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From Marketplace to Battlefield: Counting the Costs of Thailand's Drug War

By Matthew Z. Wheeler

MAY 28, 2003

BANGKOK, Thailand–On February 28 this year, as Prime Minister Thaksin Shinawatra made his way from his car to the Ministry of Agriculture building, a distraught young man fell to his knees and pleaded for the Prime Minister's help. Suwit Baison, a 23-year-old assistant cameraman for Channel 11, sobbed as he told the Prime Minister that his parents had been shot and killed, apparent victims of the government's new anti-drug crackdown. This awkward encounter between the young cameraman and the Prime Minister, played out before a crowd of journalists, was the top story on the evening news.

That day also marked the end of the first month of a three-month anti-drug campaign ordered by Thaksin. Alarmingly, more than 1,000 people had been shot to death in the Kingdom since the beginning of the campaign. There was widespread speculation that police were killing drug suspects in a drive to meet the Prime Minister's stated aim of completely eradicating drugs from Thailand in three months' time. Remarks by senior government officials, such as Thaksin's assertion that people shouldn't be alarmed by the murders, did little to discourage this speculation.

Suwit's surprise petition of the Prime Minister lent a human face to the anguish caused by the sudden increase in so-called extra-judicial killings. After several phone calls and one missed appointment, Suwit met with my wife Ruang and me to tell us his story. He asked that we meet in a crowded place, but later said he is not afraid. "The worst has already happened," he told us. A compact, mild-mannered young man with sleepy eyes, Suwit was earnest but not self-pitying. With deliberation and patience, he explained to us what he knew about the circumstances of his parents' murders and his understanding of how the drug war has been conducted.

Suwit had learned that his parents had been murdered the day before he confronted the Prime Minister. At around 4:30 in the afternoon Suwit's motorcycle was stopped at a Bangkok traffic light when his cell phone rang. His 14-year-old stepsister, crying and hysterical, told him the news. His mother and stepfather, poor farmers in Petchabun province, had been killed that day on their way home from the police station. For Suwit, the sky went dark. The traffic light turned green. Horns blared as cars and busses passed. Suwit later recalled that all his energy drained away.

Suwit walked his cycle to the curb and sat down. His mind raced as he tried to piece together his last contacts with his mother and stepfather. His mother had called the day before to tell him that she and her husband had been summoned to the police station. Villagers in their area had been urged by the police and village headmen to report to the police station and take an oath swear-

ing that they had no connection with drugs.

Suwit told his mother not to go, that the local cops had it in for his stepfather. Three times last year his parents' home had been searched, but the police found no drugs. It was true, Suwit said, that his stepfather sometimes mixed marijuana with his cigarette tobacco, but this is not uncommon, upcountry. In November 2002, his stepfather and a friend were busted while taking a "cigarette" break in their rice field. The 1.3 grams of marijuana that police found belonged to the friend, but both men were arrested. When Suwit's mother went to the police station to see her husband, the police taunted her, saying that they'd free him if she dared to return to the station with a single methamphetamine pill. She got help from a lawyer and her husband was released after she paid a 5,000-baht ($115) fine.

Suwit's mother didn't want any further problems with the police. "It's better to go and clear our names," she told her son. She didn't want the police to think they had anything to hide. And she was scared. There were daily news reports of suspected drug dealers gunned down as the government pursued its new crackdown. Suwit told his mother, "If you have to go, don't go alone. Take some people with you." It was the last time Suwit spoke with her.

Emerging from his curbside stupor, Suwit decided he had to go to Petchabun. He made it as far as Saraburi, a couple of hours from Bangkok, when his uncle called him. He told Suwit not to go back to Petchabun. Suwit's uncle, an employee of another television station, knew Prime Minister Thaksin would be at the Agriculture Ministry the next morning. "Go home and write everything down," he told Suwit. "Give the letter to the Prime Minister." Suwit returned to Bangkok and spent the night writing a letter giving all the details of his parents' run-in with the law and what he knew about the circumstances of their murder. In the morning he had ten copies made.

Arriving at the Agriculture Ministry Suwit found an official from the Prime Minister's Office. The official took the letter, folded it and put it in his pocket. He assured Suwit that he'd pass it on.

Suwit wasn't satisfied. He told the other journalists what had happened to his parents and what he intended to do. The journalists told him to hang back until the Prime Minister arrived. When Thaksin emerged from his car, the crowd of reporters made way for Suwit while other reporters pushed him before the Prime Minister. Suwit said he didn't intend to fall to his knees, but he slipped when the journalists pushed him forward. He doesn't remember exactly what he said to Thaksin, but Suwit recalled the Prime Minister's reaction; he blanched and stammered, "Where? Where?"

After the incident, the Prime Minister's Office official who had pocketed his letter spent several minutes with Suwit and gave him assurances that his parents' murders would be investigated. Two high-ranking officers from the police Crime Suppression Division later met with Suwit. Now he waits for their report.

Thai Border Patrol Police search for drugs on a bus in Chiang Rai province, March, 2003.

After his encounter with Thaksin, Suwit returned to Petchabun to organize the funeral and make sure his three young step-siblings, aged 10 through 14, would be looked after. While in Petchabun he learned some details of his parents' murder. On the day his parents were killed, Suwit had left his cell phone at the office. His mother called and a colleague answered. She sounded worried, this colleague said, but she declined to leave a message. Suwit heard from relatives that a roadside fruit seller had witnessed the murders, but was too afraid to go to the police. According to this witness, a white sedan with no license plate followed Suwit's parents, his stepfather driving the motorcycle, his mother riding pillion. As they made a turn, the car drew along side. The windows rolled down and men inside the car opened fire.

A friend living close to the police station corroborated the story of a white sedan, which she saw arrive at the police station soon after the time of the murders. Suwit learned from a local journalist that an 11-millimeter handgun shell had been found at the scene and another was discovered tangled in his mother's hair. This journalist

gave him photos of his murdered parents taken at the hospital. His stepfather had been shot four times. His mother had been shot three times. One bullet had pierced her right hand; she had raised it to shield her face.

