

Book Review

In plain sight: Impunity and human rights in Thailand

By TYRELL HABERKORN

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This book offers extensive historical accounts of state violence in Thailand from 1932–2014. Tyrell Haberkorn begins her book with two stories of the arrest and prosecution of a journalist for committing a lèse-majesté crime and the abduction and disappearance of a human rights lawyer. These two cases illustrate well the two main themes of the book: the issues of who can be killed with impunity and who cannot be impugned throughout Thailand's modern political history (p. 11). Several studies have attempted to analyse political violence and human rights violations committed by the Thai state; however, most works focus on only one case study. For instance, Katherine Bowie's *Rituals of national loyalty: An anthropology of the state and the village scout movement in Thailand* (1997) provides insightful details regarding the formation of ultra-right anti-communist sentiments which eventually escalated and led to the 6 October 1976 massacre. *Rethinking Thailand's southern violence* (2007) is one among many key books seeking to understand the longstanding unrest in the Muslim-populated deep south of Thailand. Tackling Thailand's most recent conflict, *Bangkok, May 2010: Perspectives on a divided Thailand* (2012) explores the kingdom's socio-economic changes, the politics on the street, and the retreat of democracy which resulted in the 2006 coup d'état and the violent crackdown on the redshirt protesters in 2010.

Given the trend of existing scholarship, *In plain sight* is a broader and more ambitious effort to conceptualise Thailand's culture of impunity. Rather than treating her examples as separated cases, Haberkorn has delivered a significant study that seeks to systematise Thailand's 'injustice cascade' within which state violence can occur in plain sight and the judicial system fails to hold the perpetrators accountable (p. 6). As Haberkorn argues, for almost a century, either under authoritarian or democratic regimes, there have been systematic and institutionalised patterns orchestrated by security forces, state officials, and the judiciary, which have led to the formation of a Thai state that has impunity.

The author takes up Max Weber's notion of the state, James C. Scott's concept of hidden transcripts, and Samuel Moyné's critique of human rights, applying them to Thailand's systemic violence. Instead of a Weberian state successfully monopolising legitimate violence, the Thai state, as Haberkorn demonstrates, is characterised by illegitimate violence, condoned in public with impunity. Carefully examining archival

public documents such as ‘parliamentary records, newspaper accounts, legal documents, funeral volumes, [and] memoirs by civil servants’, the author seeks to decode and construct ‘a hidden transcript of the domination’ (p. 11). These official sources enable readers to holistically understand how state crimes have been distorted, denied, or justified. Haberkorn also explores the dynamic of human rights as a discourse in the kingdom exploited and manipulated by authoritarian leaders on one side and used as a conceptual tool to challenge those in power by activists and victims on the other. Methodologically, in addition to state archives, the author examines testimonies, petition letters, reports, and public statements made by peasant activists, worker unionists, human rights defenders, and civil society groups both domestic and international. These rich accounts from below enable readers to immerse themselves in the lived experiences of state violence and to contrast them with the accounts from above provided by the state.

In plain sight comprises seven chapters detailing, chronologically, various forms of violence: arbitrary detention, state execution, the burning of people and villages, the 6 October 1976 massacre, forced disappearance, the violent crackdown of May 2010, and lèse-majesté prosecutions.

The first chapter shows that from 1944–2014 arbitrary detention, euphemised as internship camp, occupational training centre, or re-education camp, has been used by the Thai state to incarcerate those deemed dangerous to Thai society. Caught in a limbo, the detainees were deprived of both their right to confront an official charge and their right to due process of law. In the second chapter, Haberkorn briskly runs through the relationship between human rights as an alien concept promoted by international organisations and Thailand’s military regimes in the wake of the Cold War. Despite voting in favour of the Universal Declaration of Human Rights on 10 December 1948, Thailand under Sarit’s, Thanom’s, and Prapart’s authoritarianism promulgated a law which condoned extra-judicial violence, including execution without due process. The accounts show that human rights were depoliticised, subsumed under national security, and co-opted by despotic rule.

Chapters 3 and 4 take readers to Thailand’s darkest period of state violence as a part of the counter-Communist operations in the 1970s. Chapter 3 explores the burning of villages and the burning, while still alive, of suspected communists. Chapter 4 investigates the notorious 6 October 1976 incident in which left-leaning student activists were tortured, lynched, burned, and killed by ultra-right-wing groups and the police. These two chapters reveal the struggle over the truth between state officials and civil society groups attempting to construct narratives recounting the brutality of the events. Chapter 4 in particular explores in detail how two amnesty bills were drafted and discussed in the parliament, one to exonerate those who participated in the massacre and the other to forgive those activists who were arrested after the 6 October 1976 incident.

Chapter 5 presents the two contradictory accounts regarding state violence. From the late 1970s to the late 1980s, the emerging human rights movements, namely Amnesty International and the Coordinating Group for Religion in Society, strived to petition the Thai government for information to document rights violations cases. Based on her impressive ethnographic archival research, Haberkorn finds that, while there was no evidence of state crimes in the archival files from the

Ministry of Foreign Affairs, the 'shadow archive' from the human rights movements provided systematic data about people detained, tortured, disappeared, or extrajudicially killed during that period (p. 155). Finally, the last two chapters, 6 and 7, examine the culture of impunity in post-Cold War Thailand. Chapter 6 digs deep into the forced disappearance of Thai lawyer Somchai Neelapaijit. Haberkorn details the 'jurisprudence of impunity' as the case ended in 2015 'with the Supreme Court exoneration of all five officers and the denial of the right of members of the Neelapaijit family to be coplaintiffs in the case' (p. 168). Chapter 7 discusses Thailand's most recent conflicts, the 2010 crackdown of the redshirt protesters and the growing number of lèse-majesté prosecutions with harsh sentences. Again, no state officials were held responsible for the mass shooting of unarmed protesters; however, after that, anyone who defames the Thai monarchy with even a slight, harmless expression can be criminally charged and must face legal penalties. As Haberkorn puts it,

the Criminal Court was willing to detain a man for 360 days as he awaited his trial and a decision for allegedly uttering anti-king sentiments in the privacy of his own home, but it would not even convene witness hearings in the case of the premeditated murder of ninety-four people. (p. 214)

In plain sight deserves to be widely read for the light it shines on the Thai state's history of violence. Given the 2020–21 pro-democratic movement, which called for demilitarisation and monarchical reform as well as enforcement of the Act on Prevention and Suppression of Torture and Enforced Disappearance in 2023, Haberkorn provides readers with important context for these significant political developments. *In plain sight* should be of interest to anyone who wants to dive into rich, detailed accounts of Thailand's history of human rights violations and, in particular, those who study forms of state violence that have been institutionalised, legalised, and thus normalised in society.

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