

GLOBAL INFORMATION SOCIETY WATCH 2011

INTERNET RIGHTS AND DEMOCRATISATION

Focus on freedom of expression and association online



This edition of Global Information Society Watch is dedicated to the people of the Arab revolutions whose courage in the face of violence and repression reminded the world that people working together for change have the power to claim the rights they are entitled to.

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THAILAND

WALLS OF FAME, WITCH HUNTS, AND THE POWER OF THE CROWD...



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Introduction

Better access to information using information and communications technologies (ICTs) results in an optimistic vision of civil society where informed citizens decide rationally, voices of minorities get heard, and individuals collectively move towards democracy. Cases from Thailand in 2010 show another side. Participatory online platforms went against the participatory democratic culture and violated human rights.

A large number of the cases presented here occurred during the massive anti-government protests by the so-called “Red Shirts” in Bangkok and other major cities between March and May 2010, including two crackdowns, which led to at least 92 casualties. Observations, interviews and group discussions were conducted between March 2010 and May 2011. Informants are internet users aged 22 to 35, journalists, scholars and activists, including one key figure of the post-May 2010 Red Shirts movement.

The internet penetration rate in Thailand is 33%. The number of internet users is estimated to be 21.14 million, up 15.5% from a year before. The number of broadband users is 2.47 million, up 22.87% (figures as of October 2010).¹ Facebook accounts number about 9.43 million, with 86.91% registering the Bangkok metropolitan area as the place where they live (as of May 2011).

From 2007 to 2010, 74,686 urls were officially blocked, using the 2007 Computer-related Crime Act,² with *lèse majesté* (offending the monarchy) given as the main reason (76.76%); 185 legal cases were filed, with defamation, fraudulent content and *lèse majesté* as the top three offences.³ There were

more urls blocked using other laws (such as the Emergency Decree)⁴ or using non-official means.

Policy and political background

After the 1992 Black May⁵ crackdown, military popularity dropped drastically. Social movements pushed for a “People’s Constitution”, which was adopted in 1997. The importance of an independent media was promoted. Media reform legislation was passed, including the reallocation of airwaves, which were to be taken back from the government and military (however, this aspect is still not realised).

In the 2001 and 2005 general elections, the Thai Rak Thai Party, headed by telecoms tycoon Thaksin Shinawatra, won historic landslide victories. However, the government was reportedly involved in activities that inappropriately influenced the media, directly and indirectly, through the Thaksin telecoms conglomerate. Because of this, civil society turned to alternatives, such as the internet.⁶ Cable TV, online newspapers, web forums and blogs played a significant role in a 2005-2006 anti-Thaksin campaign, led by the People’s Alliance for Democracy (PAD), later known as the “Yellow Shirts”.⁷

This resulted in a military coup in 2006. Online blogs and forums opposing the coup emerged. As a result, the 2007 Computer-related Crime Act was the first law passed by the military-appointed legislative assembly, imposing liabilities on intermediaries and creating an atmosphere of fear and self-censorship. Digital media users were arrested in line with the Act, often in conjunction with the *lèse majesté* law. Low-power radio broadcasters were also suppressed.⁸

1 Thai Netizen Network (2010) *Thailand Internet Liberty Report 2010*, Thai Netizen Network, Bangkok. thainetizen.org/node/2640

2 Computer-related Crime Act, BE 2550 (2007), available at: thainetizen.org/node/421

3 iLaw (2010) *Situational Report on Control and Censorship of Online Media through the Use of Laws and the Imposition of Thai State Policies*, iLaw Project, Bangkok. ilaw.or.th/node/632

4 Emergency Decree on Public Administration in Emergency Situation, BE 2548 (2005), available at: en.wikisource.org/wiki/Emergency_Decree_on_Public_Administration_in_Emergency_Situation,_BE_2548_(2005)

5 The 17-20 May 1992 popular protests in Bangkok against the post-coup government and the bloody military crackdown that followed. Up to 200,000 people demonstrated in central Bangkok at the height of the protests.

6 For more details see Daorueng, P. (2004) Thai Civil Society and Government Control: A Cyber Struggle?, in Gan, S. (ed) *Asian Cyberactivism: Freedom of Expression and Media Censorship*, Friedrich Naumann Foundation, Bangkok, p. 406-440.

