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Human Rights and Photography in Contemporary Thai History

Hongsaton Zackari, Karin

2020

Document Version:

Publisher's PDF, also known as Version of record

[Link to publication](#)

Citation for published version (APA):

Hongsaton Zackari, K. (2020). *Framing the Subjects: Human Rights and Photography in Contemporary Thai History* (1 ed.). [Doctoral Thesis (compilation), Department of History]. MediaTryck Lund.

Total number of authors:

1

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Framing the Subjects

Human Rights and Photography in Contemporary Thai History

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JOINT FACULTIES OF HUMANITIES AND THEOLOGY | LUND UNIVERSITY



Framing the Subjects

Human Rights and Photography in Contemporary Thai History

Karin Zackari



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DOCTORAL DISSERTATION

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Lund University, Sweden.

To be defended at LUX C121 on 25 September 2020 at 13.15.

Faculty opponent
Dr. Tyrell Haberkorn

Organization LUND UNIVERSITY Joint Faculties of Humanities and Theology Author: Karin Hongsaton Zackari	Document name: Doctoral Dissertation	
	Date of issue: 2020 - 09 - 25	
	Sponsoring organization	
Title and subtitle: Framing the Subjects: Human Rights and Photography in Contemporary Thai History		
<p>Abstract</p> <p>This dissertation analyses photography within a human rights discourse in Thailand starting in the 1970s emancipatory, anti-militarist, anti-imperialist and solidarity movement. Drawing on studies of visual power and atrocity photography, a critical approach to the usages of photography within human rights activism and human rights studies is developed. By conceptualizing human rights as dissensus politics, the dissertation takes issue with theories of power that depoliticize the possible subjects of human rights. The question is what the potential is for photographic engagements in framing the subject of human rights, as well as human rights as a political force. The dissertation provides a method for how to study photography in relation to history and memory. It is a contribution to both human rights studies and Thai studies.</p> <p>The source materials are printed publications as well as exhibitions, monuments, and museums. Piecing together information from various repositories inside and outside of Thailand has been a research task in itself. Conditions for preservation and archiving in Thailand limit the possibility of producing memories and accounts of histories that contradicts the dominant nationalist narrative. The photographic analysis is based on the ontological position that photography is an event that begins before the photograph is taken and involves everyone who encounters the photograph and gives meaning to it. This position invites the human rights researcher to understand the regimes of violence in which the photographs of individual violations are embedded. A central argument is that the power of photography lies exactly in these engagements with photography that renegotiate the meaning of the photographed event.</p> <p>The thesis comprises four original articles. Article I investigates the general usages of photography among social and political movements in Thailand to further human rights causes. It shows how activist use of photography contributes to historical consciousness and the construction of collective memory. Article II provides a historical and political context for construing a subject of human rights within the Thai state. Article III presents an analysis of visualization of historical and continuous state violence and impunity in Thailand. It investigates the role of photography in place of visual evidence of violence, in relation to both global and Thai photographic practices and activist uses of photography. It shows how staged photography produced after an event of violence can function as historical records and serve as material basis for collective and individual memory. Article IV is primarily concerned with the reproductions of photographs from the 14 October 1973 uprising and the 6 October 1976 massacre in Bangkok. By comparing publications over four decades, it is clear how photography gives meaning to and reframes the events. 14 October 1973 appears in the photographic reproduction as a just struggle within a nationalist discourse that at the same time obscures the state violence. Photographs from 6 October 1976 were not publicly available for the first two decades following the event, but they have become a repository for human rights activism in Thailand mainly concerned with individual redress.</p>		
Key words: human rights, photography, Thailand, history, violence		
Classification system and/or index terms (if any)		
Supplementary bibliographical information	Language English	
ISSN and key title	ISBN 978-91-89213-16-6	
Recipient's notes	Number of pages 244	Price
	Security classification	

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Framing the Subjects

Human Rights and Photography in Contemporary Thai History

Karin Zackari



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Paper 2 © 2016 Springer Nature

Paper 3 © 2019 Hampshire College/Michigan Publishing

Paper 4 © 2020 SOAS University of London

Joint Faculties of Humanities and Theology
Department of History
Human Rights Studies

ISBN 978-91-89213-16-6 (print)

ISBN 978-91-89213-17-3 (ebook)

Printed in Sweden by Media-Tryck,
Lund University Lund 2020



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For my children, who are the future.

Table of Contents

List of Original Articles	iii
Note on Thai language and transliteration	iv
Acknowledgements	v
Introduction	1
Aims and Scope	2
State Violence, Nationalism, and Human Rights as Dissensus Politics	4
From <i>Sittbi</i> to Human Rights	10
Visual Power and Violence	15
The Disposition of the Thesis	19
1. Thailand and Human Rights Histories	21
Cold War Authoritarianism and Mass Social Movements	22
Political Violence and the First Human Rights Groups	28
Human Rights as an Anti-imperialist Language	35
The End of the Cold War and Towards a Democratic Narrative	42
2. Sources, Method, and Methodology	45
In Search for an Ethics of “Looking”	46
Collecting Source Material	50
The Role of 14 October 1973 and 6 October 1976	55
Analytical Method	58
The “Event of Photography” as Ontological Position	65
3. Photography and Human Rights in History and Memory Production	69
The Political Power of Photography	70
Photography in History and Memory of Human Rights	77
The Human Rights Archive	84

Summaries of the Articles	89
Article I	89
Article II	89
Article III	90
Article IV	91
References	92
The Original Articles	105

List of Original Articles

This thesis is based on the following publications, referred to by their Roman numerals.

- I. Zackari, K. "Writing Rights into Thailand's History with Photography." *Thammasat Journal of History* 2, no. 1 (2015): 201-47.
- II. Zackari, K. "Violence on the Periphery of the Thai State and Nationhood." In *State Terror, State Violence: Global Perspectives*, edited by Bettina Koch, 71-92. Springer Fachmedien Wiesbaden, 2016.
- III. Zackari, K. H. "Visualizing Impunity: Photography and State Violence in Thailand." *Trans-Asia Photography Review* 10, no.1 (2019). <http://hdl.handle.net/2027/spo.7977573.0010.105>
- IV. Zackari, K. H. "Photography in the History of the 14 October 1973 and 6 October 1976 Events." Accepted for publication in *South East Asia Research*.

Note on Thai language and transliteration

In this thesis I follow the custom of using the first name rather than the surname when referring to Thai persons or citing their work. I employ the Royal Thai General System of Transcription except for already familiar spellings of names and places.

Acknowledgements

There is a collective effort behind the completion of this doctoral dissertation and there are many I am thankful to. First, I want to express my deepest appreciation for my supervisor and co-supervisors. Lena Halldenius for every motivating and encouraging talk and for seeing the potentials rather than the obstacles in this work. Thank you for your insights and clarity of thought and showing what a public intellectual is. Søren Ivarsson, for generously and constructively discussing my ideas, and for carefully directing me into what always turned out to be better directions. Malin Arvidsson, who late in the process added energy and lust for academic work as well as a particularly constructive approach to writing. Thank you all for your sensitivity to everything that is important in life beyond PhD studies.

I want to particularly thank Tyrell Haberkorn for showing me what devoted and generous scholarship is like in practice. Thank you for your inspirational work, for sharing source materials and lending me a bike. I am greatly honoured that Tyrell accepted to be discussant to my thesis.

I gratefully acknowledge the assistance of Ravin Thomya, Worawan Intharangsee, Rackchart Wong-Arthichart, and Ployjai Pintobtang during my research in Thailand. Warmest thank you to Wirawan Naruepiti for lending me and our family a hand. I am forever grateful to and in awe of the work by Patporn Phoothong, who generously shared materials and discussed photographs with me. Luci Standley's friendship and professional editing has been invaluable.

Several people in Thailand has welcomed me and lend me their time and expertise: Puangthong Pawakapan, Coeli Barry, Bencharat Sae Chua, Thanet Aphornsuvan, Chalong Soontravanich, Thanapol Limapichart, Sing Suwannakij, Prapart Pintoptang, Pandit Chanrochanakit, Thanom Chapakdee, Thikan Srinara, Thanapol Eawsakul, Gotham Arya, Luke Duggleby, Nitirat Sapsomboon at Friends of the People, and Dantong Bree at the Union for Civil Liberties.

At the Australian National University, I want to direct a special thank you to Andrew Walker, Nick Cheesman, Anthony Reid and to everyone who attended my seminar. Without the scholarly legacy of Craig J. Reynolds I would never have started this thesis, and without a small intervention from him in my personal life, I am not sure it would have turned out this way.

I want to extend my gratitude to all the staff, including every helpful *bpa*, at the Institute for Human Rights and Peace Studies, Mahidol University; the department of History at the faculty of Liberal Arts at Thammasat University; and the National research fund of Thailand that made a five-month research visit possible in 2015. Thank you to the Thammasat University Archive, the Thai Labour Museum, Pridi Banomyong Institute, the 14 October Foundation, National archives of Thailand, National library of Thailand, and the Swedish labour movement's library and archives. My sincere thank you to Saowapha Virawong and Chenwilai Hodgins at the National library of Australia in Canberra, for the invaluable help finding and accessing materials. Thank you also to Carole E. Atkinson, Cornell University Library, and Jonas Söderqvist, Swedish Labour Movement's Archives and Library in Stockholm.

I am profoundly grateful to my present and past colleagues at Human Rights Studies, Lund University, for their wonderful support, for patiently attending my seminars and generously sharing their knowledge and expertise: Emma Sundkvist, Frida Nilsson, Andrea Karlsson, Linde Lindkvist, Andreas Tullberg, Dan-Erik Andersson, Olof Beckman, Emelie Lantz, Ida Jansson, Therese Boje Mortensen, Rasmus Sinding Søndergaard, Åsa Burman, Cathrine Felix. I would like to extend my sincere thanks to Lina Sturfelt for carefully reading and commenting on my drafts. My deepest gratitude to my teacher Rouzbeh Parsi, who has followed and encouraged me from undergraduate studies until the completion of this thesis. My doctoral studies would have been impossible to complete without the administrative support from Maja Petersson, Jessica Kareseit, Christine Malm, and Kristina Robertsson.

I am also in great debt to a number of scholars and friends connected to Lund University who have offered moral and institutional support as well as intellectual advice to move my studies forward: Johan Pries, Andrés Brink Pinto, Evelina Stenbeck, Bolette Frydendahl Larsen, Victor Pressfeldt, Kristoffer Ekberg, Fredrik Egefur, Maria Småberg, Martin Ericsson, Pål Brunnström, Christopher Mathieu, Niklas Svensson, Erik Bodensten, Hanne Sanders, Henrik Rosengren, Lars Edgren, Monica Edgren, and not least Marina Svensson and everyone at the Centre for East and Southeast Asian Studies.

