

THE Media AND
Political Change
THAILAND

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FOREWORD

In 2001, The Freedom Forum embarked on a project to examine the news media's coverage of political change in several countries. The foundation has planned global media forums on "The Media and Political Change" in Bangkok, Thailand; Zagreb, Croatia; Managua, Nicaragua; and Lusaka, Zambia.

As part of our project, we asked Lin Neumann, a journalist and human rights advocate, to write a monograph on Thailand, where journalists have fought for the freedom to cover dramatic political change. We examined the history of media reforms in Thailand and chronicled the courage of journalists and journalism organizations in the struggle for freedom of the press.

The monograph was directed and edited by Susan Bennett, director of Asian and European programs at The Freedom Forum in Arlington, Va.

Chris Wells
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THAILAND: AN OPEN PRESS, ONE STEP AT A TIME

It is difficult to find one clear moment when Thailand became a democracy. Unlike countries that can point to a revolution or an upheaval that changed the shape of the government overnight, Thailand gradually has joined the list of countries endorsing free expression and popular democracy.

In 1932, the absolute monarchy was overthrown. In 1973, student demonstrators made incremental — but not permanent — gains against military dictatorship. In May 1992, middle-class demonstrators were slaughtered by the military in the streets, and the king intervened to force the military back to the barracks.

During each of these events, the Thai press pushed the envelope of what was possible and struggled to add its voice to calls for change. “The good thing about the Thai press,” said Pichai Chuensuksawadi, editor of the English-language *Bangkok Post*, “is that it has benefited from and is very much a part of the democratic transition in Thailand.”

With its roots in the patronage of the royal court, the Thai print media have served as a crucial forum for ideas and debate, even during the period of life-and-death rule by the monarch. Now, with the print media almost entirely free of shackles, the press in Thailand is one of the most powerful in the developing world. Newspapers in Thailand, it is said, can bring down governments — and indeed they have. The follies and foibles of official corruption and abuse of power are routinely reported in Thai newspapers, and politicians challenge or abuse the press at their own risk.

While ethics and professional responsibility have yet to take root everywhere in the Thai press, it is important to acknowledge the degree to which Thai media professionals are learning to police their own ranks. The powerful and influential Thai Journalists Association has become one of the strongest journalist organizations in Asia, leading others in the region to follow its example.

“Of course we are strong, but who will watch the watchdogs?” said Kavi Chongkittavorn, manag-

The Thai press pushed the envelope of what was possible and struggled to add its voice to calls for change.

ing editor of *The Nation* newspaper. That is a fair question, and the answer lies with the press itself. Vibrant organizations and increasingly professional media outlets are slowly paving the way for a modern and responsible journalistic culture in Thailand.

The next step for press freedom in Thailand will come when — and if — the promise to privatize the broadcast media is fulfilled. A reform constitution passed in 1997 pledges to remove the government from the business of owning all the electronic media in the country. Civil society organizations and journalists are working hand in hand to make that a reality in the face of entrenched special interests. The outcome will determine whether the promise of the Thai media will become a reality in the new millennium.

HISTORY AND SOCIETY

The precise origin of the modern Thai people has long been a source of academic debate and speculation, owing to the fact that few historical records prior to the 13th century still exist. The Thais descended from the group of Tai-speaking peoples found from extreme northeastern India in the west to northern Vietnam in the east and as far south as the central Malay Peninsula. In the past, scholars believed the Tai originated in southern China and pushed south and west from China into Southeast Asia. Most scholars now believe that the Tai came from northern Vietnam around the Dien Bien Phu area and that about 1,000 years ago they spread from there into China, Burma, India and what are now Laos and Thailand.

As the Tai migrated into mainland Southeast Asia, they came into contact with others in the area, principally the Mon to the west, and the Khmer, who had long inhabited the region to the east.

During the Dvaravati period, in the first millennium A.D., Indian traders en route to China carried Hindu and Buddhist beliefs to peoples in this region. Among those converts were the Mon, who were the first in the region to adopt Buddhism. The Mon accepted the Theravada strain of Buddhism, which began in Sri Lanka and grew to become the domi-

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nant religion in Thailand. The Mon also established numerous small kingdoms, eventually extending their dominion into northern and northeastern Thailand.

Early Tai settlers also encountered the Khmer of Cambodia. Between the 9th and 13th centuries, Khmer rulers expanded their domain from the capital at Angkor, establishing an empire that at its height extended over approximately half of modern Thailand.

Khmer civilization, which realized its pinnacle in the temple complex at Angkor Wat, was deeply influenced by Hinduism. Tai contacts with the Khmer resulted in a great many Hindu elements becoming part of their culture. Visitors can see this expressed in modern Bangkok at the Erawan shrine on the grounds of the Erawan Grand Hyatt hotel. In the heart of the modern city, the shrine was erected by spirit doctors advising the hotel after a series of mishaps delayed construction. The shrine celebrates the three-headed elephant god, Erawan, the mount of Brahma. Offerings are made to the shrine day and night, and most Thais will pause briefly whenever passing the image to offer at least a “wai,” the ceremonial bow with hands pressed together that is a show of respect and greeting in Thailand.

By the beginning of the 13th century, the Tai were bumping up on the Mon and Khmer empires, setting the stage for regional conflicts that would last for centuries. The kingdom of Sukhothai, the first great kingdom in Thailand, was founded in the mid-13th century when a local Tai ruler led a revolt against Khmer rule at an outpost of the Khmer Empire. Sukhothai’s third ruler, Ramkhamhaeng (who ruled c. 1279-98), extended his power south and west and to the northeast as far as modern Laos. Thai script and written records originated in this period and left behind a record of a kingdom that was prosperous, active in trade, and benevolently governed by a paternal monarch.

Eventually the Sukhothai and other smaller kingdoms were subsumed by the kingdom of Ayutthaya, which became the dominant power in mainland Southeast Asia during its heyday, from 1351 to 1767.

Situated in the lush rice plains of the Chao

Thai script and written records left behind a record of a kingdom that was prosperous, active in trade, and benevolently governed by a paternal monarch.

Phraya River basin, about 55 miles north of present-day Bangkok, Ayutthaya ruled over what is now central and north-central Thailand, as well as throughout much of the southern peninsular region. During the Ayutthayan time, many of its neighbors called the country "Siam," and the Tai of Ayutthaya came to be known as the Siamese.

Ayutthaya succeeded in pushing back the Khmer and, in 1431, sacked the capital of Angkor. Wars against neighboring powers were endemic throughout the Ayutthayan period. In 1438, a greatly weakened Sukhothai was made a province of Ayutthaya.

Culture also was changing. When the Siamese captured Angkor, they took many Khmer captives back to Ayutthaya with them. From those prisoners, Ayutthaya's rulers adopted many Hindu practices that had been followed by the Khmer, including the concept of the ruler as god-king. The king acquired powers of life and death over his people. Only members of the royal family could even look at his face. Those speaking to the king referred to themselves as "the dust beneath your majesty's feet."

A rich and cosmopolitan city at its height, Ayutthaya was a center of international trade, drawing European ships to its deep river port. The Portuguese, Dutch, English, Spanish and French all traded with Siam in this period. Settlements of Chinese, Indians, and Persians grew. The kingdom employed Japanese mercenaries and even allowed Western missionaries to live within its boundaries.