7 For more information see Chaisukkosol, C. (2010) The Internet & Nonviolent Struggle: The anti-government movement in Thailand 2005-06, *Social Alternatives* (3), September.

8 Wilailert, S. (2010) *Where thinking differently is a crime: Report of community radio intervention during political conflict situation*, Campaign for Popular Media Reform, Bangkok. thainetizen.org/node/2639

Parts of the “anti-coup” movement developed into what is known today as the Red Shirts movement. The movement included the larger United Front for Democracy Against Dictatorship (UDD) and the smaller Red Siam factions.

Campaigning online: From walls of fame to witch hunts...

Early political campaigns on online social network sites aimed at creating campaign identities. For example, in 2008 NoCoup.org ran a “Bored of PAD Mob” campaign, distributing one million stickers offline and asking supporters to use the campaign logo as their hi5 or MSN Messenger avatar.

Twitter was introduced in Thailand in 2008, but it was only in July 2009 that the wider public really got to know about it. At the time, a number of Twitter accounts of figures in Thai politics were entered into a Twitter Wall of Fame competition. Anyone could propose any Twitter account as a candidate for Mr/Ms Twitter, and everybody could vote as many times as they wanted. @Thaksinlive, Thaksin’s Twitter account, was also proposed. As a key political figure, anything about him hits the mainstream media. Lots of internet users flocked to vote, either for Thaksin or someone else to push him out of the top position. There was a case of a user who had not used the internet before, but who showed an interest in using Twitter and voting for Thaksin.⁹ People mobilised, calling for support and organising strategic votes. In the end, @Thaksinlive came second place. The winner was @peterfacinelli – the account of United States (US) actor Peter Facinelli of *Twilight* fame. @chaturon, the account for a former secretary-general of the Thai Rak Thai party, came third. Fourth to seventh places were all Thais, and many of them could be identified as Red Shirts from their red-coloured avatars.¹⁰ The competition recognised this phenomenon in its analysis of the results: “This was a tough competition because [Facinelli’s] fans were taking on a political voting battle with a large section of the population of Thailand expressing support for Thaksin Shinawatra, the exiled Prime Minister.”¹¹

In 2009, the availability of a Thai-language user interface, and the emergence of social games like FarmVille, contributed to the popularity of Facebook among Thai users. In 2010, politics was a new driver. About 500,000 users joined Facebook in six

weeks between two crackdowns.¹² While we cannot say that the political situation was a major contribution to the growth of Thailand’s Facebook users, we cannot deny that it drove up the number of posts to Facebook pages. Some people had Facebook accounts long before the protests, but became more active because of them. They posted links to local and international news on the protests and video clips of current and past demonstrations, annotated with their own comments.

Facebook groups and fan pages have been created to show support for political causes. Political campaigning was here again, with at least 70 different avatars created by groups of varying ideologies during different periods of the protests.¹³ A very common phrase used in these campaigns was “Confident that over one million Thais...”, found in statements like: “Confident that over one million Thais are against the dissolution [of the government]”; “Confident that over one million Thais are so irritated with politics”; and – poking fun at the campaigns – “Confident that over one million Thais can’t distinguished between basil and sweet basil”.

Some avatars were printed as stickers, and could be seen on public benches and elsewhere. On 18 April 2010, a demonstration of 2,000 “Multicoloured Shirts” took place at the Victory Monument in Bangkok. Most of them were fans of a pro-government Facebook page and members of the group “Civilian Volunteers to Protect the Motherland”. They sang the national anthem and the royal anthem, and carried banners with phrases including, “Stop protesting, we want to live our normal life” and “We provide moral support to the troops”. They also chanted in unison, “We love the king, we love the country”.¹⁴

This was exactly what many Thais were doing online: posting patriotic songs and speeches to YouTube – including a speech by actor Pongpat Wachirabanjong: “If you hate father,¹⁵ if you no longer love him, then leave. Because this house belongs to the father.” Sites expressed frustration with the protests, showing support for the government’s crackdown. Many Thais linked the Red Shirts with the anti-monarchy movements.