This writing was made possible with the love, help, and support from my mother Maria and sister Anna. I am forever grateful to grandmother Usana. The finalization of this thesis would never have happened without Preedee's patience, devotedness, and disciplined intellectual input. This thank you is extended to my departed father Bjorn who first brought Thailand into my life.

Introduction

As I am writing this introduction, photographs with the hashtag “Save Wanchalearm” are circulating on social media. There are several different versions, the man with glasses wearing different colourful shirts but always smiling. In some, he holds his hand in a three-finger salute, a sign appropriated by Thai activists against the military junta that seized power on 22 May 2014.¹ Wanchalearm Satsaksit, a political activist and vocal critic of the military government, was summoned by the military after the coup d’état in 2014 but took refuge in Cambodia. On 4 June 2020, he was abducted in front of the apartment where he was staying in the capital Phnom Penh.² The next day people brought photographs of Wanchalearm out in central Bangkok to protest the forced disappearance and accusing the Thai and Cambodian governments of involvement. The images and hashtags sparked a debate on social media, with so-called netizens criticising also the UNHCR for inaction. The UNHCR Goodwill Ambassador of Thailand, an actress and model, replied on one of her social media accounts, “I promote peace and non-political agendas; this is highly political.”³

Writing this thesis is an attempt to capture a moving object, and it is not possible at this point in time to know the full implication of the above-mentioned case. But this current debate frames human rights issues in Thailand that have a continuity in the country’s contemporary history. It also indicates the political tensions embedded in human rights discourse. While human rights have been part of Thai state history since the promulgation of the Universal Declaration of Human Rights in 1948, they are also part of the ongoing contestations over

¹ The three-finger salute comes from the book series “The Hunger Games,” written by Suzanne Collins and adapted to film.

² George Wright and Issariya Praithongyaem, “Wanchalearm Satsaksit: The Thai Satirist Abducted in Broad Daylight,” *BBC News*, 2 July, 2020 <https://www.bbc.com/news/world-asia-53212932>.

³ “UNHCR Says No Comment on Activist’s Abduction,” *Khaosod English*, 8 June, 2020, <https://www.khaosodenglish.com/politics/2020/06/08/unhcr-says-no-comment-on-activists-abduction/>.

history and memory. Human rights have been incorporated in historical narratives that mediate democracy, nationalism and royalism, while they also signify an unfulfilled or disrupted history of democratic progress. The moments that take centre stage in this thesis are those when human rights appear in all its political force from the margins of history.

Aims and Scope

This is a study of engagement with photography within a human rights discourse in Thailand. The main focus is how photography as a visual practice can function not only to bring human rights claims or human rights issues into the public eye, but also as part of the dissensus politics that human rights has the potential of being. Photography can facilitate re-encounters with moments of violence and individual destinies that have been pushed to the margins of law, the state, and history. Photography also offers a potential to make victims of human rights violations appear as subjects of human rights.

Human rights history concerns international politics and struggles for equality, justice, and emancipation: these are histories of state violence, of political, economic, material and epistemic violence. Human rights historiography revolves around questions of who the rights-bearing subject is, the role of duty-bearing institutions, and how human rights despite their universal claim are limited politically, legally, and socially. Thailand does not have a prominent place in the field of human rights history. However, as this thesis shows, contestations over political definitions of the state, its rule and its subjects are accentuated when looking through human rights issues. The violence and violations brought to the fore by the photographic source materials do not belong to a past from which the state has transitioned. There is no archive of atrocious photographs to “turn against” a past regime of violence. What I bring together in this thesis are photographs of ongoing human rights violations: recurring photographs, recurring themes of violence, and recurring references to past events and to memory of the past in relation to contemporary violations.

This study of photography requires a familiarisation with a larger national and international history of human rights – the politics, the events and discourses that forged human rights globally and in Thailand. The source material shaped the questions I ask and informed the theoretical and methodological frames for studying photography in relation to human rights. From the parallel global

histories of photography, atrocities, and human rights, questions arose about how to understand and engage with photography within a human rights discourse. Can photography be something more than a technique and practice to record, document and spread awareness about human rights violations? Can photographic engagement also frame the subject of human rights and human rights as a political force? Both asking and answering these questions require thinking of human rights as political, and the political as encompassing the act of violence, the agents of violence and those subjected to violence. Photography turns attention to the visual and the public aspects of human rights that are intertwined with our understanding of what human rights are and who the subject of human rights is.

This study begins in the 1970s and ends in early 2017. The starting point in time is bound up with the photographic production related to the historical events known in Thailand as 14 October 1973 and 6 October 1976 (chapter 1, 2 and article IV). The end point in time – a photographic exhibition in Bangkok, 2017 – is only an end of this thesis, and not an end at all to the questions I investigate (chapter 3, article III).

Shaping this study is the fact that there does not exist a comprehensive archive from where the source materials can be retrieved. The photography studied here are not records produced by a single regime, but several actors and different types of stakeholders have participated in the production of the material. As I will discuss further in chapter 2, the ontological position I take is that photography begins before a photograph is taken and extends to each encounter with the photograph – in this study the countless publication moments and places – that transform the photographed event, and contributes to construing it as an historical event. I borrow the term “the event of photography” from Ariella Azoulay to theoretically comprehend the meaning of photography beyond the photographic frame.⁴ Meaning does not stem from what is in the photographic frame, but is created by each and everyone involved in the “event of photography” – including repositories, how photographs are captioned and categorized, the context for dissemination etc. “The event of photography” is neither a first-hand methodological choice nor a theoretical frame that I have placed on my object of study. Rather, it was something I saw in my source material that I couldn’t fully grasp with theories that take the photograph as the starting point.

⁴ Ariella Azoulay, *Civil Imagination: A Political Ontology of Photography*, trans. Louise Bethlehem (Brooklyn, N.Y.: Verso, 2012).

Coupled with thinking of human rights as dissensus politics, I identify the political potential of photography not in the capturing of human rights violations per se, but in the engagements and contestations over the meaning of photographs in the Thai public. This comes from the observation that photographs of violence do not by necessity have the desired effect of furthering human rights. Looking at violence in my own source material, I found it necessary to question the limits of photography as a tool for human rights claims and redress for human rights violations. Can photography direct our vision to the regimes of violence rather than merely the violation seen in photographs? The task is to ask questions about first, the context for the making of the photograph – what structures brought about the photographed event; second, what and who are not visible in photographic records; and third, what photographs are not disseminated or cannot be found in archives.

This study is limited to printed publications and excludes by and large social media practices. The main reason for this is the photographic practices that forewent online networks and platforms. It would be possible to expand this study to online spaces to research continuities and ruptures of the international dimensions of dissent and human rights in Thailand – not least among students and political exiles.

What I have done is present a theoretical and methodological framework for understanding usages and engagement with photography within the discourse of human rights. It is limited to Thailand's contemporary history but the general conclusions are comparable to other national contexts.

Following are three sections that give a background to the study, relating it to the current state of scholarly knowledge that are brought together in this thesis.

State Violence, Nationalism, and Human Rights as Dissensus Politics

Guiding this thesis is an interest in the conditions for making human rights claims and for being a human rights subject within the Thai state, where power is by large informal and it is difficult to hold the state accountable.⁵ The structure of

⁵ What Craig J. Reynolds calls the un-stately character of the Thai state, "Time's Arrow and the Burden of the Past: A Primer on the Thai Un-State," *Sensate: A Journal for Experiments in*

the state, how power is formally divided, and how accountability can be sought are instrumental for the legal and institutional realization of human rights. To understand the informal workings of power in a state that limits the exercise of human rights, it is however also critical to pay attention to economic, social and cultural dimensions. My concern is not the division of power within the Thai state per se, but the powers that delimit the subjects of the Thai state and, by extension, limits who can be seen as subjects of human rights within the Thai state.

The challenge to many scholars has been to conceptualize authoritarianism, transition to democracy, the informal character of power division, and the role of institutions in Thai political history – especially the relationship between the monarchy and the military since the revolution and end of absolute monarchy in 1932.⁶ Additionally, the 1992 democracy movement, the 1997 constitution and the rise and fall of prime minister Thaksin Shinawatra (2001-2006), the subsequent mass movements of “red shirts” and “yellow shirts” and return to military rule in 2014, have attracted scholars to investigate the role of civil society and social movements as well as the judiciary in the political power struggles.⁷

Over the past decade, greater attention has been turned to the unequal principles of law, extrajudicial exercise of power and impunity for state violence. Thongchai Winichakul defines impunity as a “privilege” (*aphisit*) for those in higher positions

Critical Media Practice, no. 3 (2012), <https://sensatejournal.com/craig-reynolds-et-al-times-arrow/>.

⁶ Some are referred to in article II. See also Duncan McCargo, “Network Monarchy and Legitimacy Crises in Thailand,” *Pacific Review* 18, no. 4 (2005); Veerayooth Kanchoochat and Kevin Hewison, “Introduction: Understanding Thailand’s Politics,” *Journal of Contemporary Asia* 46, no. 3 (2016); Eugénie Mérieau, “Thailand’s Deep State, Royal Power and the Constitutional Court (1997–2015),” *ibid.*; Paul Chambers and Napisa Waitoolkiat, “The Resilience of Monarchised Military in Thailand,” *ibid.*; Thak Chaloemtiarana, *Thailand: The Politics of Despotic Paternalism*, Southeast Asian ed. (Thailand: Cornell Southeast Asia Program and Silkwork books, 2007), chap. 6.