But when Europeans tried to convert Buddhist Siamese to Christianity, they taxed the patience of the Ayutthayan court. In 1688, the French were expelled. Siam all but closed its doors to the West for the next 150 years.

A series of wars with Burmese kingdoms eventually doomed Ayutthaya. The city was sacked, and its people dispersed or deported to Burma in 1767. (Interestingly, this is not ancient history in Thailand. Newspapers frequently carry detailed stories and analyses of the Ayutthaya-Burma wars as if the events took place in recent memory. A popular historical movie in 2000 celebrated the wars against Burma from this period.)

With the rise of Thaksin, a great military commander, the Burmans were pushed back. Thaksin

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established a new capital at Thon Buri, on the opposite side of the Chao Phraya River from modern Bangkok. The new location was more easily defended than Ayutthaya had been and was ideally situated for the conduct of trade and commerce. Thaksin's armies annexed part of what is now northeastern Cambodia and advanced up the Mekong River as far as present-day Laos. In the south they subdued the northern part of the Malay Peninsula and pushed north into the old northern Tai kingdom of Lan Na.

After being in power for only a few years, Thaksin became mentally unbalanced and was deposed. He was succeeded by a former military commander known as Chao Phraya ("Great Lord") Chakri. As Rama I, he became the first king of the current Chakri dynasty in 1782. The Chakri kings restored the rich cultural heritage of Ayutthaya, building elaborate temples and palaces and deepening the influence of Buddhist monks.

Thailand is proud of its history as the only country in Southeast Asia to escape colonization by Western powers, but Siam was not immune to Western encroachment in the 19th century. Rama III dodged the British by signing a treaty opening the country to trade. Demands accelerated when the British conquered Burma and Malaya. In 1855, Queen Victoria sent Sir John Bowring to Siam to push for an end to all trade restrictions and to secure the right to extraterritoriality for British subjects. The resulting Bowring Treaty (1855), in which Siam acceded to these demands, was followed shortly by similar treaties with other major European powers and with the United States. Although these treaties left Siam intact politically, they severely reduced the country's sovereignty and independence.

Foreign influence quickly grew, and it was during this period that the Thai print media came into being. The royal court gave its blessing to the country's first newspaper, the Thai-language *Bangkok Recorder*, started in 1844 by American Protestant missionary Dan Beach Bradley. The *Recorder*, for which Bradley developed a Thai typescript and printing process, eventually encompassed the reign of King Mongkut, the fourth monarch in the Chakri

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dynasty, who is credited with opening Thailand to the outside world. King Mongkut encouraged foreign experts to bring modern medicine and science to the country.

The king also brought Anna Leonowens, a British woman, to court as a tutor to his children. (This import has become a point of irritation to the Thais because Leonowens' popular but romantic and inaccurate memoirs have been the subject of Hollywood films and a Broadway musical titled the "The King and I" — all of which are considered insulting to the royalty.) King Mongkut's willingness to amend traditional Siamese patterns to make way for more modern ideas paved the way for more profound social and political changes that were to take place in Siam under his successor.

Mongkut was succeeded by his 15-year-old son, Chulalongkorn (Rama V; ruled 1868-1910), who maintained his father's policy of making territorial concessions to the West in the hope of retaining independence. In 1893, he ceded all Lao territories east of the Mekong River to France. In 1907, the French seized three territories in northwestern Cambodia that had been under Siamese sovereignty. Two years later, the Siamese government lost rights to four Malay states to the British.

Chulalongkorn undertook major reforms within the country, organizing the government into functional ministries with a centralized bureaucracy. He abolished slavery and introduced a modern school system and legal framework. He built railways and a telegraph system and organized Buddhist monks into a nationwide religious hierarchy overseen by the king. His reign is commonly regarded as one of the greatest in Thai history. To this day, many Thais worship Rama V as a virtual deity, offering flowers to his image and appealing for good fortune.

Chulalongkorn's reforms continued when his sons ascended to the throne. Under Vajiravudh (Rama VI; ruled 1910-25) and Prajadhipok (Rama VII; 1925-35), Thailand's first university was opened and named for Chulalongkorn. Universal primary education was established. Thai nationalism grew in influence as Rama VI succeeded in persuading Western powers to give up their extraterritorial rights in Siam following World War I.

The Great Depression caused severe economic hardship and the extravagances and God-like status of the king became a source of popular discontent, amplified in the popular press of the day. A growing middle class was becoming unhappy with the domination of the government by the royal family and with the absence of wider participation in political decision making. Things were about to change forever.

ROOTS OF PRESS CENSORSHIP

Western-educated students and their allies in the military succeeded in 1932 in forcing Rama VII to accept a change in government from absolute to constitutional monarchy.

Under the new government, a State Council and National Assembly were established. Before a democratic structure could take root, however, the military forced its way into power, opening a four-decade period of military rule under a succession of field marshals.

Press censorship became routine. Broadcast regulations were established that placed radio firmly under government control. When television was introduced in 1954, it also would be submissive to the government.

In December 1938, military strongman Field Marshal Phibun Songkhram took over as dictator. The following year he changed the name of the country from Siam to Thailand. Strongly nationalistic and anti-Chinese, Phibun took advantage of the defeat of France by Germany, invading French territories in western Laos and northwestern Cambodia that had once been under Thai control.

On Dec. 8, 1941, just after their attack on Pearl Harbor, Hawaii, Japanese troops entered Thailand and requested the right of passage through the country to facilitate an attack on British-held Singapore. After a brief fight against the advancing Japanese, Phibun signed a full Treaty of Alliance with Japan. In January 1942, the Thai government declared war on Britain and the United States. In July 1944, Phibun was forced to resign. The Japanese surrendered in August 1945.

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Once Thailand returned territories seized from France in 1940-41, it was admitted to the United Nations, and its standing in the international community was restored. The immediate postwar years, however, were not easy. Phibun narrowly escaped trial as a war criminal and temporarily retired from public life. In June 1946, the recently enthroned Ananda Mahidol, Rama VIII, was found dead of a gunshot wound, an event that shocked the nation. Factionalism and unrest spread. In 1948, the military, led by Phibun, again seized power.

Press censorship worsened in the 1950s and 1960s, and the government used its dominance of the airwaves to feed the public a steady stream of propaganda. Also in the 1950s, the United States began pouring large amounts of aid into Thailand to boost its military forces. The military grew wealthy, spreading its influence into the emerging corporate sector.

With the Cold War raging, the West saw Thailand as a key ally, a bastion against the rise of communism in Southeast Asia. After the 1949 Chinese revolution, Phibun carried out a series of measures directed against members of the Chinese community.

Along the way, Thailand began building a modern infrastructure with American aid. In return, Thailand supported U.S. efforts in Vietnam, providing troops for that conflict and the secret war in Laos. Under Field Marshals Sarit Thanarat and Thanom Kittikacharon, Phibun's legacy of U.S.-backed, iron-fisted rule continued into the 1960s.