9 www.ipattt.com/2009/twitter-thaksinlive

10 www.ipattt.com/2009/thaksinlive-peterfacinelli

11 j.mp/ipattt-twitter-world

12 Russell, J. (2010) Politics Drives Record Facebook Growth In Thailand, *Asian Correspondent*, 26 April. asiancorrespondent.com/jon-russell/2010/04/26/politics-driving-record-facebook-growth-in-thailand; Russell, J. (2010) Politics Drives Facebook Membership In Thailand Past 3 Million Mark, *Asian Correspondent*, 21 May. asiancorrespondent.com/jon-russell/2010/05/21/politics-drives-facebook-membership-in-thailand-past-3-million-mark

13 www.fringier.org/?p=475

14 The Nation (2010) Another multicoloured mass rally held at Victory Monument, *The Nation*, 18 April. www.nationmultimedia.com/home/2010/04/18/politics/Another-multicoloured-mass-rally-held-at-Victory-M-30127351.html

15 The word “father” here is interpreted as “the King”, the father of all Thais.

What can be called a “digital witch hunt” then emerged, as users began hunting down those who were against the monarchy, spearheaded by online collectives such as the Social Sanction: SS¹⁶ and Rachanorarang¹⁷ Facebook fan pages. The personal data of victims, including their home addresses and phone numbers, were posted online. One person was even physically threatened, as the groups tracked down with reasonable accuracy – within a one-kilometre radius – where she lived (probably using social media), and offered a cash bounty to anyone who would “surprise” her at home.

A more prominent case involved the singer Withawat Thakhamlue, widely known as “Mark V11”, who was participating in the popular Academy Fantasia singing contest. A group called “Confident that over one million Thais are against Mark V11” was created around July 2010, prompted by controversial messages being posted to Withawat’s Facebook profile page. The media reported that he had criticised then-Prime Minister Abhisit Vejjajiva,¹⁸ but internet users found that he had also posted a message that read, “Remove the picture that every house has”,¹⁹ referring to an image of the current king. Due to public anger, Withawat had to quit the contest and left the country.

The Ministry of Information and Communication Technology operates a 24-hour hotline for reporting “inappropriate websites”. In July 2010, the ICT Ministry and the Ministry of Education launched the Internet Scout Capacity Building project, widely known as Cyber Scout, to train students to search websites: “If they find good content about the King’s activities, speeches, or his virtue, they will post this content to websites that contain messages that insult the King.” It is expected to help build a “King-loving consciousness” amongst the youth.²⁰ The Cyber Scout group on Dek-D.com²¹ shows the king’s image in Scout dress very prominently at the top of the page, followed by the words: “The rules of Boy Scouts make it very explicit that ‘I will do my best to do my duty to God, the King and my Country.’ Therefore, the Boy Scout is part of the Nation and defends the Monarchy.”²² The ministry had spent 1.9 million baht between June and September and will allocate

a further 578 million baht to train 100,000 Cyber Scouts in around 1,000 community ICT centres.²³

As a consequence, a number of Thai users have since changed their behaviour on Facebook to avoid possible attacks. Users have changed their names to pseudonyms, limited their profile visibility, cancelled their accounts, or created new ones that are shared only among close friends with similar political views.

During the March-May 2010 protests and crackdowns, a large number of video clips were posted online by people who were in the field, many taken using mobile phones (sometimes posting these clips was interrupted when mobile phone signals in areas were shut down). Information, including videos, was selectively used and circulated by both sides – pro-Reds and anti-Reds – to support their arguments. At that time, the Centre for the Resolution of Emergency Situations (CRES) had full control over TV stations. Every evening CRES ran a “daily update” programme on TV, in addition to regular breaking news slots during the day. The video clips gradually became the main feature of the updates. A CRES spokesperson curated the clips, giving explanations for each of them. Clips that indicated possible violence by Red Shirts were rerun, often freeze-framed so that violence could be pointed out.²⁴ Controversial clips were also aired, but with explanations of the “truth” and why rumours were just misunderstandings or were from distorted sources.²⁵ After the broadcasting of these clips each day, debates erupted on social network sites, together with links to the online video clips that had just been seen on TV.