⁷ Kevin Hewison and Kengkij Kitirianglarp, “Social Movements and Political Opposition in Contemporary Thailand,” *The Pacific Review* 22, no. 4 (2009); “‘Thai-Style Democracy’: The Royalist Struggle for Thailand’s Politics,” in *Saying the Unsayable: Monarchy and Democracy in Thailand*, ed. Søren Ivarsson and Lotte Isager (Copenhagen: NIAS, 2010); Eli Elinoff, “Unmaking Civil Society: Activist Schisms and Autonomous Politics in Thailand,” *Contemporary Southeast Asia* 36, no. 3 (2014); Prajak Kongkirati, “The Rise and Fall of Electoral Violence in Thailand: Changing Rules, Structures and Power Landscapes, 1997–2011,” *Contemporary Southeast Asia* 36, no. 3 (2014); Erik Martinez Kuhonta and Aim Sinpeng, “Democratic Regression in Thailand: The Ambivalent Role of Civil Society and Political Institutions,” *Contemporary Southeast Asia* 36, no. 3 (2014).

and power (*amnat*) within a hierarchical society.⁸ Tyrell Haberkorn stresses how extrajudicial and other forms of illegitimate violence and impunity “structure the relationship between the rulers and the ruled in Thailand,” meaning that “being a citizen is characterised by the knowledge that state officials can assault, torture, disappear or kill you and will likely get away with it.”⁹

Along a similar line, David Streckfuss argues that Thailand, through militarisation and de-legitimisation of law, is in an “endless state of exception.” The state of exception, Streckfuss proposes, is foundational for not only justifying the harsh punishment for breaching defamation laws (like *lèse-majesté*) but also functions as a protection for the upper echelons of society.¹⁰ The monarchy cannot be publicly criticised, as the monarchy holds a special social and political position, i.e. the law protects a system of power and dominance more than just the personage of the monarch.¹¹ *Lèse-majesté* and other measures that create exceptions in law, such as special orders by a military junta or the Computer Crime Act (2007 amended 2017), are defended in the rhetoric of “national order and security” and intimately linked to political contestations.¹²

The state nationalism constructs political exclusion and enemies within the Thai state through a cultural discourse of being Thai.¹³ For this thesis, the concept of national identity (*ekkalak thai*) and Thainess (*khwampenthai*) is relevant in relation to the construction of a human rights subject in Thailand, and in relation

⁸ Thongchai Winichakul, “Bot thotlong sanoe: aphisit plot khwamphit (impunity) lae khwamkhaochai sitthi manutsayachon nai nitirat baep thai thai,” *Fa Diaw Kan* 14, no. 2 (2016 [2559]); cited also in Tyrell Haberkorn, *In Plain Sight: Impunity and Human Rights in Thailand* (Madison, USA: University of Wisconsin Press, 2018), 14-15.

⁹ Haberkorn, *In Plain Sight*, 221.

¹⁰ David Streckfuss, *Truth on Trial in Thailand: Defamation, Treason, and Lèse-Majesté* (New York: Routledge, 2010), 39, chap. 5.

¹¹ The increase of *lèse-majesté* cases from the mid 2000s, when mass-demonstrations and coup d'états dominated Thai politics, indicated a relationship to political power struggles, Streckfuss, “The Intricacies of Lèse-Majesty,” in Ivarsson and Isager, *Saying the Unsayable*, 130-9; Also “Courting Disaster: Can Thailand’s Monarchy Survive Democracy?,” *World Politics Review* (2014).

¹² Streckfuss, *Truth on Trial*, chap. 5; Also Duncan McCargo, *Fighting for Virtue: Justice and Politics in Thailand* (Ithaca: Cornell University Press, 2019), 24-26, 107-08, 40, 214.

¹³ On Thai identity and treason see Streckfuss, *Truth on Trial*, chap. 10. On nationalism and violence see for example John Hutchinson and Anthony D. Smith, *Nationalism* (Oxford: Oxford University Press, 1994); Defining nationalism see John Breuilly, introduction to *Nationalism and the State*, 2nd ed. (Chicago: Univ. of Chicago Press, 1994).

to power in the public space (see article II). Thainess is the individual and collective state of behaving, acting, and being perceived as Thai. The concept captures at the same time a sense of belonging to the nation and the fact of being acknowledged by the political community and the state power as belonging to the Thai nation. The connotation of Thainess has changed over time, from primarily a unifying term for the King's subjects at the height and end of absolutism;¹⁴ to a concept used for the promotion of Thai goods, tourism and food and even to a commodity in itself a century later.¹⁵ Thainess came in the shape of the so-called cultural mandates of the military governments in the 1930s and 1940s, who also changed the name of the country from Siam to the ethno-nationalist term Thailand (*prathet thai*).¹⁶ Thainess and its antonym, the state of being un-Thai, have been frequently used as a “national security” rationale for the authoritarian military regimes, particularly directed against socialist and communist elements in the 1940s-1970s.¹⁷ Thainess was also embraced as anti-imperialist by the social movement of the early 1970s – of which many students notably were of Chinese descent.¹⁸

¹⁴ Matthew Phillip Copeland, “Contested Nationalism and the 1932 Overthrow of the Absolute Monarchy in Siam” (PhD. diss., Australian National University, 1993); Saichol Sattayanurak, “Intellectuals and the Establishment of Identities in the Thai Absolute Monarchy State,” *Journal of the Siam Society* 90, no. 1-2 (2002); David Streckfuss, “The Colonial Legacy in Siam: Origins of Thai Racist Thought, 1890-1910,” in *Autonomous Histories, Particular Truths: Essays in Honor of John R. W. Smail*, ed. Laurie Jo Sears (Madison, Wisconsin: University of Wisconsin, Center for Southeast Asian Studies, 1993); Andreas Sturm, “The King's Nation: A Study of the Emergence and Development of Nation and Nationalism in Thailand” (PhD. diss., London School of Economics and Political Science, 2006).

¹⁵ Craig J. Reynolds, ed., *National Identity and Its Defenders: Thailand Today*, rev. ed. (1991; repr., Chiang Mai, Thailand: Silkworm Books, 2002), 13, 311; “Globalisers Vs Communitarians: Public Intellectuals Debate Thailand's Futures,” *Singapore Journal of Tropical Geography* 22, no. 3 (2001): 254; Kasian Tejapira, “The Post-Modernization of Thainess,” in *House of Glass: Culture, Modernity and the State in Southeast Asia*, ed. Yao Souchou (Institute of Southeast Asian Studies/White Lotus, 2001).

¹⁶ Saichol Sattayanurak, *Khwamplianplaeng nai kansang chat thai lae khwampenthai doo Luang Wichit Wathakan* (Krung Thep: Matichon, 2002); Scot Barmé, *Luang Wichit Wathakan and the Creation of a Thai Identity* (Singapore: Institute of Southeast Asian Studies, 1993); Reynolds, *National Identity*, 5-11; Chai-Anan Samudavanija, “State-Identity Creation, State-Building and Civil Society, 1939-1989,” in Reynolds, *National Identity*, 51-53, 57-59.

¹⁷ Reynolds, *National Identity*, 23-25; Thak, *Politics of Despotic Paternalism*, 137-39.

¹⁸ Kasian Tejapira, “The Misbehaving Jeks: The Evolving Regime of Thainess and Sino-Thai Challenges,” *Asian Ethnicity* 10, no. 3 (2009).

The discourse of national belonging and labelling of so-called un-Thai elements functions to position people who have already been subjected to state violence in constructed margins of law, society and history. Nationalism can further legitimise or delegitimise the political and in the name of “the nation,” political claims can be brought forward to destabilise governments.¹⁹ These aspects of nationalism are glaringly visible in the events 14 October 1973 and 6 October 1976 (article IV), in the name of the nation an authoritarian government was overthrown in 1973, and in the name of the nation authoritarianism was reinstalled in 1976.

In article II, I use the concepts of structural and cultural violence to construe an image of a citizen who can be violated with impunity.²⁰ This citizen I locate in a conceptual “periphery” of nationhood where, in the discourse of nationalism, the citizen does not appear as a human rights subject to the Thai state. However, the framework of cultural violence does not suffice to understand how human rights can at the same time be political and an emancipatory force in an authoritarian state such as Thailand. Through the sovereignty of the nation-state, human rights can in practice be limited to the subjects within a political community. Central to this study is thinking of the potential of human rights to challenge the very boundaries of the political – that human rights can be a form of what Jacques Rancière calls *dissensus politics*. Dissensus politics is “a conflict about who speaks and who does not speak, about what has to be heard as the voice of pain and what has to be heard as an argument on justice.”²¹ It is the questioning of any essentialising idea about what politics are – politics is neither a conflict of interest among equals nor can politics be reduced to power struggles or acts of power. Dissensus politics captures the universal conflict over equality.²²

What does it mean for human rights that suspension of law – which is created within law itself – becomes “endless” or a character trait of the state, as Haberkorn describes it? The “state of exception” in the Thai state that Streckfuss and Haberkorn describe is one in which principles of legality are suspended. This builds on Giorgio Agamben’s development of Carl Schmitt’s definition of the

¹⁹ Craig J. Calhoun, *Nationalism* (Minneapolis: University of Minnesota Press, 1997).

²⁰ See Johan Galtung, “Cultural Violence,” in *Johan Galtung: Pioneer of Peace Research*, ed. Dietrich Fischer (Berlin: Springer, 2013).

²¹ Jacques Rancière, “The Thinking of Dissensus: Politics and Aesthetics,” in *Reading Rancière*, ed. Richard Stamp and Paul Bowman (London: Continuum, 2011), 2.

²² Ibid.

state of exception as “the principle of political authority.”²³ Agamben introduces the concept of the *homo sacer* to refer to the subject who has been expelled from political life, reduced to “bare life” and to a life that can be taken (sacrificed) within the state of exception created by the sovereign power.²⁴ The sovereign power is “the power that decides on the state of exception in which normal legality is suspended,” meaning that ultimately “law hinges on a power of decision that is itself out of law.”²⁵ To Agamben, the state of exception is “the power of decision over life.”²⁶ What is at stake is how the state of exception functions as depoliticizing power and repression as well as depoliticizing the possible subjects of human rights.²⁷

The state of exception and human rights as exceptional do not, however, make human rights obsolete for those cast as *homo sacer*, but rather points towards the political power of human rights. The emancipatory potential in human rights is that they can negotiate the political – challenging the sovereign power’s dictate on the belonging or exclusion of claims and humans in the political sphere. Rancière argues against rights belonging to a fixed subject, i.e. a human who can be excluded or included from the polity or the citizens making claims towards the state. The “human in human rights” is to Rancière “a litigious name that can be invoked to assert a fundamental equality.”²⁸ It is through dissensus politics that the subject of human rights appears: “These rights are theirs [the displaced, the dispossessed, the detained, the oppressed] when they can do something with them to construct a dissensus against the denial of rights they suffer.”²⁹

Correspondingly, Joe Hoover argues for an agonistic understanding of human rights, that “focuses on the use of rights as contentious political claims that

²³ Giorgio Agamben, *State of Exception* (University of Chicago Press, 2005).

²⁴ Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life* (Stanford University Press, 1998).

²⁵ Jacques Rancière, “Who Is the Subject of the Rights of Man?,” *The South Atlantic Quarterly*, no. 2 (2004): 300.

²⁶ Ibid.

²⁷ Ibid., 299.

²⁸ Andrew Schaap, “Enacting the Right to Have Rights: Jacques Rancière’s Critique of Hannah Arendt,” *European Journal of Political Theory* 10, no. 1 (2011): 23.