By 1969, Thailand had more than 11,000 troops serving in Vietnam. Huge sums of American money continued to pour into Thailand, driving up the level of economic development but also contributing to the growth of corruption and a rising gap in the standard of living between rich and poor. Popular disaffection grew — particularly in the impoverished northeast and among alienated groups such as the Muslim Malays in the south and the Hmong in the far north — gradually crystallizing into outright insurgency.

NEW MEDIA VOICES

Thanom made halfhearted attempts to introduce minor democratic reforms before reimposing direct military rule in 1971. Many Thais, especially students and the growing middle class, felt betrayed and held huge public demonstrations calling for the promulgation of a constitution. Violence between police and students escalated. In October 1973, Thanom was forced to call on the king to restore peace to the country. Following a royal plea, the students agreed to disperse, and Thanom left the country.

For the first time since 1932, the monarchy assumed a direct role in Thai politics. The king chose Sanya Dharmasakti, a former university rector, to be interim prime minister and to oversee the drafting of a new constitution. A brief period of constitutional democracy ensued. New newspapers opened, and critical voices were heard.

But there were no legislative guarantees for the press because all the old, restrictive rules remained on the books. Relations between the new government and the media were good. But the freedom was based on personality and friendships, and few structural changes were made.

Rattled by communist victories in neighboring Indochina, the military acted against student demonstrators, killing 41 in October 1976. With the backing of the king, the military once again seized control of the government and abolished both parliament and the constitution.

The new coup polarized the political system. Many students who supported the movement of the early 1970s joined a growing communist insurgency as the country became increasingly unstable. In the press, journalist associations campaigned for an easing of restrictive laws.

“Journalists themselves often became victims,” Kavi Chongkittavorn of *The Nation* newspaper writes in the book “Losing Control.” “Between 1979 and 1984 at least 47 Thai journalists were killed, mostly in provincial areas.”

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— Kavi Chongkittavorn
The Nation

LOOSENING RESTRAINTS

In the 1980s, the military gradually eased its iron-clad control, allowing for greater freedom of expression and civil liberties. General Prem Tinsulanonda held office as prime minister for almost a decade of unprecedented growth and stability in a system in which the military shared power with a parliament and the monarchy mediated from on high. Prem served as prime minister from 1980 to 1988 and was the target of two failed coup attempts.¹ He declared a general amnesty for insurgents and largely quelled internal dissent.

Despite becoming more commercially focused, the broadcast industry remained under the control of government agencies and state enterprises.

Compared with other Southeast Asian countries at the time, Thailand enjoyed a relatively free press. Gradually some restrictive legislation was repealed, including Revolutionary Decree 42, which had been used since 1976 to control the media by allowing the Interior Ministry to withdraw publishing licenses at will.

With the scrapping of the decree in 1988, Thailand's media boomed. Some 150 new publications opened, and Thai entrepreneurs began entering the regional media market.

Radio and television were the exception to this trend. Despite becoming more commercially focused, the broadcast industry remained under the control of government agencies and state enterprises.

Broadcasting services were — and still are — operated by the Army, Navy, Air Force, Supreme Command Headquarters and the Police Department. These stations cannot use any part of the state budget, and most have been concessioned to private operators who offer financial returns to the agencies holding the licenses.

In 1988, Chatichai Choonhavan, a civilian, replaced Prem as prime minister and, for the first time since 1976, Thailand had an elected leader. The military, however, retained effective veto power over major policy decisions. By the beginning of 1991,

¹ Maj. Gen. Manoonkrit Roopkachorn, the leader of failed coups against Prem in 1981 and 1985, was elected speaker of the Thai Senate on March 30, 2001. During the latter of those coups, the legendary NBC cameraman Neil Davis and his soundman Bill Latch were killed by tank fire. Manoonkrit's election as speaker prompted a protest from the Foreign Correspondents Club of Thailand, demanding an apology for his actions in 1985.

Chatichai's government — which was widely criticized for rampant corruption — had pushed too far in challenging the military. In February, a junta calling itself the National Peacekeeping Council toppled his government. Led by General Sunthorn Kongsompong², the junta included army chief Suchinda Kraprayoon.

MAY 1992: THE COURAGE OF THE PRESS

For 60 years the military stood at the pinnacle of Thai society, effectively imposing its will on the government and, by extension, the people. After the abolition of the absolute monarchy in the peaceful 1932 coup, there were another 17 coup attempts in the country, 10 of them successful. The military was virtually unchallenged as the arbiter of political power in Thailand, with the king relegated to a largely ceremonial role and civilian authority operating in the shadow of the generals.

May 1992 would change all that, perhaps permanently.

Gen. Suchinda Krapayoon led a successful overthrow of the civilian authorities in February 1991, and the brass installed a respected civilian, Anand Panyarachun, as interim prime minister. Anand called for elections and pledged to clean up widespread corruption in the previous government of Chatichai Choonhavan. Calling themselves the National Peacekeeping Council, the generals also promised not to hold onto power following elections.

But when national elections rolled around in March 1992, Suchinda, who had not even run for office, engineered himself into the prime minister's seat after a coalition of pro-military parties won at the polls. The public was outraged, and within weeks a showdown was looming.

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² In March 2001, after Sunthorn died his estate was contested in the courts, revealing a net worth estimated at \$140 million, a sizeable fortune for a career military officer known for his reputation as a corruption fighter. In a sign of the somewhat diminished power of the military, widespread outrage and calls in the Thai press for a thorough investigation into the Sunthorn estate seemed likely to be heeded, causing problems for Prime Minister Thaksin Shinawatra, who had been a close associate of the late general.

Led by retired Gen. Chamlong Srimuang, a then-popular politician and ascetic Buddhist with an unsullied reputation, some 100,000 people, many of them middle-class Thais in suits and business attire, took to the streets on May 17, calling for the resignation of Suchinda and an end to military domination of Thai politics. This so-called “mobile phone brigade” was a first in Thai politics.

“Never before had business people and the middle class taken to the streets,” said Thepchai Yong, at the time the editor of the English language *The Nation* newspaper. “People were fed up with the military manipulating the process. We knew there would be a reckoning.”

When the military moved against the demonstrators, the results shook Thai politics and the media to the core, forever changing the shape of the political equation in the country.

The military opened fire on the protesters, turning the downtown streets near the Royal Palace into a scene of blood and chaos that went on for four days. At one point, soldiers fired on unarmed protesters seeking refuge and medical help in a hotel. Demonstrators responded with rocks and Molotov cocktails. The streets swirled with ongoing battles between unarmed civilians hurling stones and battle-trained soldiers. Suchinda declared a state of emergency. Chamlong was arrested.

One of the first acts in the emergency was to issue a blanket order to the Thai press to mute coverage of the unrest. Editors were warned that they would face closing if they disobeyed. In response, the English-language *Bangkok Post* ran blank news pages in protest. Three other papers, including *The Nation*, went further, running pictures of the dead and wounded and offering readers graphic accounts of the violence.

“We are treading a very thin line,” Thepchai said at the time. *The Nation* and the Thai-language papers *Naew Na* and *Puchatkan* expected to be shut down and made plans for alternate printing facilities as they awaited their fate. Death threats were received at the papers, and military officers called publishers to tell them that their publications would be closed imminently.