Suwit doesn't know who killed his parents, but he has an idea. He's convinced that provincial officials were having people killed to meet targets set by the government. He knows about the shadowy and highly-skilled "killing teams" once employed by the government against communists, and he thinks they've made a comeback in the drug war. From what he has learned, he thinks that police from neighboring provinces exchange killing teams so that local police can't be implicated. He suspects the Border Patrol Police, a paramilitary force; the 11-millimeter handgun is a military weapon. He knows his parents spent the day at the police station. He imagines one of those local policemen who had harassed his stepfather pointing his parents out to a visiting killing team.

According to Suwit's uncle, a local policeman had sarcastically offered to pay for the funeral.

Suwit attributes his parents' deaths to bad blood between his stepfather and the local police. To his knowledge, his parents' names were not on a "blacklist" of drug suspects for Petchabun province. Each province had prepared such a list on orders from the Interior Ministry in preparation for the anti-drug campaign, and most often it was people on these lists who were being killed. Suwit noted that the procedure used by authorities in his parent's district, where *all* villagers were asked to swear that they had no connections with drugs, was unusual. In other districts and provinces, it was primarily people on the provincial blacklists who were asked to report. Sometimes, like Suwit's parents, they were murdered on the way home from the police station.

When Suwit returned to work, back in Bangkok, he was taken off the political beat and put to work on sports and entertainment. Someone from the government had called the director of Channel 11, a government-owned station, to ensure that Suwit and Thaksin would not cross paths again. One newscaster apologized to Suwit for not being able to tell the whole story of his parents' deaths. Suwit believes that the only reason he wasn't fired is that it would have kept his story in the news. When a journalist from the Australian Broadcasting Corporation sought an interview, Suwit's superiors told him to forget it. He was ordered to keep quiet. Suwit also received hate mail saying he should be ashamed of lying to the Prime Minister, that his parents deserved what they got and that he should keep his mouth shut. Suwit continues to wait for the officers of the Crime Suppression Division to finish their investigation into his parents' murders. He doesn't expect much. When our meeting was over Suwit said, "It's good to be able to talk about it."

* * *

Methamphetamines became Thailand's greatest social problem in the latter half of the 1990s. Massive quantities of speed flooded Thailand from Burma just as the Thai-bubble economy burst in 1997. Once used primarily by truck drivers and laborers, the economic downturn produced a new pool of consumers and dealers among the unemployed and desperate. Filmed images of crazed addicts terrorizing toddlers and women became standard fare on television news broadcasts. By the end of the decade, the government recognized the influx of *ya ba*, or "crazy drug," as the Kingdom's foremost na-

tional-security threat. At the end of 2002 government surveys put the number of amphetamine abusers in Thailand at 2.5 million, though some estimates run as high as 5 million, or nearly 5 percent of the population. By those estimates, Thailand is the largest per-capita consumer of methamphetamines in the world.

Frustration with the methamphetamine problem has long run high in Thailand. A late-2000 poll conducted by Assumption University / ABAC Polls found that 76.6 percent of respondents believed that drugs constituted the greatest crisis facing Thailand. Thai people whom I've asked have invariably described drugs as the most serious problem facing Thailand.[1] Meanwhile, the judicial system has so far proven unable to put an end to the drug trade. The jails are overflowing with low-level drug offenders and the courts are overwhelmed with drug cases. Sixty percent of court cases in 2001, some 80,000 cases, were for drug offences. Meanwhile, less than 10 percent of Thailand's anti-drug budget is spent on outreach and prevention.[2]

In his annual birthday speech on December 5, King Bhumiphol Adulyadej criticized the Thai government for failing to deal effectively with the problem and urged the government to declare war on drugs. Prime Minister Thaksin Shinawatra, criticized by the King in two successive birthday speeches, responded to His Majesty's call by unleashing what he called "an eye-for-an-eye" drug suppression campaign.

In January 2003, the Royal Thai Police opened a postbox to which people could mail information about potential drug suspects. Information collected from the "1-2-3-4" box helped officials draw up lists of drug suspects used in the anti-drug campaign.

Thaksin, a former police lieutenant colonel turned telecommunications tycoon, called together provincial governors, police chiefs, military officers and the National Security Council to announce his new anti-drug initiative on January 14. Thaksin said, "I want to see every square inch [of the country] getting X-rayed and authorities making a clean sweep of drugs in every area within three months from now." Thaksin set a deadline — April 30, 2003, 9 p.m.— for his directive to be completely implemented.

In keeping with his image as a decisive chief executive officer, Thaksin energized his subordinates with incentives, offering rewards such as cash bonuses for methamphetamine pills seized. He also offered disincentives; those officials who did not meet government quotas for putting away drug dealers by the deadline would lose their jobs. The Prime Minister made it clear that the campaign would be brutal: "Drug traders are unkind toward our children so we will be unkind toward them."[3]

Progress in the campaign would be measured quantitatively, with performance based on the number of suspected drug offenders removed from so-called "blacklists" in each province. According to Sunai Pasuk of the Bangkok-based Asia Forum for Human Rights and Development (Forum Asia), the blacklists have their origin in statistics provincial officials had submitted earlier; the government now wanted names to match the numbers.

District chiefs, village headmen, informants and police were required to come up with names of suspected drug dealers. Those whose names turned up more than once were put on the "blacklists." The blacklists, totaling some 46,000 names nationwide, were forwarded to the Interior Ministry. Provincial officials were ordered to clear 25 percent of the names from the lists by the end of the first month, 50 percent by the end of the second month, and 75 by the end of the third and final month. The means by which names should be cleared from the list were not specified.