²⁹ Rancière, “Who Is the Subject?,” 305-06.

demand social transformation.”³⁰ Agonistic human rights are contrasted to a legalistic understanding of human rights which presupposes equality before the law. The legalistic framework of human rights tends to abstract both right claims and the subjects of human rights from power relations and thus risks voiding human rights of their emancipatory potential. Understanding the political force of human rights as something that can negotiate the political in itself, rather than claims to reform politics, is central to understanding human rights in an authoritarian state such as Thailand.

From *Sitthi* to Human Rights

A particular challenge when approaching human rights history is the normative content and seemingly ubiquitous idea of human rights.³¹ The challenge includes asking where and when a genealogy of human rights should begin, and how to navigate the influences between national, international, and transnational contexts.³² In the past two decades, more and more international scholarly attention has been turned towards transnational human rights history.³³ Haberkorn shows how Thailand is a case confirming what has been identified by Samuel Moyn among others: that in the late 1970s, local and international advocacy groups started to call on human rights on an unprecedented scale.³⁴ Much of this turn in the meaning and usages of human rights was due to changes in US foreign policies at the end of the war in Vietnam, but also the emergence

³⁰ Joe Hoover, “Rereading the Universal Declaration of Human Rights: Plurality and Contestation, Not Consensus,” *Journal of Human Rights* 12, no. 2 (2013).

³¹ Roland Burke and Steven L.B Jensen, “From the Normative to the Transnational: Methods in the Study of Human Rights History,” ed. Bård A. Andreassen, Siobhán McNerney-Lankford, and Hans-Otto Sano, *Research methods in human rights: a handbook* (Edward Elgar Publishing Limited, 2017).

³² Stefan-Ludwig Hoffman, “Genealogies of Human Rights,” in *Human Rights in the Twentieth Century*, ed. Stefan-Ludwig Hoffman (Cambridge: Cambridge University Press, 2011).

³³ Burke and Jensen, “From the Normative to the Transnational.”

³⁴ Samuel Moyn, *The Last Utopia: Human Rights in History* (Cambridge, MA: Belknap Press of Harvard University Press, 2010); Jan Eckel and Samuel Moyn, *The Breakthrough: Human Rights in the 1970s*, Pennsylvania Studies in Human Rights (Philadelphia, Pennsylvania: University of Pennsylvania Press, 2014); Haberkorn, *In Plain Sight*, 18-19, 135-36.

of advocacy groups such as Amnesty International.³⁵ This period is the focus of chapter 1.

Thai public intellectuals and human rights advocates have mainly been concerned with tracing roots in Buddhist philosophy and to argue that human rights should not be dismissed as a Western imposition.³⁶ This perspective can be understood as part of a general discourse of Thai identity and cultural particularism, foregrounding a Buddhist cosmical order in which justice and social hierarchies are determined by karma.³⁷

A different approach has been offered by historian Thanet Aphornsuvan, writing about both the history of the concept of rights (*sitthi*) and the relationship between constitutional rights and Thai “state order.”³⁸ Thanet traces how concepts such as rights (*sitthi*), freedom (*seriphap/thai*), and liberty (*itsaraphap*) in the mid to late 19th century were shaped by modernizing processes and in relation to colonizing forces and the abolishment of slavery and corvée labour in Siam. Freedom, in that context, came to define the essence of being Thai, but also belonging to the sovereign Thai nation.³⁹ In correlation, rights (*sitthi*) were a prerogative of the king as a ruler over his subjects.

³⁵ Eckel and Moyn, *The Breakthrough*, 2, 228-31; Haberkorn, *In Plain Sight*, 135, 38-39, 42.

³⁶ For examples of this line of argument, see Don Selby, *Human Rights in Thailand* (Philadelphia: PENN, University of Pennsylvania Press, 2018), 23ff; see also the works by Chamarik Saneh, *Sitthi manutsayachon: ken khunnakha lae than khwamkhit = Human Rights: Value and Concepts* (Bangkok: Munnithi Khrongkan Tamra Sangkhomsat Lae Manutsayasat, 2001); *Democracy and Development: A Cultural Perspective* (Bangkok, Thailand: Local Development Institute, 1993); see also Sulak Sivaraksa’s various essays on Buddhism, social justice, and freedom, for example, “Buddhism and Human Freedom,” *Buddhist-Christian Studies* 18 (1998); Sulak Sivaraksa and Donald Swearer, *Conflict, Culture, Change: Engaged Buddhism in a Globalizing World* (Somerville: Wisdom Publications, 2015).

³⁷ For the discourse see Andrew Harding and Peter Leyland, *The Constitution of Thailand: A Contextual Analysis* (Oxford: Hart Publishing, 2011), 220-21; Don Selby, “Experiments with Fate: Buddhist Morality and Human Rights in Thailand,” in *Wording the World: Veena Das and Scenes of Inheritance*, ed. Roma Chatterji (New York: Fordham University Press, 2014), 140-41.

³⁸ Thanet Aphornsuvan, “Slavery and Modernity: Freedom in the Making of Modern Siam,” in *Asian Freedoms: The Idea of Freedom in East and Southeast Asia*, ed. David Kelly and Anthony Reid (Cambridge University Press, 1998); *Kamnoet lae khwampenma khong sitthi manutsayachon* (Krung Thep: Kobfai, 2006); “The Search for Order: Constitutions and Human Rights in Thai Political History,” *article 26*, no. 3 (2007).

³⁹ Thanet, “Slavery and Modernity,” 163.

It is during the absolute monarchy that the concept of national citizenship begins to take form in Siam. The defining features of this new political unity were debated among the elite and changed over the course of the different reigns. Kullada Kesbonchoo-Mead argues that Rama IV, King Mongkut (1851-1868) introduced concepts such as freedom of religion, private ownership and the idea of rights as a way to strengthen the king's own role against the nobility that he was indebted to for putting him on the throne.⁴⁰

During the reigns of Rama V, King Chulalongkorn (1868-1910), and Rama VI, King Vajiravudh (1910-1925), modernisation and bureaucratisation of the Siamese state accelerated. In the reign of Chulalongkorn, the notion of citizen (*ponlamuang*) and citizen duty emerged to primarily serve as a basis for tax revenue, but the citizen also had the duty to behave morally, with loyalty to the king and in accordance with Buddhist values.⁴¹ The subjects of the king were defined as a political community belonging to a nation under the rule of an absolute king.⁴²

The administration of the modern absolutist state, with centralised economic, legislative and executive power, required a high number of educated bureaucrats and new schools became a means for higher-ranking officials to build networks as opposition to the power of the king.⁴³ The new bureaucratic class was important for the shaping of the modern Thai nation-state and ideas about citizenship and national belonging as something different than loyalty to the absolutist king.

When King Vajiravudh ascended the throne in 1910, he faced several challenges to the absolutist rule: the forces of colonialism, economic recession, global movements for reform and revolution that spread to Siam from China and Europe, and a growing public sphere debating politics and the absolute

⁴⁰ Kullada Kesbonchoo-Mead, *The Rise and Decline of Thai Absolutism* (London; New York: RoutledgeCurzon, 2004), 36; See also Thanet, *Kamnoet lae khwampenma*.

⁴¹ Kullada, *Thai Absolutism*, 91, 123; Preedee Hongsaton, "Wela Wang: Technologies, Markets, and Morals in Thai Leisure Culture, 1830s- 1932" (PhD diss., Australian National University, 2015), 184, 87, 209-10.

⁴² Eiji Murashima, "The Origin of Modern Official State Ideology in Thailand," *Journal of Southeast Asian Studies* 19, no. 1 (1988).

⁴³ Kullada, *Thai Absolutism*; Chaiyan Rajchagool, *The Rise and Fall of the Thai Absolute Monarchy : Foundations of the Modern Thai State from Feudalism to Peripheral Capitalism*, (Bangkok: White Lotus, 1994).

monarchy.⁴⁴ In the printed press, intellectuals and journalists could publicly scrutinise the monarchy in an unprecedented manner. Though the king participated in the public debate to defend his own rule, he also introduced harsh press laws and, in 1923, the first lèse-majesté law in attempts to strengthen his own supremacy.⁴⁵ National unity under King Vajiravudh equalled loyalty to the trinity of monarchy, religion (Buddhism), and nation. The king was continuously “lord of the lands” and the Thai people servants “at his feet.”⁴⁶

The absolute monarchy was ended on 24 June 1932 through an armed uprising against Rama VII, King Prajadhipok (1925-1935).⁴⁷ The revolution that resulted in a compromised constitutional monarchy was led by a group of civil servants and military officials organized as the People’s Party [khana ratsadorn]. The People’s Party transformed the concept of *sitthi* to encompass “all persons” in the kingdom of Siam in the first constitution (1932). It was declared that the “Siamese people of whatever race or religion” were equally protected by the constitution and from them emanated the sovereign power.⁴⁸ Four articles based on the party programme stated the rights and duties of the Siamese, covering rights to personhood, property rights, political rights and freedoms, freedom of religion, but also the right to education and vocation.⁴⁹ Though these provisions in the constitution were not articulated as human rights, they mark a change in the thinking of rights and freedoms as entitlements of the people. However, Thanet draws attention to the fact that only in the 1980s was the definition of the word *sitthi* in the Royal Institute’s dictionary revised from meaning “sovereign power” and “success” to include the exercise of legal rights. While Thanet describes this

⁴⁴ Hongsaton, “Wela Wang,” 176-83.

⁴⁵ Copeland, “Contested Nationalism,” 39-45, 78-84.

⁴⁶ Murashima, “The Origin of Modern Official State Ideology in Thailand,” 89-90.

⁴⁷ Craig J. Reynolds, “The Plot of Thai History: Theory and Practice,” in *Patterns and Illusions: Thai History and Thought*, ed. Gehan Wijeyewardene and E.C. Chapman (Singapore: The Richard Davis Fund, 1992), 318ff; “Thai Revolution (1932),” in *The Encyclopedia of Political Revolutions*, ed. Jack A. Goldstone (Washington, D. C.: Congressional Quarterly Inc., 1998); Copeland, “Contested Nationalism,” 6-10.

⁴⁸ Constitution of the Kingdom of Siam B.E. 2475, (1932), art. 1-2.

⁴⁹ The party programme stated that equality, rights, freedom, welfare and education should be granted all people. “Announcement of the People’s Party,” in *Thai Politics: Extracts and Documents 1932-1957*, ed. Thak Chaloemtiarana (Thammasat University, Thailand: The Social Science Association of Thailand, 1978).

as an “extension downwards of sovereign privilege,”⁵⁰ the point here is to recognise the political and historical conditions under which *sitthi* as “privilege” of a sovereign or “entitlements” of citizens could also mean rights.