“We decided to go to town with the coverage

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because we thought it could be the last time we ever published,” Thepchai said recently. On May 20, the third day of the crisis, *The Nation* ran an editorial quoting from the last act of Shakespeare’s “King Lear”: “The weight of this sad time we ought to obey, speak what we feel, not what we ought to say.” The paper edged the editorial in black and left the rest of the space blank. “The point had been made,” said Kavi Chongkittavorn, *The Nation*’s current managing editor.

In the aftermath of the crisis, Thepchai Yong was honored as a recipient of the Committee to Protect Journalists’ International Press Freedom Award for the courage *The Nation* showed in its coverage.

Meanwhile, Thai radio and television, then under complete government ownership and control, were turned into propaganda arms of the beleaguered Suchinda government, whitewashing events and painting a false picture of calm. “The people were disgusted with the television. It was just lies, all lies,” said Kavi. Suddenly Thailand, which had been enjoying the fastest growth rates in the region, was in danger of looking like its misbegotten neighbor, Burma, which had brutally crushed a pro-democracy uprising in 1988, becoming a pariah state in the process. One foreign report called the Bangkok massacre “Tiananmen: Thai Style” and a national disgrace.

As events unfolded in Thailand, protesters prevailed and the military returned to its barracks. In many ways, the courageous elements of the Thai press who refused to remain silent kept the military in check and helped to forge a consensus for change. Despite government propaganda efforts, the truth of the mayhem spread quickly through newspaper reports as the unprecedented extent of the slaughter shocked a country that prides itself on remaining calm in the face of crisis.

On May 21, King Bhumibol Adulyadej, whose moral authority is seen as a calming factor in Thai politics, summoned Suchinda and Chamlong to the royal palace. Footage of the two opponents lying prostrate at the foot of the monarch restored a sense of order to the city. The king told the men to stop fighting. “I would like both of you to talk face-to-

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face, not to confront each other,” the king told them at a meeting that was videotaped and broadcast repeatedly. “Try to solve this problem.”

The emergency decree was lifted, detainees were released, and within days Suchinda resigned. The Thai press emerged from the crisis freer than ever and, arguably, the most powerful press in Asia.

FRESH FREEDOMS FOR THE PRESS

Outrage over the bloody 1992 confrontation fueled the momentum for deep structural reform in the Thai political process and a desire to dig deeper into many dark events in the nation’s past.

Newspapers and other media attempted to pry open not only the events of 1992 but also a massacre of student protesters in 1976. “Official histories leave out the 1976 massacre. Textbooks skip around it. The authorities will not mention it,” wrote Chang Noi, a columnist for *The Nation* in 1996, echoing calls for a reckoning in Thai politics.

Former Prime Minister Anand Panyarachun was a key player in the campaign to reform the Thai bureaucracy. Even before the 1992 massacre, he set up a committee to draft a freedom-of-information act with the objective of making future Thai governments more open. Anand publicly complained of the so-called “culture of secrecy” in Thai society, especially within government bureaucracies.

While full responsibility for past transgressions has yet to be addressed to the satisfaction of many aggrieved parties, momentum for reform after 1992 has proved irresistible. Importantly, business groups, rattled by the harm the events of 1992 did to the country’s export-driven economy, joined in calls for democratic reform. Steeled by the crisis of 1992 and consumed by a rapidly developing middle class eager for political liberalization, the media thrived through most of the 1990s. Crooked politicians were held accountable for their misdeeds and newspapers openly ridiculed governments, effectively bringing down at least two prime ministers. The top newspapers — including *The Nation*, owned by journalist Sutichai Yoon, the *Bangkok Post* and Thai-language *Maitichon*, the most progressive of the Thai-language

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Chief among the changes was the 1997 reform constitution, which enshrined press freedom and individual rights in the strongest terms in the region. Article 39 of the landmark constitution says, in part: “It is unconstitutional for the government to order a shutdown of the press, of a radio station, or of a television station with a view to undermine . . . freedom. It is unconstitutional for the government to impose a ban on printing, newspaper publishing, radio or television station broadcasts except when it is imposed by a court judge whose sentence is handed down under the authority of the law.”

The charter rolled back restrictive 1940s-era laws that had been used to stifle the press, especially in times of crisis. The new constitution prohibits censorship except in times of war and eliminates press licensing. It gives employees of media organizations — including those working in state-run media — the right to be free of ideological control by media owners. “They cannot ban media. There will be no press licensing,” Kavi Chongkittavorn said at the time. “This constitution is a very positive development.”

The constitution also enshrines the idea, revolutionary for Thailand, that radio and television frequencies are public assets and should be controlled by an independent public regulatory body. A somewhat vaguely worded provision of the charter means that military control over radio and television is set to end in Thailand, although competing interest groups have delayed implementation of the provision for several years. Only in recent months has the parliament come close to appointing a National Broadcast Commission to begin changing the ownership structure of the airwaves and eliminate direct state control.

Of the many reforms that followed the post-1992 process, one of the most far-reaching may prove to be the Official Information Act. Modeled roughly on the Freedom of Information Act in the United States, the law was the first statute in Asia to enshrine the principle of a public right to information. Combined with an official Counter Corruption

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Commission and other independent investigative bodies established at roughly the same time, the act gradually was to become a powerful tool in the hands of an invigorated press. "This is a revolution if it is used, if we learn how to use it," said an enthusiastic Kavi Chongkittavorn of *The Nation*. "This means the government no longer has the right to just hide everything from the public."

Under the law, the government had to instruct bureaucrats to reorient themselves. Nakorn Serirak, a member of the Official Information Commission, wrote in 2000: "The law enshrines the right of citizens to have access to government information. It gives them the right to inspect documents; to request copies of them; to make complaints; and to make appeals against what they might feel is personal information which is not correct." Nakorn admitted that the law has been slow to be fully implemented and that, at times, individuals have found it difficult to understand. He appealed for greater public awareness. "Meanwhile, people should recognize that they have the right to information. They should learn how to use the new act as a means of access to such information," he said.

By any measure, such an attitude from a government official in this region is a breath of fresh air underlying a fundamental change in Thailand. "In the past, our job was to prevent information from leaving the office. Now we have to make it easier. This is not an easy thing to do," said a government information officer at a seminar on the new act in 1999. "But we are trying."

MONEY MELTDOWN AND THE MEDIA

Despite the pending new constitution, which was to be signed by the king in October 1997, the government of then-Prime Minister Chavalit Yongchaiyudh was in panic mode because of the Asian financial crisis, which had been touched off by a disastrous devaluation of the Thai baht in July 1997. Chavalit, a former general and longtime backdoor military power broker, responded to growing press criticism over his handling of the economy by

Prime Minister
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threatening to track and intimidate the press with an official media-monitoring center operated by the Interior Ministry. He lashed out at reporters and accused the press of worsening Thailand's economic slide. As the crisis deepened in August and Thailand's once-vibrant economy was shattered, Chavalit called on government broadcast outlets to put a positive spin on economic news, summoning the state media to follow the dictates of the government.

The Thai press responded with howls of protest directed at Chavalit's ham-handed performance. Not the monitoring center, restrictions on state media, or official bluster could mute the media as newspapers responded with banner headlines calling on Chavalit to step down. In October, the beleaguered prime minister, who had been in office little more than a year, reacted to a wave of demonstrations by arguing that the military should impose a state of emergency, declare a curfew and curb the press, according to numerous press reports.