During the first days and weeks, arrests of drug suspects soared, warehouses soon bulged with confiscated drugs and suspected drug dealers turned up dead. Two were killed on the first day of the campaign. By the end of the second week, 352 people had been murdered in the Kingdom, an average of 25 per day. Police claimed responsibility for only 13 of the killings, all in self-defense. By the end of the first month of the campaign the death toll

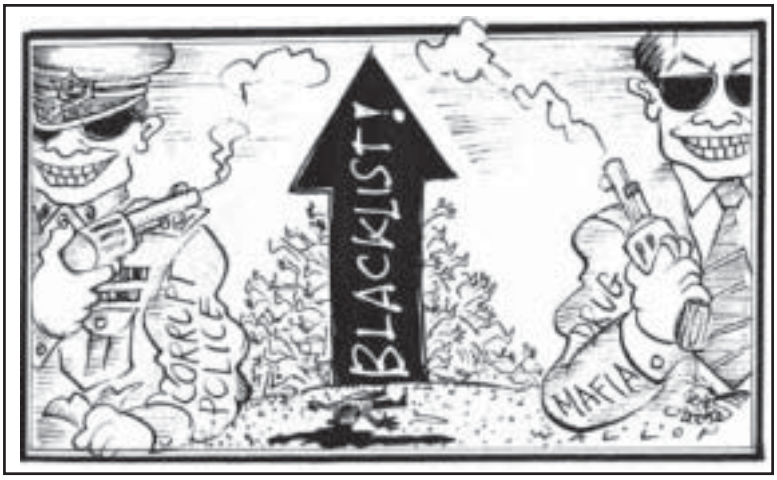
[1] I saw the effects of ya ba first hand on a 1999 visit to Phitsanulok in central Thailand, where I had once lived. Walking from the train station I saw a teenaged boy sitting on the curb, his girlfriend nursing a gash on his head. I thought nothing of it until a few hours later, when I witnessed a street fight so savage I believed I was witnessing a homicide. Onlookers prevented me from intervening, explaining that the combatants were high on speed. The fight ended (for the spectators, at least) when the victim managed to scramble away, pursued by his club wielding assailants. The next day I went to the campus where I had once taught English to find that my former supervisor was not in the office. He had gone into town to pick up his son from school after ya ba-using classmates had attacked the boy. I had been in town a little more than 12 hours.

[2] Edward McBride, "Nasty Business," *The Economist*, March 2, 2002.

[3] *Bangkok Post*, January 15, 2003.

was 1,128, with police claiming 28 killings in self-defense. Taking into account Thailand's average homicide rate of 400 per month, February—the year's shortest month—saw a surge of 700 murders above the usual number.[4]

Police described the majority of these murders as *kha tad tawn* or "cut-out killings." The government claimed that drug dealers were killing each other in order to avoid being betrayed. The victims were invariably shot to death. Methamphetamine pills were usually found on or near the bodies. Though the bulk of the murders were said to be the result of gangland warfare, provincial officials counted the dead toward their government-mandated quotas.



Bangkok Post, February 27, 2003.

Few people found the government's explanation credible, but most Thais were untroubled by the death of suspected drug dealers. The campaign enjoyed broad support. Bangkok University's Dusit Poll reported that 92 percent of more than 8,000 respondents polled during the third week in February were satisfied with government's crackdown, even though 39 percent feared being blacklisted and 31 percent feared being gunned down.[5]

In February, I had a revealing conversation with a taxi driver:

"What do you think about the government's drug war?"

"It's good."

"What about all the people getting killed?"

"They're drug dealers. The government is solving the problem."

"But the government has no right to kill them. They should be arrested. It's illegal for the government to just kill them."

"Are you sure?"

"Yes. Killing people like that is illegal."

"Are you sure it's illegal *for the police*?"

"Yes!"

"I think you're wrong about police."

"No, I'm certain it's against the law for police to murder people."

"Are you a lawyer?"

He had me there.

With the body count growing daily, many columnists, academics and human-rights activists attempted to draw attention to the flagrant disregard for the rule of law and abuse of human rights. Dr. Pornthip Rojanasunand, deputy director of the Forensic Science Institute, told the press that Bangkok-area police had stopped calling on her staff of pathologists to conduct autopsies, which had been standard practice.[6] Similar reports came from the provinces. Amnesty International Thailand criticized the government for "condoning the use of extra-judicial execution," noting that such killing violated Thai law as well as the International Covenant on Civil and Political Rights that Thailand agreed to in 1996.[7]

The government was unrepentant. Interior Minister Wan Muhammad Nor Matha said, "I think these activists shouldn't worry too much about these traffickers' lives."[8] Indeed, two weeks into the campaign, the Interior Minister prodded provincial officials, reminding them of the consequences should they fail to meet the government's goals:

"Any provincial governor or police chief who continues to take it easy, waking up at 8 o'clock in the morning, sipping their coffee in the office, instead of actively going after drug traffickers, is weighing down the government's war against drugs. They should check out history books about what King Naresuan did to his generals who failed to keep up with him on the battleground during his great fight against the prince of Burma. The King had all of them beheaded."[9]

Prime Minister Thaksin asked, "[S]hould we be worried about [these killings]? … It is not an unusual fate for wicked people. The public should not be alarmed by their deaths."[10] Despite the hue and cry from the media, Thaksin said in his weekly radio address on March 1, "I would like to inform all of you that the government will carry on decisive action to solve the problem."

The Prime Minister deflected criticism of the cam-

[4] Statistics on Thailand's homicides rate for 1994-2000 from the Royal Thai Police website, available at http://www.police.go.th/stat43.htm.
[5] "Thais Fear Being Killed in Drug Crusade," *The Star* (Malaysia), February 24, 2003.
[6] "No Autopsies in Drug Deaths," *The Nation*, February 19, 2003.
[7] Amnesty International Thailand, "Extra-Judicial Executions Must Not Be Used as a Means to Suppress Drug Trafficking," February 13, 2003, available at http://www.amnesty.or.the/WhatsNew/PR_11.html.
[8] "Campaign Will Make a Difference: Sant," *The Nation*, February 4, 2003.
[9] "How to Wage War Against Drugs?" *The Nation*, February 15, 2003.
[10] "PM Says Rights Body's Comments Distorted," *The Nation*, February 27, 2003.

paign with a steady refrain of, "think of the children." He constantly contrasted the welfare of Thailand's youth with that of drug dealers, and demanded that critics choose sides. This theme assumed an unintended meaning when nine-year-old Chakrapan Srisa-ard, the son of suspected drug dealers, was killed during a police operation on February 23. The government sounded its first note of caution in the wake of the boy's death. Three police officers were arrested, though the police maintained that drug-gang members who were monitoring the boy's parents were responsible. The investigation has so far been inconclusive.