Since 1932, Thailand has had twenty constitutions, most coming into being after a military coup d'état. The constitutions have not always stated citizen rights and military juntas have both suspended and created constitutions to make legal exceptions for state violence.⁵¹ A constitutional provision of rights would however not by necessity offer more protection. The constitution of 1978, which was in effect until 1991, contained both a chapter on rights and liberties of all persons as well as an article stating that all extrajudicial orders that had been made under special articles of previous military constitutions continued to be in force.⁵² The Thaksin regime could commit transgressions despite the constitution of 1997, which for the first time declared human rights (*sitthi manutsayachon*) rather than rights of persons (*bohkun*) as well as human dignity. The Thaksin government drew criticism from the human rights community for forced disappearances; the “war on drugs” killing nearly three thousand in 2003; or the notable case of the 8 men who were shot dead and the 78 who died in military custody after having deferred a martial law decree in Tak Bai in October 2004.⁵³

Article 44 of the 2014 temporary constitution allowed the unelected prime minister of a military government to give extrajudicial orders that directly circumscribed political rights and freedoms.⁵⁴ A referendum in August 2016, held during continuous military rule, passed a revised version of the constitution. However, in October 2016, the constitutional Rama IX, King Bhumibol (1946-2016) passed away and was succeeded on the throne by his son, Rama X, King Vajiralongkorn. The new king demanded changes in the constitution that granted

⁵⁰ Thanet, “Slavery and Modernity,” 164.

⁵¹ For a detailed discussion see Haberkorn, *In Plain Sight*, 35, 38-45, 55-57, 73-76.

⁵² Constitution of the Kingdom of Thailand B.E. 2521, (1978), art. 206; referring to art. 21 (1976) and art. 27 (1977).

⁵³ Pasuk Phongpaichit and Chris Baker, “Thaksin’s Populism,” *Journal of Contemporary Asia* 38, no. 1 (2008); Human Rights Watch, “Thailand. Not Enough Graves: The War on Drugs, Hiv/Aids, and Violations of Human Rights,” (2004); Haberkorn, *In Plain Sight*, 189, 268-69 n.13; The military coup in September 2006 that overthrew Thaksin also had a broad support in the Thai human rights community Hewison and Kengkij, “Social Movements and Political Opposition”; Elinoff, “Unmaking Civil Society.”

⁵⁴ iLaw, “Report on the Exercise of Power under Section 44,” accessed 14 July, 2020, <https://www.ilaw.or.th/node/3679>; Haberkorn, *In Plain Sight*, 49-52, 75-76, 216.

himself more powers. The constitution, eventually promulgated in April 2017, guaranteed the military's dominating influence in the upper house of parliament—also after general elections.⁵⁵

This should not be read as an essentialising note on the development of the ideas of freedom and rights in Thailand, but rather a display of how the development of these concepts in Thailand, as elsewhere, are tied to political changes. The constitutional history reflects the political struggles in Thailand and the human rights dimensions of those struggles, reflecting the attempts to make citizen rights and later human rights part of the definition of the political subject. It also points at the difficulty in tracing a history of “rights” and of “human rights,” as a coherent concept, idea, and practice. Because of this difficulty, I found it necessary to carry out an empirical study that pays attention to discursive changes in relation to the larger historical processes (chapter 1).

In the next section, building on previous studies of photography and power in Thailand, I link public photographic practices from the absolute to the constitutional monarchy with the public framing of a subject of human rights in Thailand.

Visual Power and Violence

The development of photography is parallel with the development of the modern Thai nation-state. Photography, as a technique and practice, both expanded the vision of the state and the visualization of its subjects and the sovereign and, through the development of photography, it was possible to visualize the end of the absolute monarchy state but also the beginning of a royalist-nationalist public discourse.⁵⁶ In the late 19th and early 20th century, the photographic technique served a new regime of scientific knowledge about the Siamese kingdom: its

⁵⁵ See for example Prajak Kongkirati and Veerayooth Kanchoochat, “The Prayuth Regime: Embedded Military and Hierarchical Capitalism in Thailand,” *TRaNS: Trans -Regional and -National Studies of Southeast Asia* 6, no. 2 (2018).

⁵⁶ Rosalind C. Morris, “Photography and the Power of Images in the History of Power,” in *Photographies East: The Camera and Its Histories in East and Southeast Asia*, ed. Rosalind C. Morris (Durham [NC]: Duke University Press, 2009); Sing Suwannakij, “King and Eye: Visual Formation and Technology of the Siamese Monarchy” (PhD diss., University of Copenhagen, 2013); Clare Veal, “Thainess Framed: Photography and Thai Identity, 1946-2010” (PhD diss., University of Sydney, 2015).

landscapes and topography, nature and dwellings, and not least its subjects. Expeditions from Bangkok recorded the looks and customs of the people living in villages, forests, and mountains – classifying and differentiating them on a civilisational scale.⁵⁷

When King Mongkut let himself be portrayed in daguerreotype in 1855, he broke the pre-existing taboo of visualizing and seeing the king just like any other mortal body.⁵⁸ Though the camera would later serve democratising practices, in the mid 19th century it was a rare and expensive commodity. The king dictated the conditions for the royal photographs to “retain his monarchy, his central position in space and time, as well as his edge over mere mortals, the royal privilege over other classes.”⁵⁹ The mechanical reproducibility that photography made possible was also turned into an asset by the absolute monarchy. Disseminating his portrait over the country – where it was worshipped next to Buddha statues, in homes and provincial offices – the king not only let the people see him, but asserted his presence in their lives.⁶⁰ Vajiravudh posed himself as a human embodiment of Buddhist virtues which also legitimised his rule, and the spread of the royal photograph across the nation was part of a strengthening of the image of the king, as a national symbol and as a semi-religious icon.⁶¹

Despite the diminished political role of King Prajadhipok, the cultural legitimacy of the monarchy was efficiently used in the promulgation of the first permanent constitution in December 1932. King Prajadhipok was seen seated on the throne, higher up than everyone else as custom demanded, handing down the constitution in its physical form to a representative of the People’s Party as a visualization of the king “bestowing” the constitution on the people.⁶² A few years later the king abdicated and in 1939 the then military government issued a ban on public

⁵⁷ Sing, “King and Eye”, 203ff, 17, 36ff, 41; Thongchai Winichakul, “The Others Within: Travel & Ethno-Spatial Differentiation of Siamese Subjects 1885-1910,” in *Civility and Savagery: Social Identity in Tai States*, ed. Andrew Turton (Richmond: Curzon, 2000).

⁵⁸ Veal, “Thainess Framed,” 10, 54-60.

⁵⁹ Sing, “King and Eye”, 34; on religious dimensions of the king’s photograph *ibid.*, 161-76.

⁶⁰ *Ibid.*, 33-35, 176ff.

⁶¹ *Ibid.*, 180; Veal, “Thainess Framed,” 66ff; On Vajiravudh’s legitimacy crises and Buddhist morals see Hongsaton, “Wela Wang,” 184, 87, 209-10.

⁶² Veal, “Thainess Framed,” 72.

displays of his image.⁶³ It was only in the late 1950s and during the reign of King Bhumibol (1946-2016) that the image of the king regained a status comparative to the height of the absolute monarchy.

Several studies on visual power in Thailand take as their theoretical point of departure Clifford Geertz's conceptualisation of the "theatre state" where the performance of power lends cosmological legitimacy to the ruler.⁶⁴ These studies are particularly concerned with understanding various forms of power in the modern Thai nation-state, and the social, cultural, political sources of power – expressed in the Thai language as executive authority (*amnat*), spiritual power (*saksit*), and charismatic power (*barami*). The arrival of photography marks an ontological shift in perception and possible technical and cultural representations from the absolute monarchy to the emergence of a public sphere.⁶⁵

In the development of Bhumibol's authority, spiritual and charismatic power was intimately linked to the militarisation of the Thai state and the uses of mass media during his reign.⁶⁶ By revitalizing Brahmanical discourse and rituals in combination with Buddhist ideals of benevolent rule, Bhumibol was construed as a "virtually divine" king (*devaraja*) in an unbroken royal lineage of great kings.⁶⁷ This "reincarnation" of the pre-modern "king-god" was different from the era of absolute kings as it was dependent on the public gaze for popularity and

⁶³ Maurizio Peleggi, *Thailand: The Worldly Kingdom* (London: Reaktion, 2007), 96; cited in Veal, "Thainess Framed," 70; also Sarun Kittikam, "Entertainment Nationalism," in Ivarsson and Isager, *Saying the Unsayable*, 75.

⁶⁴ Peter A. Jackson, "The Thai Regime of Images," *Sojourn* 19, no. 2 (2004); "The Performative State: Semi-Coloniality and the Tyranny of Images in Modern Thailand," *Sojourn* 19, no. 2 (2004): 223-25; Sing, "King and Eye", 11, 15ff; Veal, "Thainess Framed," 51; Maurizio Peleggi, *Lords of Things: The Fashioning of the Siamese Monarchy's Modern Image* (United States of America: University of Hawai'i Press, 2002), chap. 5.

⁶⁵ On this ontological shift see Peter A. Jackson, "Virtual Divinity: A 21st-Century Discourse of Thai Royal Influence," in Ivarsson and Isager, *Saying the Unsayable*, 29-60; Sing, "King and Eye"; On endogenous and exogenous factors in the development of Thai photographic practise see Clare Veal, "The Charismatic Index: Photographic Representations of Power and Status in the Thai Social Order," *Trans-Asia Photography Review* 3, no. 2 (2013); on the development of the public see Preedee Hongsaton, *Sayam mahakam: kanmueang watthanatham kap kanchuangching khwampen satharana* (Krung Thep: Matichon, 2019).

⁶⁶ Rosalind C. Morris, "Surviving Pleasure at the Periphery," *Public Culture* 10, no. 2 (1998).

⁶⁷ Jackson, "Virtual Divinity"; Sarun, "Entertainment Nationalism."

legitimacy.⁶⁸ While photography forged the people's relationship to the image of King Bhumibol, it did not alter the power-relationship between king and subjects:

Where once the king's power entailed his secrecy, his withdrawal from commoners' eyes, he is now the most visible of all Thai citizens, and indeed he is often pictured on his walking tours of the nation with a camera around his neck. However, the photographic circulation of the king should not be confused with a simple coming into immediate sight, or a pure revelation. He is no more immediately accessible to "the people" now than he was a hundred years ago, when commoners could only approach his dignified body from the perspective of his foot's sole.⁶⁹

It remains to be seen what conclusions on images and divine-royal power in the public can be drawn from the reign of King Vajiralongkorn (2016-).