In this crisis, there would be no repeat of 1992. The military made no move to renew its often-disastrous armed intervention in Thai affairs and bluntly refused to go along with any draconian measures. Emerging from a closed-door meeting with Chavalit at the height of the crisis, the army commander, Gen. Chettha Thanajaro, told reporters, "There will be no state of emergency. The public is entitled to the basic right to demonstrate in peace."

On Nov. 6, 1997, Chavalit resigned as prime minister.

THE PRESS AND ITS POCKETBOOK

The Asian financial crisis proved to be a painful moment of truth for the pocketbook of Thailand's media organizations. One of Asia's highest-flying economies was laid low and with it the livelihood of many journalists. As many as 3,000 reporters and other media employees lost their jobs when the Thai economy went into its devastating tailspin in 1997. A dozen newspapers and magazines closed

"There will be no state of emergency. The public is entitled to the basic right to demonstrate in peace."

— Gen. Chettha Thanajaro

and massive layoffs hit the rest of the industry. Newsprint prices soared and advertising revenues shrank by 60%, while many of the remaining reporters went through two years of frozen salaries.

Though the crisis carried painful consequences, those hard times also produced growth and maturity in the Thai press. Spurred by political reforms and newfound muscle, the press deepened its commitment to ethical changes and to stronger investigative reporting. "There's no issue we won't try to smoke out now," Thakoon Boonfarn, executive editor of the daily *Khao Sod* (Fresh News), told the *Los Angeles Times* in 1999. "Our young journalists have responded to the economic crisis by finding out they have to be more aware, more vigilant, better informed. I've seen them in the newsroom reading textbooks on economics, trying to understand issues, and that wouldn't have happened 18 months ago."

The powerful Thai Journalists Association launched campaigns to clean up press ethics and to promote professionalism, censuring journalists caught in shady deals. Newspapers got tougher with staff members who accepted money or gifts from the businesses and officials they covered.

Pichai Chuensuksawadi, editor of the *Bangkok Post*, said that journalists frequently accepted expensive favors from businessmen during the boom years. "I don't know how things got so loose in those years, but they did," Pichai said, "and it affected coverage. It made journalists less vigilant." Fueling the stock market before the crash, Pichai said, was the common practice of business reporters taking inside tips from traders and getting rich on equities. "I used to wonder why some reporters watched the markets so carefully. I finally realized they were part of the game." Now, the *Post* and many other papers bar reporters from taking gifts or trading in the stock market. "Of course, it's difficult to enforce, but we are serious about it. It is a matter of professionalism," said Pichai.

As the media have sought to police their own ranks, mass-market newspapers also have come in for heavy censure. The most popular newspaper in Thailand, *Thai Rath*, frequently serves up a diet of sex, crime and sensationalism. But the tabloid-style paper overstepped acceptable bounds in its coverage

The most popular newspaper in Thailand, *Thai Rath*, frequently serves up a diet of sex, crime and sensationalism.

of a murder and rape case in late 1999. Thai newspapers and journalist groups lashed out at the newspaper's insensitivity, fearing that such reports could damage the credibility of the entire profession and give ammunition to opponents of press freedom. *Thai Rath* was called on the carpet. A *Bangkok Post* editorial at the time said: "The publication of a photograph of a near-naked victim of rape and murder on the front page of last Saturday's *Thai Rath* daily was disgusting — and it had no redeeming newsworthy purpose."

To curb the controversy, *Thai Rath* editors apologized publicly and faced the scrutiny of their peers in a stormy meeting with the Thai Journalists Association and the industry-organized Press Council of Thailand. While still racy, the powerful million-circulation paper has become tamer, recognizing that there are some limits to what it can publish responsibly.

REMARKABLE STORIES

If the accomplishments of one newspaper characterize the dramatic changes in Thailand, it is the work of Prasong Lertratanawisute, an investigative reporter and the editor of *Prachachart*, a twice-weekly business paper that is part of the Matichon Group. Using his skills and Thailand's information act, Prasong has brought down one powerful politician and may yet cause the ouster of the current prime minister, telecommunications tycoon Thaksin Shinawatra.

In early 2000, Prasong got onto the story of Sanan Kachornprasart, then-deputy prime minister in the Democrat Party-led government and one of the most powerful figures in Thailand. Known as the "kingmaker" for his back-room deal-making and arm-twisting, Sanan caught the attention of Prasong as the reporter searched through balance sheets on a series of companies connected to the powerful politician. When the story broke — outlining a phony million-dollar loan Sanan had claimed on his asset declaration — it was the beginning of the end of the official's political career.

The Counter Corruption Commission took up

the case and indicted Sanan in March 2000, prompting him to accept the verdict and resign his post. Reform laws on corruption in office ban him from politics for five years.

Prasong and his colleagues were just getting warmed up. In September 2000 the journalist set his sights on Thaksin, who was then leading his party, Thai Rak Thai (Thai Loves Thai), into general elections against the Democrats. His newspaper was the first to report that Thaksin had transferred millions of dollars in shares of his telecommunications company to his maids, drivers and security guards in an alleged attempt to skirt asset-declaration regulations. In December, the Counter Corruption Commission indicted Thaksin on charges of hiding assets. Elected prime minister in January 2001, Thaksin may find his term short-lived if a constitutional court upholds the verdict against him. He also faces the possibility of a five-year ban from politics.

Prasong says that he is training reporters at his newspaper in the minutiae of government documents, tax laws and electoral codes — exactly the kind of thing that any investigative reporter needs to know. “If reporters do not get the essence of key pieces of legislation that are drafted to support reform, how then could they detect irregularities among politicians?” Prasong told the *Far Eastern Economic Review*. Thai journalists need such detective skills now more than ever, he said, “because digging into irregularities will become a tougher job even with the help of technology, now that politicians would all be extra cautious in covering up their tracks.”

The encouraging thing about Prasong’s work, even beyond the excellent journalism, is that it demonstrates just how well Thailand’s reform process has begun to come together. Asset declaration, tax records, contracts and other documents are more readily available than ever before. Reform legislation requires politicians to reveal their assets in a way that was unheard of a decade ago. And official anti-corruption bodies have some teeth to probe into revelations and punish the guilty.

No one suggests that Thailand has freed itself from the plague of official corruption as a result of a handful of reforms and some investigative reporting, but the example being set by journalists like Prasong

The example being set by journalists like Prasong is sure to reverberate far into the future.

is sure to reverberate far into the future.

For his efforts, Prasong has become a journalistic celebrity, sort of a Thai Woodward or Bernstein. The Thai Journalist Association honored *Prachachart* with an award for the best story of 2000 for the work on Thaksin's assets. Prasong says it's merely his job. "Awards don't matter for me," he said after winning the prize. "The most important thing is that I am satisfied with the methods I have used and with the results of my work. Sometimes it's like putting a jigsaw puzzle together. To do your job properly, you need to have background information on the issues concerned plus a good deal of experience, too. Unfortunately, many reporters lack basic knowledge even about the specific areas they are supposed to be covering."

THAILAND'S PRESS TODAY

Article 40 of the 1997 constitution makes a tantalizing promise: "The frequency bands used for radio, television broadcasts and telecommunications are communication resources in the public domain." Once implemented, reformers hope, the article will mean an end to the domination of radio and television by the military and the government.