The day after Chakrapan was killed, National Police Chief Sant Saturanond publicly questioned the Interior Ministry's blacklists, voicing misgivings that had been suppressed when the campaign began.[11] Thaksin admitted that it was likely that "bad officers" had committed some of the murders and said that mistakes in the campaign would be corrected.

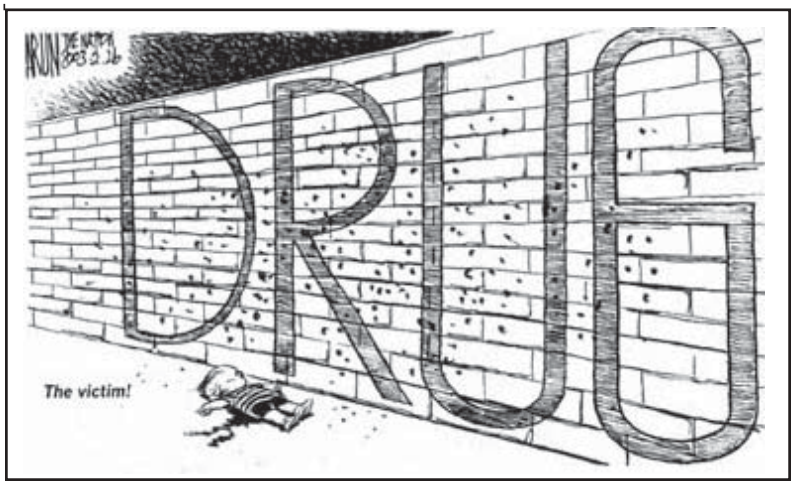
The death of Chakrapan and other innocents, including other children, pregnant women and grandmothers, may have changed the public perception of the campaign, but government contrition was short-lived. Even as the Office of the Narcotics Control Board promised to review the blacklists, Interior Minister Wan Nor insisted that provincial officials would still have to meet the government targets. Recognizing that the regular reports of the number of murder victims attracted the wrong kind of media attention, the government announced on March 1 that it would stop publicizing a daily body count. On March 11, Thaksin declared that the two panels he had set up to monitor anti-drug operations reported no problems.[12]

Meanwhile, international criticism of the extra-judicial killings grew. Foreign diplomats in Bangkok sought clarification from the Thai government and assurances that human rights would be respected as the government pursued its anti-drug strategy.

"I believe the government is right to suppress drugs, but they did it the wrong way. Instead of following the rule of law, the Constitution and international human rights agreements, they tried to be radical, choosing a violent technique to do the job." Dr. Pradit Charoenthaitawee, National Human Rights Commission.

Dr. Pradit Charoenthaitawee of the National Human Rights Commission (NHRC) raised the issue of Thailand's extra-judicial killings with United Nations High Commissioner for Human Rights Sergio Vieira de Mello during a meeting in Pakistan in early March. Returning to Bangkok, Dr. Pradit announced that he had requested that de Mello dispatch the UN Special Rapporteur on extra-judicial, summary or arbitrary executions to investigate the situation in Thailand.

Dr. Pradit's request to the UN enraged Thaksin, who spluttered, "The UN is not my father!" Thaksin, who frequently makes off-the-cuff comments to the press corps, later blamed this unseemly outburst on provocative questions from reporters. On March 9, in an apparent effort to prevent any future flare-ups, the Prime Minister announced he would no longer speak to the media about politics (*gan muang*); he would only answer questions about national administration (*gan ban*).[13] This new (and short-lived) strategy for dealing with the press didn't stop Thaksin describing Dr. Pradit's actions as "ugly" and "sickening."[14]



The Nation, *February 26, 2003*

In May, the UN special representative on human-rights defenders, Hina Jilani, spent nine days in Thailand speaking to government officials, members of the media, human rights activists and other members of civil society. Jilani reported, "I have sensed a level of insecurity among human-rights defenders which ranges from unease to actual fear." The

[11] Some police officers involved in counter-drug work were concerned that their networks of informants would be compromised or disrupted by the "drastic measures" of the three-month drug campaign.
[12] "Drug War 'On Track'," *The Nation*, March 12, 2003.
[13] "PM Agrees to Meet Media Halfway," *Bangkok Post*, March 11, 2003
[14] Yuwadee Tunyasiri, "PM Blasts Comments from Pradit as Sickening," *Bangkok Post*, March 9, 2003.

problems may be traced to the highest levels of the government, she said, and included efforts to cut off funding for non-government organizations (NGOs) and the use of the security apparatus and judicial system to harass human-rights activists. "These concerns seriously jeopardize Thailand's progress in democracy and the strengthening of human-rights protection," Jilani concluded.[15]

Thaksin responded with a personal attack, suggesting that Jilani investigate other UN member countries, including her native Pakistan. "This woman is biased and that is terrible," Thaksin said, blaming NGO representatives for influencing Jilani's report. Thaksin added, "I am not afraid. There is nothing to fear. The UN does not give us rice to eat."[16]

After the first month of the drug campaign, the rate of murders began to decline, though the number remained higher than average. Opposition leader and former Prime Minister Chuan Leekphai found the slackening in murders suspicious: "The criminals [reportedly behind the killings] should not have acted as if they were taking orders from the government. But the facts show, as many have said, that the silencings — although some really were committed by drug gangs — were carried out by police, who were given a green light by the government. That green light has resulted in the loss of more than 1,500 lives in a short period of time."[17]

At the end of three months, all 75 provinces had met the targets set by the government. Ten provinces reported clearing all names on their blacklists. The Office of the Narcotics Control Board declared that 280,207 users surrendered to authorities and were sent for rehabilitation, 17,009 drug dealers were arrested and 15.5 million speed pills seized. The government reported 2,275 murders between February 1 and April 30. It is not known how many of these deaths were drug-related. Police claimed responsibility for 51 killings during this period, all in self-defense.

