
Sixty nine percent of the dead died before reaching the hospitals.

All victims were shot dead by lethal weapons. The autopsy reports indicated that 25 victims were shot by high-speed M16S, 3 by automatic gun. And at least 2 victims were shot at point-blank range: one right in the forehead, the other around the waist in the back.

V. PROCESS TO TRACK DOWN THE DISAPPEARED

5.1 Checking the Reliability of the Information

Right after the May Event until mid July 1992 was the period when the most reports on the missing were received. Some people reported the missing of their friends or relatives to several centres at the same time. As a result, a total number of the missing was quite high. When all eight centres began to co-operate with one another under the name of "the Eight Information-Gathering Centres", they agreed to send all information received to the Mahidol Hotline Centre where the information of each missing person was put in the computer. This method helped prevent the repetition of the information, and speeded up the information update. Moreover, throughout the two-month period all eight centres kept contact with friends and relatives of the missing through telephone, postcard, and registered letter in order to cross-check whether the missing persons had already come back. In this manner, it is believed that the information obtained were accurate and represented the real situation of the missing. As of July 13, 1992, there were 1,985 cases of missing reported. However,
the missing report kept coming in even after the evaluation of the information. Consequently, at the end of April, 1993, the Mahidol Hotline Centre had recorded 2,080 as reporting cases.

5.2 Evaluating the Missing Status

The evaluation bases on the information as of July 13, 1992, stating that 651 cases reported to be missing were still unfound. The purpose of the evaluation was to figure out the real status of each missing person reported whether that person was still missing or found, and whether their being missing was related to the May Event. The working group designed a set of evaluation criteria as a standard to consider all missing cases. The criteria consisted of:

* Evidences that could prove the existence of the reported missing persons such as photograph, copy of house register, copy of police notification, personal letter.

* Individual characteristics and background of the missing persons such as habit, description, occupation.

* Relationship between the person who made a report and the missing persons.

* Address of the person who made a report and that of the missing persons.

* Financial connection between the missing persons and their family.

* How regular the missing persons contact their workplace and/or family.

* Information about the missing status such as date, time, and place.

* Was there any eyewitness confirm the missing persons' being in the rally?

* Political interest or past experiences in political demonstration.
* Confidence and creditability of the person who made a report and person who gave information about the missing, as well as their attempt to track down the missing.

From these criteria, a form to record information about the missing was designed. Each case of missing had its own file. Then the Mahidol Hotline Centre sought for more information by:

* Telephoned to question and asked for more evidences submitted.

* Registered letter enclosed with ready-to-mail-back questionnaire.

* Visiting house of the person who made a report when information received through mail were unclear or contradicted with that from other related agencies.

Moreover, in July, October, November, and December, 1992 the Mahidol Hotline Centre sent out a form to track down whether the missing had already come back. Apart from the evaluation process, the cooperation had been sought with a police task force to track down the missing people. Until 13th of July 1995, 651 cases were reported as missing. They can be categorized into 3 main groups as follows: (See Figure 1)

<table>
<thead>
<tr>
<th>Group</th>
<th>Status</th>
<th>Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>Group 1</td>
<td>Cannot be contacted</td>
<td>81</td>
</tr>
<tr>
<td>Group 2</td>
<td>Already Found</td>
<td>490</td>
</tr>
<tr>
<td>Group 3</td>
<td>Still Missing</td>
<td>80</td>
</tr>
</tbody>
</table>

Among 80 cases who are still missing, 41 cases are believed to disappear in the May crack-down. The following is a sample case of these missing persons.

*Mr. Chaicharn Chaiyasaj*

Age: 34
Education: B.A. Political Science, Ramkhumhaeng University
Domicile: Bangkok
Before going missing, Mr. Chaicharn lived with his mother. He is single and runs his own business of ready-made clothes sewing which earns him 10,000 baht monthly. He does not talk much though he is very interested in politics. He never stays away from home.

Mr. Chaicharn joined the rally from the start. On May 17, 1992, he left home with his mother and nephew. His mother went to see her friend near the Royal Hotel, while he went to Sanam Luang. He told his mother not to wait for him and to return home first. Besides his mother, his brother-in-law and a housemaid testified Mr. Chaicharn's joining the rally.