With the sole exception of one broadcast channel, all radio and television frequencies currently are in the hands of the military or government agencies. The official Public Relations Department, for example, controls about 130 radio stations and one television station. The army controls 128 radio stations and two television stations, while The Mass Communication Authority of Thailand controls another 62 radio stations and two television stations. Even the prime minister's office has its own television station.

This government domination of the broadcast media keeps Thailand from having a completely free media. Governments traditionally have used their control of the airwaves to pursue a political agenda, especially in times of crisis. As recently as 1997, the Chavalit government instructed state broadcasters to toe the state line and mute criticism of the prime minister's policies.

Government domination of the broadcast media keeps Thailand from having completely free media.

The constitution was supposed to change all that, but nearly four years later the implementation process has grown frustratingly slow. In 2000, the parliament passed legislation to create two independent bodies, the National Broadcasting Commission and the National Telecommunication Commission, to allocate frequencies for television, radio and mobile phones. That law represented a historic move for Thai broadcasting. The new regulatory bodies will consolidate ownership authorities and regulations over six free-to-air television stations and approximately 500 radio stations nationwide.

The selection of members to sit on these commissions has been plagued with backdoor deals and a cumbersome process, say those involved. In August 2000, groups of media professionals sat down with the prime minister's office to discuss guidelines for the composition of the commissions. But journalists complained that groups representing ownership interests from both the private and the military sectors had stacked the process in their favor. Four "media professionals" appointed to the body that is to nominate members of the National Broadcasting Commission all represented either the military or business. As a result, 11 journalist associations walked out of the meeting in protest. The associations called on the army to publicly renounce any involvement in the commissions. But that didn't happen.

"Freedom of expression and freedom for media owners are two different things," said Ubonrat Siriyuvasak, a lecturer in media from Chulalongkorn University. According to Ubonrat, the definition of "professional" is clearly stated in many laws and doesn't include business operators. "Owners of boxing camps are not boxers. They won't go fight for a living," she said. "Who do we think media operators — like government agencies, military or multinational corporations — represent?"

The fear of some involved in this issue is that the military is secretly controlling the selection process of the commissions and that, as a result, the deck will be stacked against the public when the time comes to allocate frequencies. "The army has dropped its open opposition to this finally," said Ubonrat. "But its influence has gone behind closed doors. We can feel that it is there."

The fear is that the military is secretly controlling the selection process of the commissions and that, as a result, the deck will be stacked against the public when the time comes to allocate frequencies.

PRINT MEDIA

The print media in Thailand have a history of private ownership dating back to the 19th century. The oldest paper still publishing is *Siam Rath*, which was founded in the 1920s. Some 19 national dailies exist, four of them publishing in Chinese and two in English. With roots in a period before military rule took over the country in 1932, the press has a long tradition of pushing the boundaries of what is acceptable and serving as a forum for ideas and trends. As a result, the Thai press has to be considered one of the freest and one of the strongest in Southeast Asia.

MAJOR NEWSPAPERS

Bangkok Post: largest-circulation English-language daily, founded in 1946. www.bangkokpost.net

The Nation: A group of journalists left the *Bangkok Post* in 1971 and founded this competing English-language daily paper. It has grown to include a Thai-language business paper (*Krungthep Turakij* — www.bangkokbiznews.com), and a multimedia arm and fledgling cable news operation. www.nationmultimedia.com

Thai Rath: Boasting a circulation of 1 million, this is the largest-circulation newspaper in the country. Combining gritty crime stories, pictures of sexy girls in swimsuits and sometimes tough reporting, it sets a standard for the rest of the Thai press to either follow or avoid. www.thairath.co.th

Daily News: No. 2 behind *Thai Rath* in circulation, it offers up similar fare. www.dailynews.co.th

Matichon Group: Founded in 1978 out of the ashes of a newspaper closed down by the military regime, the company produces a number of notable publications, among them:

Khao Sod: A more serious mass-market daily in the style of *Thai Rath*. It has grown rapidly since its introduction to the marketplace in 1996.

Matichon: The group's flagship paper is known for the seriousness of its tone and the quality of its content.

Prachachart: A biweekly business newspaper, it has become famous for a series of high-profile investigative exposés of powerful politicians, including the current prime minister.

http://www.maticchon.co.th/about_us/g_co98-e_k.htm

Siam Rath: This is the oldest newspaper in Thailand, founded in the 1920s.

Thai News Agency: The official news agency.

Operated by the Mass Communications Organization of Thailand. www.mcot.or.th

TELEVISION

Thailand became the first country in Southeast Asia with regular television transmission when a government agency put a station on the air in 1955 in Bangkok. There are now six national television stations in Bangkok, five of which are government owned. The exception is iTV, which is commercially owned and now controlled by a company linked to the current prime minister, Thaksin Shinawatra. iTV was the product of a reform drive to liberalize the media in the mid-1990s. There is more diversity on the air now than in the past and the stations generally operate as commercial endeavors, licensed to private operators but still subject to varying degrees of political pressure and control.

iTV is commercially owned and now controlled by a company linked to the current prime minister, Thaksin Shinawatra.

Many Thais still remember the days when television was a tool for propaganda, and some suspect that entrenched power centers are trying to block full privatization. The military and government have stubbornly clung to their channels despite pressures from reform politicians and a 1997 constitutional mandate to privatize the airwaves. A National Broadcasting Commission is being formed. When it is in place, rules will be established to reallocate frequencies, supposedly for public benefit.

In 1998, Thailand's two major cable television operators merged, at the height of the economic crisis, to form UBC, a monopoly.

Channel 3: Licensed by the government to BEC-World Entertainment, this company is controlled by Prachar Maleenond, a member of the government allied with Prime Minister Thaksin.

<http://www.tv3.co.th>

Channel 5: Owned by the army
<http://www.tv5.co.th/home.htm>

Channel 7: Owned by the army-
<http://www.cb7.com/nation>
<http://www.nationmultimedia.com>

Channel 9: Owned by the government's Mass Communications Organization of Thailand (MCOT) www.mcot.or.th

Channel 11: Owned by the Public Relations Department under the office of the prime minister. <http://tv11.iirt.net/main1.html>

ITV: The country's only independent television station was taken over by a company controlled by the family of Prime Minister Thaksin in 2000. www.itv.co.th

RADIO

As in most countries in the developing world, radio is the most significant medium in the country for news and information, especially in provincial areas. The first station went on the air in 1922, and ever since then radio frequencies in Thailand have been controlled by the government. During the period of military rule, which began in 1932, news/information was used as a tool for official propaganda. Although most radio stations are operated as commercial entities today, virtually all remain under the control of the military and government agencies. They are slated to be privatized under a provision of the 1997 reform constitution. The process of liberalization, which has transformed other aspects of Thai media, has done a lot to ease constraints on radio.

In May 1992, during a bloody uprising against the military-dominated government, some disc jockeys — even on army-owned stations — broadcast thinly veiled reports on the street action with a clear bias toward the demonstrators. “The law didn’t change, but it took only someone to break the ice,” a Thai broadcaster told the *Far Eastern Economic Review* at the time.