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There are many reasons to doubt the government contention that police killed only 51 people during the three-month campaign and that drug dealers killed more than 1,000 other drug dealers. One of the most glaring problems with the campaign is that many of the officials charged with carrying out the government's drug-suppression policy are themselves involved in peddling drugs. The number of government officials involved in the drug trade is difficult to pin down. In 2001, a member of parliament stated that roughly 1,500 government officials, mostly police officers, were directly involved in the drug trade.[18] A February 2003 government report from February 2003 linked 928 government officials to the drug trade; only 48 had been arrested as of February 26.[19] A March 18 report said that 477 police officers were blacklisted and 135 were fired following investigations, with legal prosecutions being pursued against 39 officers.[20] The government description of the killings as "silencings" may be accurate to the extent that many police and government officials have a stake in the drug trade and may have wished to silence potential informers. Even Thaksin has conceded, "It is common knowledge that some police officers are involved in narcotics rings and might possibly kill ring members out of fear that they could be implicated."[21]

After Thaksin announced the three-month deadline, Senator Sawat Amornwiwat, a former national police chief, criticized the government's plan, saying that any war on drugs would be ineffective so long as state officials were involved in the trade.[22] In fact, no politicians or prominent officials were arrested (or murdered) during the three-month campaign. Most of those dealers killed were low-level pushers and most of the other victims poor people, including a high proportion of ethnic minorities. That the government waited until after the initial three months of the drug war to launch a campaign against "dark influence," a catchall term encompassing corruption and organized crime, suggests that such networks functioned to protect the richest and most well-connected traffickers.

The government's contention that drug dealers were killing each other is further undermined by the fact that a high body count was widely anticipated before the campaign began. Extra-judicial killings are nothing new in Thailand. Suspects routinely and mysteriously die in police custody.[23] The week before the crackdown began, a

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[15] Achara Ashayagachat, "Envoy Warns of 'Climate of Fear'," *Bangkok Post*, May 28, 2003.
[16] Yuwadee Tunyasiri, "PM Lashes Out at UN envoy's Criticism," *Bangkok Post*, May 29, 2003.
[17] "Decline in Killing Rate 'Suspicious'," *The Nation*, March 17, 2003.
[18] *Bangkok Post*, July 26, 2001.
[19] "UN Envoy Pleads: Stop Killing Spree," *Bangkok Post*, February 26, 2003.
[20] "26,000 Arrested So Far in War on Drugs," *The Nation*, March 19, 2003.
[21] *The Nation*, March 4, 2003
[22] "Pie-in-sky Stuff, Says Ex-top Cop," *Bangkok Post*, January 16, 2003.
[23] See Amnesty International, "Thailand: Widespread Abuses in the Administration of Justice," June 11, 2002, which provides details on cases of human rights abuses by Thailand's security forces during arrests, interrogation and detention of drug suspects. Report available at http://web.amnesty.org/aidoc/aidoc_pdf.nsf/Index/ASA390032002ENGLISH/$File/ASA3900302.pdf. From 1974-1985, Thai prisoners died at a rate of 4.47 for every thousand prisoners, almost twice the rate of prisoner deaths in apartheid-era South Africa during the same period. Although dated, these statistics point to a longstanding culture of impunity and violence in Thai law-enforcement and corrections. David Biles, *International Review of Deaths in Custody*, Research paper 15, June 1990, available at http://www.aic.gov.au/publications/other/dic1992/15.pdf

Bangkok Post editorial drew attention to suspicious deaths of criminal suspects, suggesting that police need to be reminded of, "the constitutional rights every private citizen enjoys and the need of police not to trespass on these rights."[24] Indeed, drug suspects on police watch lists were turning up dead well before the official launch of the anti-drug war on February 1. In the month prior to the beginning of the three-month campaign, 85 suspected drug dealers were shot to death in the Northeast. On January 23, a drug dealer, his mistress and one of his lieutenants were gunned down in the southern town of Nakorn Si Thammarat.

Bangkok Post, February 13, 2003.

The media speculated that the "drastic measures" ordered by the government as part of the new anti-drug crackdown would include such killings. Deputy Prime Minister Chavalit Yongchaiyudh, who is nominally in charge of government drug-suppression efforts, and National Police Chief Sant were each compelled to reassure reporters that "drastic measures" meant seizing assets, not assassination. In spite of these assurances, there was concern within the Justice Ministry that the campaign would bring a rise in extrajudicial killings.[25] The day the campaign began, Prime Minister Thaksin remarked that some drug dealers were fleeing the country, "for fear of being caught dead."[26]

Covert killings by agents of the state have a long history in Thailand. During the Cold War, agents of Thailand's autocratic and military governments murdered untold numbers of students, peasant activists, labor leaders and leftist politicians under the banner of anti-communism. The threat of communism, long the organizing principle of Thailand's security agenda, served to justify many iterations of military rule and violations of civil and human rights.