The theory emanating from studies of visual power in Thai society has put at the fore the question of truth in relation to image. Jackson stresses the supremacy of surface and appearance in Thailand and the exercise of power through performance and ritual. What Jackson calls the "Thai regime of images" entails a "disparity between public image and private truth."⁷⁰ Morris has similarly underscored the "difference between truth and appearance," in Thai imagery, while also acknowledging that power of images in Thailand is expressed through contestations over truth in imagery.⁷¹ Clare Veal, arguing against Jackson, states that not only is "the notion of photographic 'truth' [...] central to the medium's ideological power in a Thai context," but that photo journalism opened up a space for dissenting truths and visions of Thainess as opposed to a "moral-royalist-nationalist" discourse that dominates Thai publicness.⁷²

My interest here is the function of truth in the publicness of violence in Thailand. When approaching photography as images, the question is what truths are framed within a photograph and what truths are not indexical or denoted (see chapters 2 and 3). In studies of capitalism, power and images in Thailand, Morris argues that the consumption of violent photographs can be a politically mobilizing force.⁷³

⁶⁸ Sarun, "Entertainment Nationalism."

⁶⁹ Morris, "Surviving Pleasure," 358.

⁷⁰ Jackson, "Thai Regime of Images," 201.

⁷¹ Morris, "Surviving Pleasure."

⁷² Veal, "Thainess Framed," 385.

⁷³ Morris, "Surviving Pleasure."

Alan Klima sees in the publicness of violent images in Thailand how forces of religion, capitalism and politics come together.⁷⁴ While I am building on previous scholarly engagement with photographs of political violence in Thailand, I argue that the contestations over the meaning of photography are central to the political potential of photography. Meaning is constructed through the making, preservation and dissemination of photographs, and conditioned by economic, political, social and historical factors.

The publicness of violence is constituent to the exercise of power in the Thai state, regulating unequal political relationships (article III).⁷⁵ The publicness also opens up a space for contesting the framing of victims of violence. Beyond what is seen in the photographic frame, there is a history of the struggles that preceded the physical violence and of the struggles that follow. Perpetrators might not be identifiable through the photograph but the photography is embedded in a structure of violence. The question then is how engagement with photography can frame the struggles of the victims of violence as dissensus politics and make them appear as subjects of human rights in Thailand.

The Disposition of the Thesis

In addition to this introduction, the thesis consists of three chapters and an appendix with four original articles.

The first chapter places the study within human rights historiography in Thailand, as a backdrop to the engagement with photography that is the main focus of this thesis. Through a close reading of source materials produced by human rights groups and international solidarity groups, I trace a changing discourse of human rights in Thailand from the 1970s anti-imperialist, anti-militarist, emancipatory rhetoric to a contemporary political language mainly concerned with individual redress for state violence and impunity. I show that the two events 14 October 1973 and 6 October 1976 are important to this study for the position they have been afforded as symbols of struggle against authoritarian rule, for the unprecedented publicness of state and para-state violence and impunity,

⁷⁴ Alan Klima, *The Funeral Casino: Meditation, Massacre, and Exchange with the Dead in Thailand* (Princeton, N.J.: Princeton University Press, 2002).

⁷⁵ Haberkorn, *In Plain Sight*, 10-11; Preedee Hongsaton, "Chuet kai hai ling du: rat thai kap kanthamlai satru duay nattkam," *The Thammasat Journal of History* 1, no. 2 (2015).

and as the beginning of a local human rights movement. The massacre at Thammasat University on 6 October 1976 appears as the crescendo of a decade-long struggle between a violent repressive military regime and liberal, democratic, socialist, and communist forces. In hindsight, 6 October 1976 was a watershed moment for a political discourse of human rights in Thailand.

In Chapter 2, I describe the source material, outline the methods used for collecting and analysing it, and discuss ethical approaches to the source material and my own analysis and writing. The content of the source materials, and the at times contentious context of their making and preservation, require a careful consideration in every step of research: I reflect on how an ethics of looking can be applied, and how ethics should inform choices for disseminating the knowledge I produce through my own research. I also describe the analytical method and the theoretical stance on photography that is fundamental to this thesis.

Chapter 3 is the final chapter before the four original articles, and here I present a critical analysis of photography as a possible representation of human rights violations and human rights issues. I call into question assumptions about intent and meaning, and argue against the idea of a moral distance between the photographed and the spectator of photographs. Further, I turn attention to the construction of archives as interventions in ongoing contestation over history and memory of past events. This chapter adds findings in particular to article III and IV of the thesis.

1. Thailand and Human Rights Histories

In this chapter I start by giving an overview of human rights history in Thailand as a context to the analysis of photography that is the main focus of my study. By placing human rights within a political context, the emphasis is on the historical contingency and contestations that have shaped the very notion of human rights.⁷⁶ The development of human rights in Thailand cannot be studied solely within the national context but must be understood as part of a global phenomenon. I build here on Tyrell Haberkorn's contribution that positions human rights in modern Thailand within a global history, from the international arena to local advocacy groups.⁷⁷ Through a close reading of pamphlets, bulletins, and other materials printed and disseminated abroad during the 1970s, I show that an international solidarity movement for human rights and against US imperialism was important for the shaping of human rights in Thailand, and how resistance against Thai authoritarian rule began to be framed as human rights issues.

The solidarity material shows that human rights was a language bridging an anti-imperialist struggle and a struggle for individual redress for victims of the authoritarian Thai regimes. In line with thinking about human rights as *dissensus politics*, I adopt David Featherstone's definition of solidarity as "a relation forged through political struggle which seeks to challenge forms of oppression," and that "solidarities are constructed through uneven power relations and geographies."⁷⁸ Most relevant for this study is the observation that solidarities "can be part of the process of politicization," and that the "forging of links in opposition to common enemies [...] can open up new political terrains and possibilities [that] allows new

⁷⁶ In comparison to more linear or teleological accounts of human rights, see Hoffman, "Genealogies of Human Rights."

⁷⁷ Haberkorn, *In Plain Sight*, 18.

⁷⁸ David Featherstone, *Solidarity: Hidden Histories and Geographies of Internationalism* (London: Zed, 2012), 5, 6-7.

conceptions of political subjects and actors to emerge.”⁷⁹ The international solidarity movement helps in understanding the global context and contingencies for the articulation of human rights in Thailand in the 1970s. It is also important for how the struggle against authoritarian military rule in Thailand was understood by global movements – particularly the political left – and how it was, or was not, expressed with human rights language.

The findings underscore the importance of trans-national archival work and going beyond a national context for human rights histories.⁸⁰ Changes in US foreign policy, local economic and social development, counter-insurgency and violent nationalism all played a part in shaping human rights advocacy and politics in Thailand from the late 1970s to the late 1990s. This discursive change coincided with the demise of the communist movement in Thailand and a global turn towards neoliberalism.

Cold War Authoritarianism and Mass Social Movements

The changing usages and meaning of the term human rights in Thailand are closely tied to global history, not least to developments in US foreign policy. This is reflected in how human rights language was used by the authoritarian regimes during the rise of communism in Indochina, and later, in the 1970s, in the popular turn towards human rights as an avenue in the struggle against authoritarian military rule.

In the Global South, Thailand stands out as it was not formally colonized and could act as a sovereign state, joining the UN in 1946 and being a signatory party to the UDHR in 1948. At the same time, the Thai state showed similar patterns of nationalism and authoritarianism as its decolonized neighbours in the 1950s and 1960s. This dual role is perhaps highlighted by the Thai delegate Prince Wan’s appearance at the Asian-African Conference in Bandung in 1955, where

⁷⁹ Ibid., 7.

⁸⁰ For this methodological stance, see Burke and Jensen, “From the Normative to the Transnational.”; Hoffman, “Genealogies of Human Rights.”

the prince spoke for the universal principles of human rights.⁸¹ The Bandung Conference, Roland Burke argues, was pivotal for the decolonizing states and underscored the close relation between decolonization, sovereignty and the development of human rights.⁸² Decolonization shows how the ideas of state sovereignty and self-determination “emerged in tandem and in political tension” with the idea of equality between individuals.⁸³ Here it is important to remember that Thailand was an independent state in a de-colonizing region at the beginning of the cold war.

The Thai state, ruled by military juntas from 1932-39 and 1947-1973, participated dutifully in the 1950s’ incipient human rights regime. Haberkorn notes that the Thai government was “providing commentary to the relevant drafting committees of UN human rights instruments, and contributing to the annual UN Human Rights Yearbook.”⁸⁴ The Thai state spoke the language of human rights towards the international community and was at least during the 1950s spreading information about the UDHR domestically, although implying that human rights was a means against communism.⁸⁵ During the military dictatorship of Phibun Songkhram (1938-1944, 1948-1957), Thai identity became analogous to national security, condemning dissenting political activity, notably communism, as un-Thai or anti-Thai. To fight communism was thus not fighting only an ideology but also to fight for the survival of the Thai nation.⁸⁶

After the Second World War, the US began supporting the Thai military government as part of the war against communism in decolonized Indochina. The ties to the US were detrimental to the political developments during the military regimes from 1947 until the 14 October 1973 uprising and the 6 October 1976 massacre – two events that are central to this study of photography. In the 1960s, the US presence in Thailand grew significantly with military troops and

⁸¹ Roland Burke, *Decolonization and the Evolution of International Human Rights* (Philadelphia: University of Pennsylvania Press, 2010), 19.

⁸² Ibid., 33-34.

⁸³ Hoffman, “Genealogies of Human Rights,” 14. On decolonization see also Samuel Moyn, *Not Enough: Human Rights in an Unequal World* (Cambridge, MA: The Belknap Press of Harvard University Press 2018), 98ff.

⁸⁴ Haberkorn, *In Plain Sight*, 18.

⁸⁵ Ibid., 61-62.