The world of talk radio opened up in 1992 in Bangkok and has become a popular forum for the dissemination of ideas and opinion.

Radio is the most significant medium in the country for news and information, especially in provincial areas.

There currently are more than 500 radio stations in Thailand. The biggest operators are the Government Public Relations Department with 145 radio stations, followed by the Royal Thai Army with 128 stations and the Mass Communication Organization of Thailand with 62 stations. All stations are still required to carry news feeds from the government's Radio Thailand at regular intervals, although there are no direct controls on news and information at other times. Radio Thailand also broadcasts a short-wave World Service in 12 languages.

IS INDEPENDENT TV STILL INDEPENDENT?

Greatly fueling concerns over the eventual disposition of radio and television frequencies is the current dispute over alleged political interference in iTV, Thailand's only independent broadcast television station, which is controlled by the Shin Corp., the telecommunications giant owned by Prime Minister Thaksin Shinawatra.

On February 7, 23 staff members of the station, among them a number of senior journalists, were fired after they aired charges that Shin Corp. management was interfering with the station's editorial integrity, saying that station management pressured them to slant coverage in favor of Thaksin's political party, Thai Rak Thai, during the general election campaign in December and January. The station's broadcast equipment was repeatedly used at Thai Rak Thai campaign events, and one reporter was transferred for putting tough questions to Thaksin, according to the fired reporter.

Shin Corp. first gained control of the station in May 2000 after a controlling stake in the money-losing venture was put up for offer by a local bank. The move drew immediate concerns from press activists who worried that Thai Rak Thai would use the station for its own ends.

Thaksin consistently has denied exerting influence on iTV. The prime minister argues that he no longer holds shares in the company he founded and built into Thailand's largest telecommunication firm

with a virtual monopoly on many aspects of cellular telephone service. He formally divested himself of his ownership stake in the company in order to run for prime minister. His wife and son control the company now.

Thai Rak Thai won a landslide victory at the polls on Jan. 6. And shortly afterward, Thaksin became prime minister. Just prior to taking office, Thaksin guaranteed that the media would continue to operate freely under his rule. "I wanted to reassure you that the media will enjoy freedom, but freedom should be accompanied with ethics," he said.

The notion that a politician could get control of iTV is especially galling to those who fought for the creation of the channel after the 1992 massacre of demonstrators. Outraged by the blanket pro-government propaganda that filled the air during the 1992 crisis, the establishment of iTV was a key demand of reformers after the smoke of the protests cleared.

The government allowed the channel to be established as the first non-government broadcast entity in the country, making iTV the first crack in the government's monopoly on broadcast information.

"Everyone was sick to death of the whitewash on state television," said Thepchai Yong, who left *The Nation* newspaper — which holds a minority share in the station — to become the first news director of iTV after it went on the air in 1996. Under Thepchai, the station produced groundbreaking investigative stories and prided itself on a fresh and independent approach to news programming, fulfilling the station's mandate to fill a majority of programming with serious news and information.

While the station was a darling of reporters, its complicated business structure and serious tone never made money. As loans came due in a depressed economy, the bankers went looking for a way out of their share in the venture. That is where Shin Corp. came in, surprising the public with its sudden acquisition of iTV. Thepchai was forced out of his position by the new management, and reporters grew restive. Then, in the midst of the election campaign, iTV staffers went public with charges that Shin Corp. was undermining their inde-

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“iTV in Exile” has opened a small production company and begun producing free-lance news programming that it sells to other stations.

pendence. They said the station had become a tool for Thaksin.

Angsana Teskayan, a fired news producer at iTV, told *The Nation*, “My editor asked me to remove certain news items from the schedule. This made me uneasy. And when I was asked to do the same thing again and again, I began to have doubts . . . to wonder what was going on at this supposedly independent station.”

Finally, on Feb. 7, the “iTV 23,” as they have become known, were called by management to a meeting. In the presence of a Shin Corp. lawyer, they were handed notices of immediate dismissal, ordered to collect their belongings and to leave iTV headquarters immediately.

The group has stuck together. Operating out of a small office with the sign “iTV in Exile” hanging on the door, it has opened a small production company and begun producing free-lance news programming that it sells to other stations. The group plans to take iTV to court on grounds that the staffers were fired illegally.

Karuna Baukhomsri, formerly a news reporter and program anchor, told reporters she hopes the case will test Article 41 of the 1997 constitution, which guarantees freedom of expression for media workers as long as they observe media ethics. “The article is very clear about the rights of media workers, and this shouldn’t be a problem as long as media owners don’t cross the line. But in this case, the picture is still unclear,” she said. “The question has been raised as to whether we did the right thing. This is an issue which has not been debated in our society for a long time. I hope that when it’s all over, a clear line will be drawn between capitalism and media ethics.”

The iTV flap seems certain to dog Thaksin for as long as he is in office and as long as his company controls the station. That relationship deeply offends the sensibilities of most journalists. “I think it is just dangerous to have Thaksin controlling so much of iTV,” said *Bangkok Post* Editor Pichai Chuensuksawadi. “This is not the way it is supposed to be. iTV is supposed to be independent, and now it is not.”

SPREADING THE WORD OF FREE MEDIA

One by-product of Thailand's resurgent media and reform climate has been the increasing influence that Thai journalists and organizations have in Southeast Asia. With the economic crisis spawning a new appreciation for the media's role in monitoring corruption and promoting greater economic transparency, Thailand has become an example to its neighbors.

In 1998, for example, the Reporters Association of Thailand (now renamed the Thai Journalists Association) played a key role in organizing the Southeast Asian Press Alliance (SEAPA), a coalition of free press organizations from around the region.

SEAPA began as an idea in the mind of Kavi Chongkittavorn, managing editor of *The Nation* and chairman of SEAPA. Members of SEAPA come from the three "free press" countries of Southeast Asia — Thailand, the Philippines and Indonesia. Those countries, Kavi says, have emerged from bitter experiences with military rule and authoritarian government, and all three have lessons to pass on to their colleagues in other countries. "It is time we looked after ourselves," Kavi said at the time. "Asian journalists have to promote a free press in the region." Sharply critical of authoritarian governments in Southeast Asia, Kavi believes that a free press is a key component of a democratic society and a prosperous region.

Kavi merits special mention as a kind of ambassador to the world from the Thai press. He is a sought-after speaker on press issues, an adviser on press freedom to UNESCO, and a frequent commentator in the international press about media issues in developing countries.

In addition, SEAPA likely would not exist without the work and vision of the Thai Journalists Association. SEAPA shares headquarters with the TJA, and the founding conference of SEAPA was held in Bangkok in 1998. At that time, Thai Foreign Minister Surin Pitsuwan told the conference: "Freedom is indivisible. It is all or none. It is therefore the duty of each member of society not only to

Kavi Chongkittavorn, managing editor of *The Nation*, merits special mention as a kind of ambassador to the world from the Thai press.

safeguard the freedom of the press but also to ensure the safety of its practitioners.”

The TJA may be the most effective press organization in the region and has become a force to be reckoned with by both the government and media owners. As part of its involvement with SEAPA, the TJA has worked with journalists around the region to promote use of official information acts and to encourage journalists in countries with restrictive governments, such as Malaysia, to organize independent associations.