The contemporary threat posed by drugs is sometimes likened to the communist menace. Before the recent campaign began, Police Lieutenant General Chalermdej Chompoonuj of the Narcotics Suppression Bureau said, "It is perhaps the very first time the Thai people in general feel as one about the serious threat of drugs to the country. We last felt that way about Communists…."[27]

The recent killings of drug suspects recall earlier state-sanctioned murders, in that the government has portrayed the victims as threats to the nation and society, unworthy of legal protection. Like communists before them, drug dealers are vilified as scum and vermin. Government rhetoric aimed at dehumanizing drug suspects echoes the infamous Vietnam-era declaration by the right-wing monk Phra Kittiwuttho, that killing Communists was not a sin.[28]

Current and former high-ranking military officers, including Supreme Commander Surayud Chulanont and Deputy Prime Minister Chavalit have acknowledged use of so-called "killing teams" during the anti-communist period. As the current deputy chief of Internal Security Operations Command (ISOC), General Panlop Pinmanee, recalled in an interview last year, "In the past, we had a 'hunting unit.' It was easy. We got a list of communist leaders, then …bang! That's it. Then we went home and rested."[29] General Panlop denied that killing teams still exist. Today, he explained, security forces have other means for controlling government opponents, such as intimidating the families of community leaders. (In considering the parallels between counter-insurgency and drug suppression in Thailand, it is interesting to note that the Communist Party of Thailand was defeated, not though intimidation, assassination campaigns or even counter-insurgency warfare, but through offers of amnesty and the end to external support from the People's Republic of China.)

In July 2001 there were reports in the media that ISOC had submitted a proposal to revive "killing teams" to hunt down drug traffickers. Even as the government denied that such a proposal had been solicited or received, the police chief of Region 4, comprising 11 provinces in Thailand's Northeast region, reportedly admitted sponsoring a campaign to assassinate drug dealers. According to a report in the English-language daily *Nation*, Police Lieutenant General Pichai Sunthornsajjabul claimed

[24] "Detention Cells Aren't Death Row," *Bangkok Post*, January 23, 2003.
[25] Anucha Charoenpo, "Fear of Rights Abuses Grows," *Bangkok Post*, February 1, 2003.
[26] "Drug War Starts, 2 Shot Dead," *The Nation* February 2, 2003.
[27] Surath Jinakul, "Tightening the Screws on Drug Traders," *Bangkok Post*, January 19, 2003.
[28] William J. Klausner, "Two Peas in a Pod: An Addendum," February 2003, copy in author's possession.
[29] Supara Janchitfah, "Victims of Progress," *Bangkok Post*, September 1, 2002.

to have organized a 200,000-strong anti-drug "alliance," including police and military officers, local officials and civilians. Pichai is reported to have said, "If there's not enough evidence to take legal action, drastic measures will be taken by members of the alliance."[30]

Elaborating on the campaign he called "Shortcut to Hell," Pichai explained, "We have applied legal means, political science and even Buddhism, but the [drug] problem only seems to be getting worse. Now it's time to rely on [the] Death Angel. Of course, it's a legally delicate means, but it's the path we have to take to bring peace back to society." According to the report, Pichai said that members of the anti-drug alliance had killed 350 drug dealers and had plans to kill at least 1,000 more by the end of the year. Sometimes, General Pichai noted, alliance members had killed their own relatives who were involved in the drug trade. "If 1,000 social troublemakers go missing, I don't think it will cause anyone any problem," Pichai said. "If their relatives can accept this, I guess outsiders should accept it too."

The day after the story ran, Pichai denied having made such comments, saying he'd been misunderstood because of a bad telephone connection. He maintained that although vigilantes were taking matters into their own hands, the police did not condone such activity. Meanwhile, then-Prime Minister's Office Minister Thammarak Issarangkura applauded the anti-drug alliance, saying, "I'm sure that all activities of the alliance are within the scope of the law. The 'Shortcut to Hell' tale must have been something created just to scare racketeers."[31]

Thammarak's assurance notwithstanding, something similar to the "Shortcut to Hell" appears to have been carried out in the Northeastern province of Kalasin. On April 27, 2002, Thammarak presided over a ceremony declaring Kalasin to be Thailand's first drug-free province. In the three years preceding this declaration, 2,500 known drug dealers were removed from Kalasin. While most of these dealers were arrested or fled the province, many were executed, shot in the head at close range. The members of the anti-drug alliance reportedly encouraged people to identify local drug dealers by leaving sandal flower, which is associated with funerals, on their doorsteps.[32]

The "Shortcut to Hell" campaign and the declaration of Kalasin's "drug-free" status are interesting, and potentially damning, because they present a clear model for the recent drug war. The assassination campaign seems to be the blueprint and Kalasin the "successful" trial run of the government's three-month drive for a drug-free Kingdom. Naturally, Kalasin did not stay "drug-free" for long. Six months after the declaration of drug-freedom, drugs were once again readily available in the province.

Certain facts associated with the recent anti-drug campaign are indisputable. The Thai police have a poor record on extra-judicial killings. There is a relatively recent precedent for the employment of "killing teams" by the Thai security apparatus to murder domestic enemies of the state. The government launched a three-month anti-drug campaign on February 1, 2003. The Interior Minister suggested that drug dealers might "vanish without a trace."[33] The Prime Minister offered drug dealers a choice between jail and the cemetery.[34] The government ordered provincial officials to compile lists of drug suspects and to clear names from those lists within a specified time. Those officials failing to meet government-mandated targets were threatened with loss of their jobs. More than a thousand people were murdered in Thailand during the three months of the government's anti-drug campaign over and above the normal rate of murders. Many of those murdered during this period were returning from police stations where they had been summoned in order to declare that they had no connection to drug trafficking. Most of those murdered "counted" toward the quotas of suspected drug dealers provincial officials were required to remove from their lists. No case of extra-judicial killing during the three-month campaign has been presented to the Attorney General. Of course, any effort to establish some kind of causal relationship between these facts is wholly speculative.