⁸⁶ Reynolds, *National Identity*, 5.

development aid for counter-insurgency, especially in the Northeast.⁸⁷ In the so-called “Vietnam Era,” 1965-1976, Thailand was geographically strategic for the US efforts in Laos, Cambodia and Vietnam, harbouring more than 750 US aircraft that used Thai air force bases to launch attacks on the neighbouring countries.⁸⁸

Under the authoritarian rule of Sarit Thanarat (1958–1963), the Thai military became an increasingly important institution, expanding also economically by overtaking state enterprises and engaging in commercial businesses.⁸⁹ At the same time, the Communist Party of Thailand (CPT) grew stronger, and in mid-1965 it officially began its Maoist insurgency.⁹⁰ Repression against alleged communism increased during the rule of Sarit and his predecessor Thanom Kittikachorn (1963–1973) who both used special provisions in the constitution to create a space for extrajudicial violence.⁹¹

The military regimes of the 1950s and 1960s interpreted human rights through an authoritarian culture, with emphasis put on the duties of the people towards upholding national security and unity rather than on individual or collective rights. On the military regimes’ early engagement with human rights, Haberkorn concludes that:

Rather than a tool used to challenge dictatorship, the language of human rights was one that dictators could speak fluently without having to alter their repressive actions.⁹²

⁸⁷ R. Sean Randolph, *The United States and Thailand: Alliance Dynamics, 1950-1985* (Berkely, California: Institute of East Asian Studies, University of California, 1986), chap. 4; Thak, *Politics of Despotism Paternalism*, 54-55, 69; Pasuk Phongpaichit and Chris Baker, *Thailand: Economy and Politics* (New York, US: Oxford University Press, 2000; repr., 3), 272, 75.

⁸⁸ Randolph, *The United States and Thailand: Alliance Dynamics, 1950-1985*, chap. 3.

⁸⁹ Thak, *Politics of Despotism Paternalism*, 41-42, 81; Pasuk and Baker, *Economy and Politics*, 134, 278ff, 87; Chai-Anan Samudavanija, *Thailand: State-Building, Democracy, and Globalization* (Bangkok, Thailand: IPPS, Institute of Public Policy Studies, 2002), 90-91.

⁹⁰ Thadeus Flood, “The Thai Left Wing in Historical Context,” *Bulletin of Concerned Asian Scholars* 7, no. 2 (1975): 6; CIA, “Communist Insurgency in Thailand,” *National Intelligence Estimate* (1966).

⁹¹ Haberkorn, *In Plain Sight*, chap. 2.

⁹² *Ibid.*, 18.

In the 1960s, large-scale economic changes were driven by changing agricultural production, increased industrialisation, and the US investments.⁹³ These economic changes became pushing factors for social changes and political opportunities in the 1970s, and contributed to increased political engagement among farmers, workers and a new urban middle class, in spite of authoritarian military rule. During the 1960s secondary and tertiary education expanded greatly, contributing to a generation with more access to economic and social opportunities than their parents had. Alongside new universities in Bangkok and around the country, numerous vocational, technical, and commercial colleges opened.⁹⁴

The students had been arranging protests with nationalist pretexts during the 1960s: against the International Court of Justice ruling in favour of Cambodia in the case of the temple Preah Vihear on the border with Thailand and, together with workers, against Japanese capitalist influence in Thailand.⁹⁵ In December 1969, the students formed the National Student Council of Thailand (NSCT), at a time when they were increasingly turning their political awareness against the state but also against US military presence in Thailand.

Elections were called in 1969 and won by the already ruling military clique, the three generals Thanom Kittikachorn, Praphas Charusatien and Narong Kittikachorn (1963-1973). When the junta overthrew its own elected parliament in November 1971, imposing a new constitution and martial law, social movements were ignited to strengthen mobilization against the dictatorship. The NSCT became the coordinator of protests against the government.⁹⁶ In October 1973, a campaign for the promulgation of a more democratic constitution that would promote civil liberties began with small protests and the distribution of leaflets in public. Between 6 and 9 October 1973, thirteen activists – students, university lecturers, a journalist and a former member of parliament – were

⁹³ Pasuk and Baker, *Economy and Politics*, 290.

⁹⁴ Benedict Anderson, "Withdrawal Symptoms: Social and Cultural Aspects of the October 6 Coup," *Bulletin of Concerned Asian Scholars* 9, no. 3 (1977): 16-17; Ross Prizzia, *Thailand in Transition: The Role of Oppositional Force*, Asian Studies at Hawaii (Hawaii: University of Hawaii Press, 1985), 38-40.

⁹⁵ Prizzia, *Thailand in Transition*, 31, 44-45, 50-52.

⁹⁶ Ross Prizzia and Narong Sinsawasdi, *Thailand: Student Activism and Political Change* (Bangkok: Allied Printers, 1974), 26ff.

arrested, accused of violating the martial law decree that banned gatherings of more than five people and of communist activity.⁹⁷

The arrests pushed the campaign into a new phase of mass movement mobilization. On 12 October, tens of thousands congregated on the Thammasat University campus in Bangkok old town and the National Student Council of Thailand (NSCT) demanded the unconditional release of the thirteen within 24 hours.⁹⁸ On 13 October, more than 400 000 people marched along the Royal Avenue leading from the university to the Democracy monument. News floated that the demands would be met but the students did not trust the government. At midnight, a large group therefore walked to the Chitralada royal palace to ask for an audience with King Bhumibol. Early in the morning, a palace representative told the students that the king advised them to accept the promise made by the government and disperse in peace.⁹⁹ The crowd was ushered away from the palace by the police, and at some point, violence broke out.

In clashes with the authorities on 14 and 15 October 1973, almost a thousand persons were injured and seventy-seven were officially reported dead. According to the main narrative, the violence ended when the king ordered the three generals to leave Thailand. The protestors, who swore their cause for the nation and their allegiance to the monarchy, gained support from the general public as “heroes” and the day 14 October 1973 is remembered as a milestone for democracy in official national history (fig. 1 and 2). This narrative is represented in the photographic reproduction I analyse in article IV.

The main cause of the demonstrations in 1973 had been justice and democracy and although the workers’ and farmers’ struggles were not new, they found more support in the new political space following October 1973. Prajak Kongkirati interprets it as “the struggle went beyond political rights.”¹⁰⁰ A similar account is given by Haberkorn, writing about how by 1974, the landless and tenant farmers’ protests “confirmed [the farmers’] irrefutable status as political, and politicized,

⁹⁷ Charnvit Kasetsiri, *14 Tula Banthuek Prawatsat: October 14, 1973 Student Uprising*, trans. Benedict Anderson (Bangkok: The Foundation for The Promotion of Social Science and Humanities Textbooks Project, 2003), 32-33, 101-03.

⁹⁸ Prizzia and Narong, *Student Activism and Political Change*, 49-50.

⁹⁹ *Ibid.*, 54.

¹⁰⁰ Prajak Kongkirati, “Counter-Movements in Democratic Transition: Thai Rightwing Movements after the 1973 Popular Uprising,” *Asian Review*, no. 19 (2006): 10.

public actors.”¹⁰¹ The farmers’ formally protested land rent laws, but the struggle had wider political implications, just as the demonstrations in 1973 were not only about constitutional democracy but about reimagining the political space and the political subjects of the Thai state.

The students saw as their duty to support and help give voice to the grievances expressed by workers and farmers, and although human rights was not the dominant framework for the early 1970s’ political and social movements, the turn towards a universal human rights language in the late 1970s can partly be found in this alliance of students, workers, and farmers. In the next section I will look closer at the first human rights groups in Thailand using the language of universal human rights as a political tool.



Figure 1. Protestors by the Democracy Monument in Bangkok, 14 October 1973.
Courtesy of the 14 October Foundation.

¹⁰¹ Tyrell Haberkorn, *Revolution Interrupted: Farmers, Students, Law, and Violence in Northern Thailand* (Madison, Wisconsin: University of Wisconsin Press, 2011), 69.



Figure 2. Protestors in Bangkok, 14 October 1973.

The protestors on the car are waving the Thai national flag and holding portraits of King Bhumibol and placards with messages against the military dictatorship. Courtesy of the National Archive of Thailand.

Political Violence and the First Human Rights Groups

In the new constitution that was promulgated in 1974, a chapter on rights and liberties was included, something that had been missing from the constitutions since 1959. Interestingly, the constitution also included a general paragraph stating that no amnesty would be given to those who had seized state power by overthrowing the Monarchy or the constitution – a clear enough signal to do away with previous military regimes and impunity for coup d'états.¹⁰²

¹⁰² Constitution of the Kingdom of Thailand B.E. 2517, (1974), chap. 1, art. 4. For an extensive discussion see Karin H. Zackari, "Konstitutioner och konflikter om mänskliga rättigheter i Thailand], in *Mänskliga Rättigheter i Samhället*, ed. Malin Arvidsson, Lena Halldenius, and Lina Sturfelt (Malmö: Bokbox Förlag, 2018), 219.

The years that followed the 14 October 1973 uprising turned out to be a failed trial period for institutionalisation of democracy and rule of law. State actors and vigilante groups persecuted people deemed threats to the nation and the societal order. Farmers, labour unionists, and alleged communists had been targets of forced disappearances, torture, and arbitrary executions for decades, but after 1973 the violence increased and became more open.¹⁰³ Most of this violence happened far away from the central powers in Bangkok. As student activists from the city travelled around the country to propagate democracy, they were made aware of instances of state oppression and violence. Although cases of atrocious violence – such as the burning alive of alleged communists in oil drums – were brought to the public’s attention by the student activists, the authorities evaded accountability.¹⁰⁴

At the same time, in the year following the uprising, democratic practices and open politics were a reality.¹⁰⁵ By the time of the general election in January 1975, there were more political parties than ever before contending for Parliament and Thailand’s first coalition government was established. There was a strong trend towards socialism, with three major socialist parties winning seats.¹⁰⁶ The conservative and royalist Democrat Party (founded 1946), which under the leadership of Seni Pramoj proposed “mild socialism,” was supported by both the liberal and socialist parties to form government.¹⁰⁷ The second largest party was the newly founded conservative royalist Social Justice Party (1973-1976), with strong ties to the former military rule. This party, together with nationalist parties formed the opposition to Seni’s government.¹⁰⁸ After only one month as prime minister, the opposition won a no-confidence vote against Seni, following a proposal to withdraw US troops. The lower house elected Kukrit Pramoj, leader

¹⁰³ Haberkorn, *In Plain Sight*, 83-91, 94ff, 103; *Revolution Interrupted*; Anderson, “Withdrawal Symptoms.”

¹⁰⁴ Thanet Aphornsuvan, “Jak thang daeng theung Tak Bai: Prasopkan nai kankae panha khong rat” (Paper presented at Thammasat University, 23 January 2005), 80-81; Haberkorn, *In Plain Sight*.

¹⁰⁵ Prajak Kongkirati, “Bosses, Bullets and Ballots: Electoral Violence and Democracy in Thailand, 1975-2011” (PhD diss., Australian National University, 2013), 50.

¹⁰⁶ *Ibid.*, 50-51.