Thai journalists also are winning recognition as leaders in the profession regionally. The investigative reporting work of Prasong Lertratanawisute, editor of *Prachachart*, has been profiled in regional magazines and held up as an example to other reporters who want to keep their own governments honest.

As much as a free press has become a part of the Thai ethos, journalists dare not tread too harshly on the interests of influential politicians.

THREATS REMAIN

As much as a free press has become a part of the Thai ethos in the past several years, journalists dare not tread too harshly on the interests of influential politicians used to having their way in local areas. Most of the revolution in the press has taken place at national papers. The provincial press remains mired in mediocrity, often beholden to local benefactors. Either that or journalists face dire repercussions for practicing their craft.

Consider the case of Amnat Jongyotying, the fiercely independent editor and publisher of the feisty local newspaper *Phak Nua Raiwan* (*Northern Daily*) in Chiang Mai, the largest city in northern Thailand.

After a series of articles exposing corruption and shady deals by a powerful politician, Amnat was gunned down on a quiet suburban street in broad daylight on the afternoon of April 18, 2000. As he twisted away from the shot at the last moment, the bullet pierced his stomach and he spent weeks in hospital recuperating. He was left with permanent damage to his internal organs and a massive hospital bill. Even worse for Amnat are the continuing threats that have accompanied his insistence on trying to secure justice in the case.

Shortly after the shooting, witnesses identified a

number of suspects. Four Thai soldiers were arrested for the crime. Prosecutors, however, have been less than eager to move forward with the case, and Amnat has hired private lawyers to pursue justice and represent his interests in court. “The prosecutors don’t want to do anything,” Amnat said in an interview. “They are afraid or bought off by the local political bosses.”

Because of continuing threats against his life, Amnat and his family live in fear while the trial drags on in Chiang Mai. Witnesses are afraid to testify and several staff members of his tiny newspaper have resigned in fear for their lives. Advertisers are staying away and Amnat now goes out of his house wearing a bulletproof vest. Groups like the Committee to Protect Journalists and the Southeast Asian Press Alliance have taken up Amnat’s cause and help to shine the light of publicity on his ordeal. *The New York Times* ran a lengthy piece on Amnat’s struggle.

The editor believes he is in a fight to the death. “They didn’t kill me and now they have to deal with me,” he said recently, “or try again. I will not run away.” The ordeal of Amnat demonstrates that the struggle for a free press in Thailand has both victims and heroes, reporters who believe that what they are doing is quite literally worth dying for.

Amnat’s wife has urged him to abandon the cause and leave the country; others have suggested that he could exact a healthy payoff from the local warlord he believes ordered the assassination attempt. “Why not just take the money?” Amnat said he was asked recently. “I cannot,” he said. “All that I have, all that I am is my word. People trust that. If I give up this fight, it would be worse than dying.”

OH, AND DON’T TALK ABOUT THAT

One thing all journalists working in Thailand learn to be careful about is the king. Even foreign correspondents covering the country know they could face expulsion if they write too starkly about the king. He is revered as both a monarch and a

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— Amnat Jongyotying
Phak Nua Raiwan
(Northern Daily)

religious figure, and public criticism — indeed, any criticism — of the king or the royal family is off-limits to anyone living in Thailand. The king's portrait is everywhere, in every office and home, and his influence is pervasive if non-intrusive. When reformers drafted the 1997 constitution, they did nothing to change provisions regarding the king's role in society.

Now in his 54th year on the throne, King Bhumibol Adulyadej is far from being just a piece of quaint window dressing for Thailand. Many Thais view the king as a source of stability, especially during times of political crisis. Throughout the turbulent years of his reign — encompassing communist insurgency, the Indochina war, military coups and groundbreaking democratic reforms — the king has been a reassuring presence. It was the king who intervened in 1973 and 1992 to halt bloody crackdowns on protesters and restore order.

“The invariable constant above the inconstancies of politics” is the way the palace describes the monarchy.

But as the king grows older, there is increasing nervousness about succession. What will happen when the crown prince succeeds to the throne? Rumors of scandals related to the royal family circulate on Internet sites and in private discussions. A revealing book written about the royal family, “Revolutionary King,” was published in London in 1999. The book surely would have been a best seller in Thailand, but it was banned under strict lese majeste laws. Thais wanting to read the banned book order it off the Internet or buy it abroad. But the local press never reviewed the book, and it remains unlikely that “Revolutionary King” will ever be translated into Thai. “Of course we talk about all of these things, about the family and the king and everything,” one prominent Thai journalist said. “But never, ever, in print. Not now. Not yet.”

Outsiders frequently point to the restriction on discussion of the royals as proof that Thailand has a less than free press. Technically speaking, the criticism is valid. But rarely do Thais agitate for the establishment of a republic. Without the king, the reforms that have swept the country since 1992

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would have been much more difficult. He is an arbiter, a source of pride and, frankly, a success.

CAN REFORM BE STOPPED?

Thailand still has a lot to come to terms with. Surveys perennially rank the country as one of the most corrupt in the world, yet politicians always assume office insisting that they hold the key to resolving the issue. The public seems disheartened by the nation's leaders, and it is rare for a prime minister to leave office in good standing.

Indeed, the government of Democrat Party boss Chuan Leekpai seemed to promise a fresh start for Thailand when it came to power in 1997 with an agenda to rid the country of the flaws that led it to the brink of financial disaster during the Asian economic crisis. Less than four years later, the Democrats were judged to be slow-moving and boring, and they lost a landslide election to the new "personality" party built around current Prime Minister Thaksin Shinawatra.

A self-made man and the first Thai-Chinese to be elected prime minister, billionaire Thaksin rose to power by spending money and promising fresh initiatives and more government spending to people living in despair in impoverished rural areas. But even Thaksin, perhaps the richest man in the country, is not immune to the sting of the press, and the corruption scandals that have plagued him may yet lead to his undoing in the courts.

It is one thing to write an exposé or launch a campaign in the newspaper for clean government, but it is quite another to build an institutional framework into which the information, once reported, can be channeled. Woodward and Bernstein's revelations about President Nixon and Watergate in 1972 would have been nothing but ink without the Senate impeachment process and the House Judiciary Committee.

The most significant thing about Thailand's drive toward a more open society is that the press now has real tools at its command in the drive to get at the good stories. The 1997 constitution is progressive and far-reaching. The Official Information

It is one thing to launch a campaign in the newspaper for clean government, but it is quite another to build an institutional framework into which the information, once reported, can be channeled.

Act is slowly lifting the cloak of government secrecy. A Counter Corruption Commission has some real teeth. An electoral commission can and does toss wrong-doers out of office.

The workings and history of these bodies reach beyond the scope of this essay, but it is important to note that the reforms of recent years are giving Thailand something more than just a free press — they are giving the country a real shot at a functioning, though imperfect, ever-evolving democracy. It is not easy to unwind such institutional progress because it is now an integral part of the system.

During the years of successive military dictatorships, power was the prerogative of one man or a clique of generals who could bestow favors and take favors away at will. Constitutional change gives the Thai public the chance to leave that strongman legacy behind forever; and every step of the way, the Thai press has been a force pushing change and reform. That is a process worth celebrating.