In October 2010, another set of video clips were shared widely. They were a series of video clips showing Constitutional Court members meeting in a restaurant with a Democrat Party member and discussing the court case involving the dissolution of the Democrat Party.²⁶ Unlike the CRES clips, there were not shown on television. The government warned that the dissemination of the videos could violate the law. All downloads of the clips were blocked, simply by the government asking internet service providers (ISPs) for their “cooperation”. This meant that obtaining a court order to prevent the airing of the video clips was unnecessary. The government has influence over ISPs because it can terminate telecommunication operator licences. Two of the biggest internet

16 www.facebook.com/SocialSanction

17 www.facebook.com/Rachanorarang

18 Pandey, D. (2010) Political battles go online, *Bangkok Post*, 1 August. www.bangkokpost.com/tech/techscoop/188908/political-battles-go-online

19 www.boringdays.net/mark-thaokhamlue-v11

20 www.manager.co.th/Cyberbiz/ViewNews.aspx?NewsID=953000095980

21 Dek-D.com is the largest student community site. Among all website categories, it ranked fourth in 2009. group.dek-d.com/cyberscout

22 The Village Scouts, under the patronage of the royal family, played a significant role in the massacre of 6 October 1976, in which a large number of left-wing activists and students lost their lives.

23 tewson.com/cyber-scout

24 For example, see: video.mthai.com/player.php?id=6M1274155740Mo

25 For example, see: youtu.be/7qKkhC9AEIc (a CRES announcement after the 10 April 2010 crackdown)

26 youtu.be/iP4r-1isXJs; youtu.be/4mDnFau3UUQ; youtu.be/bWQ9xT71sSU; www.youtube.com/ohmygod3009

international gateways for Thailand are also operated by “public companies” which are 100% owned by the government.

Conclusion

Governments now recognise the power of the crowd. With their control of funding, infrastructure and dominant ideology, they have more resources to draw on than political dissidents.

New media have changed the media landscape and modes of news production. Social media and online video clips play important roles in national politics. Nonetheless, traditional media still play a dominant role, setting the public agenda. Without the support of the mainstream media, stories from citizen reporters hardly find their way to a wider public.

Without the decentralisation of content gatekeeping, especially for broadcasting, and decentralised ownership of telecommunications and internet infrastructure, new media, which structurally still depend on traditional media, will have a very limited ability to challenge the status quo in the political sphere.

In the special situation where the power to produce new media meets the very limited freedom to broadcast, people in the street can keep control of the narrative that is fed into public discourse. Ownership of communication infrastructure is crucial. Citizen reporters in times of emergency, like during a crackdown, cannot rely on state-controlled infrastructure.

More capacity and freedom of media production do not automatically mean more freedom to express thoughts in public. More capacity to collaborate and gather information online can be used to harm individual human rights.

Action steps

- Citizen media ownership needs to be campaigned for and realised.
- At a local level, affordable and self-sustained technologies like low-power radio, open source GSM networks, mesh internet networks and mobile power generators need to be explored more by activists. Social activists and journalists need to work more with technologists and “hackers”.
- When it comes to media literacy training, do not train only in the use of tools, but also in storytelling.
- There is lots of creativity online: try to connect this with people on the ground. After the crackdowns, Sombat Boonngamanong of Red Sunday (an initiative within the Red Shirts movement) developed a collaborative approach which turned out to be very successful. He posted ideas for gathering in fun and creative ways on Facebook and Twitter, and people then joined the conversations and helped organise the events. As people working online felt more involved and the activities looked fun, they began joining in the “offline” gatherings. This worked both ways – videos and photos of the gatherings were shared on social media sites. This kind of interaction brings more people to the movement. Red Sunday managed to reach 10,000 people on the streets within a few months, even during the state of emergency.²⁷
- Finally, foreign governments and international NGOs should review their grants carefully if in the end the grants may be used for counter-democratic movements. This was the case of community IT centres used for Cyber Scout training. ■

²⁷ Fuller, T. and Mydans, S. (2010) Protesters Return to Bangkok Streets, *The New York Times*, 19 September. www.nytimes.com/2010/09/20/world/asia/20thai.html

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