His mother told the Hotline, "I'm looking for him everywhere, but never find him. Since he left home to join the pro-democracy rally at Sanam Luang in May, until today he hasn't returned home yet. I think he already died. If not he must come back. He has his business to tend to and he has to take care of his old mother. Nowadays I have to work to earn my living. I have no one to depend on. I've already lost my son."

VI. PRESENT AND FUTURE OBLIGATION OF THE STATE

6.1 Obligation of the State to the May Victim

Although the victims of May who consist of the dead, the injured, and the missing have, to some extent, received financial aid and educational sponsorship for their children, the government so far has not taken any step to bring about justice to the victims. In the study of the autopsy reports, Doctor Withoon Ungpraphan noted that when a person died due to the state official's action, the investigative police were obliged to submit that person's autopsy dossier to the public prosecutor who would bring the case to trial according to Article 150 of the Criminal Law. Such legal measure would allow the victims' relatives or family to appoint a lawyer to question the cause of the death in court, which guarantee basic rights
However, in case of the May Event, such legal process is completely neglected by the state officials who claim that the Amnesty Bill is already effective. Hence, no one has to bear legal responsibility for whatever happened during the Event. If the present government determines to keep the law and allow the cause of justice prevails, it will be a great contribution not only to the family of the victims but to the public in general. People will have a chance to know what really happened in the May Event. At least another page of Thai history will be correctly and officially recorded.

As for the injured, especially those who have become disabled and those who have suffered from mental disorder to the violent crack-down, the government should clearly express its stand and responsibility to protect rights of these inflicted people. Moreover, the government should provide legal advice to the wounded who want to sue for damages and to search for the culprits.

In case of the missing, our mission for two years from May 1992 to May 1994 told us that there were a certain number of missing persons from the May Event, though the number was not as high as the public and the mass media had expected at an early period. Therefore, if there really are missing persons, where are they now? Are they still alive? The government should have two measures to protect rights of the missing:

(a) To track down whereabouts of the missing in order to protect the missing’s right to return home (even in a lifeless condition). From our experience, as we had worked with a team of a police officers whose task was to investigate the missing’s case, the Mahidol University Hotline Centre understood that these police officers, according to their way of thinking and perceiving the problem, did not believe that there were missing persons. Their task then was not to search for whereabouts of the missing, but to prove that those reported to be missing were not missing.
The Eight Information-Gathering Centres used to propose that instead of depending alone on state mechanism to track down the missing, a group of experts in this matter should be called in to perform the task.

(b) To provide aid for family and relatives of the missing. This does no mean merely financial support, but the government should provide a lawyer to give legal advice to the family. They then are able to submit a request to court to officially declare the missing, "a disappeared person", so that the family can receive relief funds from the government.

6.2 Obligation of the State to Ensure the Basic Human Rights of Thai People

Following the May 1992 Incident, several social work forces have called for means to ensure that such violent suppression and massacre of people will not happen again in Thai Society. Reports from international\(^5\) and local fact-finding committees stated that two fundamental political rights of the people be ensured: (a) the right to public assembly and peaceful demonstration, and (b) the right to express one's opinion, to disseminate and receive news and information in a way not affecting the rights of others.

Nevertheless, there are as yet other aspects of human rights concerns that should also be taken into consideration, for example, the right to humane treatments of law enforcing officers, the right to express one's opinions and freedom to access news and information, the right to peacefully call for a change in government, the right of local and international non-governmental organisations to investi-

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gate human rights violation cases, the equal rights for men and women, and the right of employees to set up labour unions.

Measures necessary to achieve these basic human rights are: (1) By means of law stipulation, amendment and effective enforcement, and (2) By means of generating awareness of human rights amongst the people through educational system that emphasises more an local wisdom and vision of grassroots people, through a judicial system that emphasises more on ethical and social concerns, through accountability of free-flowing information that emphasises more on protection of the right to disseminate social fact, through equal distribution of national wealth, and last but not least through decentralisation of power to local people.