Bangkok Post, February 8, 2003

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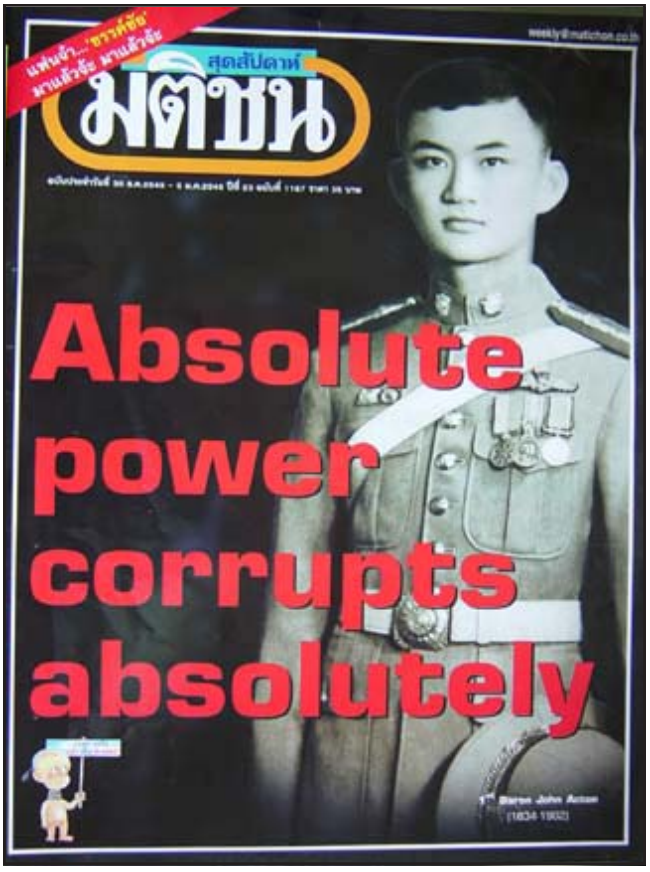
The killings have alarmed many Thai and foreign observers not only because they are almost certainly a violation of human rights but also because they represent the latest and most shocking manifestation of the current government's ambivalence toward the rule of law as em-

[30] *The Nation*, July 25, 2001.
[31] *The Nation*, July 26, 2001
[32] "Death Squad Claim Denied," *Bangkok Post*, April 28, 2002.
[33] "Dealers to Face Lethal Govt Action," *Bangkok Post*, January 25, 2003.
[34] "Jail or Death for Dealers: PM," *The Nation*, March 24, 2003.

bodied in the 1997 Constitution. The government's apparent encouragement of extra-judicial killings and its efforts to silence critics signal a narrowing of democratic space in Thailand.

Asked how he accounts for the lack of public outrage over the murders, Sunai Pasuk of Forum Asia responded that public frustration with the drug problem is important. The decisive factor, however, is Thaksin's ability to control the agenda in Thailand. In just a few years, Thaksin has successfully brought most instruments of government and social control under his command.

Thaksin rode to power on his immense personal wealth. Thaksin became rich by exploiting the nexus of business and government; his oligopolistic business empire was built on government concessions. After dabbling in politics for several years, Thaksin founded the Thai Rak Thai Party (TRT) in 1999, capitalizing on discontent and nationalism stemming from the economic crisis and the harsh conditions of the International Monetary Fund bailout embraced by the ruling Democrat Party. Thailand's biggest corporations backed Thaksin,



"I realize what I am dealing with. Don't these critics know that I have a doctorate in criminology? How can I not know what I am doing?" Future-prime minister Police Cadet Thaksin Shinawatra, on the cover of the weekly, Matichon, *December 30, 2002.*

and smaller political parties jumped on the bandwagon. Thaksin appealed to poor rural people with pledges of cheap health care, debt relief and free money for every village. Duncan McCargo, senior lecturer at Leeds University and an authority on Thai politics, writes, "Concealed behind these public pledges were backroom deals which showed that for all its stress on novelty, TRT was at heart a collection of self-interested cliques unburdened by any program or ideology and united by little more than shared opportunism—in short, a traditional Thai political party."[35] What is not traditional about TRT is its popularity, its policy-oriented politics, its unprecedented controlling majority in Parliament, the unparalleled wealth of its leader, its marketing prowess and its capacity to determine the national agenda by influencing the media.

As Sunai explains, Thaksin's confidence has grown over the years as he has triumphed again and again. In 2001, Thaksin's TRT party defeated Thailand's oldest party in a landslide. Six months after taking office, Thaksin was acquitted of charges of asset concealment by the Constitutional Court in a narrow decision apparently based on political considerations rather than strict application of the law. Under Thaksin's leadership, the Thai Rak Thai-dominated parliament has passed legislation on taxes and telecommunications concessions that favor Shin Corporation, the powerful telecom firm owned by the Shinawatra family. Notoriously brittle when it comes criticism, Thaksin has cowed the media by manipulating the advertising budgets of state enterprises and businesses associated with Thai Rak Thai. Thaksin has tamed the bureaucracy and brought the armed forces under his control by promoting his friends and relatives in uniform. Thaksin has also sought to co-opt, de-legitimize and intimidate social activists, non-government organizations, journalists, academics and others in civil society that dare to question him. According to Sunai, "Thaksin truly believes that he can lead Thailand to a better situation and that he has better ideas than anyone else, better than the media, better than NGOs, better than academics. The PM has no use for civil society. In his scheme, there is only room for the Prime Minister and his loyal subjects."

Under these circumstances, Thaksin has begun to speak in grandiose but realistic terms of a 20-year period of Thai Rak Thai dominance. "The scenario is clear," Thaksin said at the end of April. "Other parties will be preoccupied with fighting for their own survival and they should not even contemplate a victory [over] Thai Rak Thai."[36]

Many government critics are demoralized by Thaksin's success in thwarting what they perceived to be the reformist spirit of the 1997 Constitution. This document, the culmination of a reform movement that began in 1992, was completed amid demands for greater transparency and accountability that emerged in the wake of the economic crisis. Known as the People's Constitution,

[35] Duncan McCargo, "Democracy Under Stress in Thaksin's Thailand," *Journal of Democracy*, 13, no. 4, October 2002, p. 116.
[36] *Bangkok Post*, April 28, 2003.

it provided for the establishment of independent monitoring bodies including the National Counter Corruption Commission, the National Human Rights Commission, the Election Commission and the Constitutional Court to ensure that the principles of good governance and accountability would be preserved and implemented. Thaksin is openly contemptuous of these bodies, particularly the National Counter Corruption Commission, which brought charges of asset-concealment against him. Thai Rak Thai has successfully defanged many of these bodies by ensuring that they are staffed with tractable political allies.

Such is the despair over Thai Rak Thai's political dominance that one Thai friend, a retired professor, whispered to me, "The Constitution is dead." Dr. Pradit of the National Human Rights Commission asserts, "Thaksin is using nationalism to lead Thailand toward dictatorship." According to Kavi Chongkittavorn, assistant group editor of the *Nation*, "[Thaksin] has already taken almost all of the political space available for independent monitoring bodies, non-governmental and civil society organizations and the media." In Kavi's view, "Thaksin is a modern tyrant. He prefers subtle approaches that give the appearance of openness and transparency."

This is one reason why the drug-war killings are so disturbing to government opponents. In this case the government all but abandoned a pretense of legality and respect for the rule of law, relying instead on favorable media coverage, public approval and intimidation of critics. The scathing attacks on opponents of the government's counter-drug strategy are a further indication of the slide toward authoritarianism. The Defense Minister, General Thammarak, said that critics of the government's drug-suppression policy were in the pay of drug dealers: "The drug traders have a lot of money and they can hire anyone to write an article to attack the government."[37] The deputy chief of ISOC and former "killing team" exponent, General Panlop, demanded to know why Dr. Pradit of the National Human Rights Commission, "keeps protecting the drug dealers."[38]

The intimidation of critics does not stop at verbal attacks. Dr. Pradit and other human-rights activists critical of the government's policy have received death threats. "They said they'd put a bomb under my car or burn down my house," said Dr. Pradit. "My wife doesn't answer the phone anymore." Equally distressing was the threat by Thai Rak Thai members of parliament to initiate impeachment proceedings against Dr. Pradit and have him thrown out of the National Human Rights Commission. With its majority in parliament, Thai Rak Thai is in a position to make good on the threat. The directive to Suwit Baison from his employers at Channel 11 not to speak to the media about his parents' murders is another example of the government's capacity to suppress the voices of potential troublemakers.

"I wouldn't feel so sad if we still had a military government, but this is a popular, elected government." Sunai Pasuk of Forum Asia.

Critics of the government are also alarmed by the government's increasing reliance on the use of force to settle disputes. In December 2002 in Hat Yai, Songkla Province, for example, violence erupted when police used force to disperse a group of protesters who had gathered to petition the Prime Minister and his cabinet to halt construction of a gas pipeline linking Thailand and Malaysia. The Prime Minister's comments at the time are interesting in light of the subsequent drug war. "Violence is not the Thai way," Thaksin said. "Who taught the protesters to act like that? Such actions are unacceptable. … These people have no credibility because they resort to violence." When some of the protesters took their grievance to the United Nations, Thaksin called it a "grave sin," noting the damage to Thailand's international standing if the world were to perceive Thailand as an abuser of human rights.[39] During the drug war, however, Thaksin urged Thai people not to be concerned about international criticism: "Don't be too self-conscious. Don't try too hard to live up to international standards. Our country already looks good in the eyes of the international community."[40] Later, a Senate panel and a separate investigation by the National Human Rights Commission each determined that the police instigated the Hat Yai violence and that Interior Minister Wan Muhammad Nor Matha had ordered the protesters dispersed.[41]

The Thai government's readiness to wink at extrajudicial killings raises serious concerns in view of the new campaign against "dark influence." National Police Chief Sant said that, "Those who have persuasive power, who can manipulate or misguide others to do illegal things,

[37] Yuwadee Tunyasiri, "Thammarak: Critics in Dealer's Pockets, *Bangkok Post*, March 11, 2003.
[38] Wasana Nanuam, "Pradit Accused of Protecting Drug Dealers," *Bangkok Post*, March 11, 2003.
[39] "Pipeline Protest a Grave Sin," *The Nation*, January 19, 2003.
[40] "How to Wage War Against Drugs?" *The Nation*, February 15, 2003.
[41] Pradit Ruangdit, "Probe Blames Wan Nor and Police for Riot," *Bangkok Post*, May 26, 2003.

The Nation*, May 25, 2003*

create turmoil — such as leaders of mobs, or forest encroachers — will be deemed 'influential people.'"[42] Such a definition might encompass environmental activists, community leaders and NGO members whom the government has attacked for being unpatriotic and for standing in the way of progress. If a government is willing to flout the rule the law in pursuit of what it defines as a greater good in one instance, it may be prepared to do it in another, especially if the majority consents.

The willingness of the Thai government to tolerate and even condone extrajudicial killings so long as those murdered are considered a threat to the stability and welfare of the nation is deeply worrying. That such a regressive development should occur under an elected government operating within the framework of Thailand's most progressive Constitution compounds the despair felt by many government critics. An editorial in the *Nation* laments, "It is clear that although a functioning democracy has been restored in this country for some time, and the society is blessed with a Constitution that guarantees basic human rights, a large section of the population have yet to learn to appreciate the true essence of democratic values."[43] Surin Pitsuwan, a member of parliament and former Foreign Minister wrote of the drug war:

"We have fought long and hard to bring the ambiguous power of the state and the bureaucracy under the sacred control of the law. We have made a lot of sacrifices, some of them ultimate sacrifices, to tame the vagaries of our security forces. We are now losing control over them for the sake of short-term satisfaction and irresponsible play with the public imagination. … To jump to the conclusion that since the [judicial] process is inefficient we must disregard it and apply the power of violence with no limits is to abdicate the supreme obligation of government."[44]

Meanwhile, the war on drugs continues. On March 26, the Prime Minister decreed that the anti-drug campaign would go on until December 2, 2003. The final victory over drugs, Thaksin said, will help mark celebrations for His Majesty's birthday. ❑

[42] "War on influence: Thought Control," *The Nation*, May 21, 2003.
[43] "No Justification for Killing of Suspects," *The Nation*, February 22, 2003.
[44] Surin Pitsuwan, "The War on Drugs and Human Security," *The Nation*, March 3, 2003.

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