¹⁰⁷ Prizzia, *Thailand in Transition*, 90-91.

¹⁰⁸ *Ibid.*, 91.

of the liberal Social Action Party, and younger brother of Seni, as prime minister of a coalition government on 14 March 1975.¹⁰⁹

The military no longer held direct political power but it had not lost its profound influence on politics. The coalition government was unstable, and when the conservative Democrats formed an alliance with the left-wing parties the Socialist Party, New Force, and Socialist Front, a faction of the military put ultimatums on prime minister Kukrit.¹¹⁰ Pressured from all sides, Kukrit dissolved the government in January 1976 and called for new elections in April. No party was able to win a majority and hence the Democrat Party formed a coalition with the far-right wing Thai Nation Party (*Chart Thai*), a party “formed by military generals and provincial oligarchs.”¹¹¹ The armed forces and conservative politicians and business owners began to organize right-wing groups on the fringes of the police and army forces.¹¹² Prajak, writing extensively on electoral violence in Thailand, concludes that:

Unlike the elections in previous authoritarian settings, electoral competitions in 1975 and 1976 were unruly and full of bloodshed. State security agencies and right-wing activists resorted to violence to attack left-wing candidates and their supporters. Electoral violence was, in essence, part of the establishment’s larger violent campaign to eradicate the left-wing movements.¹¹³

The rising tensions in Thai society and the perceived communist threat cannot be understood in isolation from the US withdrawal from Indochina in early 1975, the Khmer Rouge taking over Cambodia in April 1975, and the Pathet Lao overthrowing the Lao Monarchy in December 1975. The French Indochina war that started in 1946 had pushed many tens of thousands of Vietnamese into Thailand where they were initially well received. After field marshal Phibun Songkram’s coup in 1947 and his subsequent alignment with the US in the early cold war era, Thai authorities began targeting Vietnamese refugees as communist threats. Thailand had repatriated more than forty thousand refugees to the

¹⁰⁹ Ibid., 92.

¹¹⁰ David Morell and Chai-Anan Samudavanija, *Political Conflict in Thailand: Reform, Reaction, Revolution* (Cambridge, Mass.: Oelgeschlager, Gunn & Hain, 1981), 261-62.

¹¹¹ Prajak, “Bosses, Bullets and Ballots,” 51, 53.

¹¹² Ibid., 51ff; Groups listed by Surachai Yimprasert, “Kantang klum phalang faikhwa uen uen,” accessed 17 October, 2019, <https://doct6.com/learn-about/how/chapter-3/3-3>.

¹¹³ Prajak, “Bosses, Bullets and Ballots,” 51.

Democratic Republic of Vietnam before the US intervention began. In the years 1974-1976 Vietnamese refugees became targets of overt violence, and after the military coup in October 1976, the Vietnamese communist threat continued to be a *raison d'état* for repression.¹¹⁴

The student movement that in 1973 had gained some political leverage, showing their loyalty to the monarchy and nation, was by 1976 seen more as left-wing radicals. The student movement was accused of being infiltrated by both the Chinese-backed CPT and Vietnamese communists. A discourse of the students as threats to national harmony and as threats to the monarchy served to rally against them on 6 October 1976.

In August and September 1976, the military leaders of the regime who had been ousted in 1973 returned from exile. Protesters who warned about a return to dictatorship were suppressed in an atrocious raid at Thammasat University on the morning of 6 October 1976. Civilians organized in vigilante groups took it upon themselves to protect nation and monarchy and participated side by side with the Border Patrol Police in the murderous acts. The protestors, most of whom were students, were tortured, raped, shot, burned in the streets or hanged in the tamarind trees surrounding the royal turf, Sanam Luang, outside the university grounds. In the evening press the very same day, news and photographs of the violence were published and despite the imposing of a national censorship, gruesome images were spread around the world (among the most disseminated are fig.3, fig.7). Official numbers recognised 46 dead, 180 missing and 3,059 arrested protestors. While most of the detained were released within months, 18 activists were held in jail for two years through a slowly proceeding trial that eventually ended with a general amnesty.¹¹⁵ No state agent was held accountable, just as no one had been charged for the extra judicial killings and forced disappearances that took place between 14 October 1973 and 6 October 1976.

¹¹⁴ E. Thadeus Flood, "The Vietnamese Refugees in Thailand: Minority Manipulation in Counterinsurgency," *Bulletin of Concerned Asian Scholars* 9, no. 3 (1977): 37-42.

¹¹⁵ Tyrell Haberkorn, "The Hidden Transcript of Amnesty: The 6 October 1976 Massacre and Coup in Thailand," *Critical Asian Studies* 47, no. 1 (2015).



Figure 3. Thammasat University, Bangkok, 6 October 1976. By Gary Mangkorn, AP /TT.
Police guarding students forced to lay down on the sports field of Thammasat University campus.

After the massacre and return to military rule with increased political repression, a local human rights movement took form. The primary sources I use reinforce the connection between these human rights groups and an international solidarity movement. As in many other countries by the late 1970s, a solidarity movement forged networks between religious groups, the left, and human rights advocacy groups globally. These groups wrote bulletins and organized political campaigns in solidarity with places like Chile and Argentina where military juntas had overthrown governments, against apartheid in South Africa and against the US war in Vietnam.¹¹⁶

¹¹⁶ On the global solidarity movement see Patrick William Kelly, “‘Magic Words’: The Advent of Transnational Human Rights Activism in Latin America’s Southern Cone in the Long 1970s,” in *The Breakthrough: Human Rights in the 1970s*, ed. Jan Eckel and Samuel Moyn (Philadelphia, Pennsylvania University of Pennsylvania Press, 2014); Jan Eckel, “The Rebirth of Politics from the Spirit of Morality: Explaining the Human Rights Revolution of the 1970s,” *ibid.*

A new tool for the social movements in Thailand was to write and circulate human rights reports. These focused on the conditions and legal rights of political prisoners and the arbitrariness of orders issued by the new military regime. Reports included the situation for refugees coming from former Indochina – a continuation of critique against the US war in the region, but also linked to the Thai state's persecution of communists.

Thailand's first national human rights group was most likely the Union for Civil Liberty (UCL), formed in November 1973 in the wake of the October uprising by lecturers at Chulalongkorn University.¹¹⁷ The UCL campaigned against the military junta's special orders violating human rights, called for political amnesty as well as defended people accused of communist activity.¹¹⁸ The repression following 6 October 1976 and the coup forced UCL to stop its activities but the organization was later revived and continued monitoring human rights in the 1980s.¹¹⁹ Many of the UCL activists joined the Coordinating Group for Religion in Society (CGRS), formed in March 1976 by Buddhist monks and laymen carrying out solidarity work with political prisoners, who joined together with Catholic and Protestant leaders. The group visited prisons, assisted in contacts with lawyers and families and collected information about the conditions for political prisoners and other prisoners of conscience.¹²⁰ The first "Human Rights in Thailand Report" by the CGRS covered December 1976-March 1977. In the report, the group refers to "the inherent dignity of man" and rights as "equal and inalienable," to call for rule of law in their appeals to the government for the case of the political prisoners.¹²¹ Appealing to the Thai state as a signatory party to the UDHR, the CGRS writes:

Human rights should be protected by the rule of law. Whereas disregard and contempt for human rights may result in barbarous acts which outrage the conscience of mankind, the advent of a world in which human beings shall enjoy

¹¹⁷ Chamaiphan Suwatthe, "Botbat sathanaphap khong ongan sithi manutsayachon nai kanmueang thai" (Master's thesis, Thammasat university, 1989). Confirmed by founding member Gotham Arya in a conversation with the author, 15 May 2017, Bangkok.

¹¹⁸ Ibid.

¹¹⁹ Michael Kelly Connors, *Democracy and National Identity in Thailand*, (Copenhagen: NIAS Press, 2007), 214-15.

¹²⁰ On the work and impact of the CGRS see Haberkorn, *In Plain Sight*, 153-64.

¹²¹ Coordinating Group for Religion in Society (CGRS), *Human Rights in Thailand Report: December 1976 - March 1977* (1977), 4.

freedom of speech and beliefs and freedom from fear has been proclaimed as the highest aspiration of all people throughout the world.¹²²

The possibility of raising human rights issues in Thailand was undoubtedly linked to the US experience of the war in Vietnam and the altered international politics under president Jimmy Carter.¹²³ The very first annual human rights reports submitted to Congress by the US Department of State covered 1976–1977, and evaluated observance of human rights and freedoms against the Thai state’s administrative practices and the constitution.¹²⁴ The report by the US Department of State relied heavily on information provided by the International Commission of Jurists (ICJ), one of the first international organizations writing about human rights and the rule of law in Thailand (the first report appeared in 1957). The ICJ’s country report on Thailand in December 1977 focused on the lack of rule of law, the extensive rule of exception known as Order 22, and the case against the eighteen detained after the 6 October massacre. While the ICJ acknowledged that the ruling junta was using allegations of communism arbitrarily, they also described the on-going communist insurgency as a real threat to state security.¹²⁵

The importance of 1976–1977 for the advancement of a grass-roots human rights movement in Thailand is reflected in the lengthy report by Amnesty International in 1977, relying largely on the work by the local CGRS.¹²⁶ Prior to 1976, the early reports of Amnesty International only mentioned the Thai state’s treatment of refugees and a few political prisoners.¹²⁷ The 1977 report repeats what is known through other sources, and in addition it points out the connection to the refugee

¹²² Ibid.

¹²³ Haberkorn, *In Plain Sight*, 138–39, 42; the same has been argued for Indonesia, Brad Simpson, “‘Human Rights Are Like Coca-Cola’: Contested Human Rights Discourses in Suharto’s Indonesia, 1968–1980,” in *The Breakthrough: Human Rights in the 1970s*, ed. Jan Eckel and Samuel Moyn (Philadelphia, US: University of Pennsylvania Press, 2014).

¹²⁴ *Annual Human Rights Reports Submitted to Congress by the US Department of State* (1976–1977).

¹²⁵ International Commission of Jurists, “Human Rights in the World: Thailand,” *The Review*, no. 19 (1977): 10–14.

¹²⁶ As demonstrated by Haberkorn, *In Plain Sight*, 24, 135, 268 n.91.

¹²⁷ Amnesty International, *Amnesty International Report 1 June 1975 - 31 May 1976* (London, 1976); *Annual Report 1972–1973* (London, 1973); *Annual Report 1974–1975* (London, 1975).

issue, mentioning cases of violence exercised by the state and right-wing groups towards refugees from former Indochina.¹²⁸

The human rights movement drew support from a broader social movement that placed Thailand in the international political context of US imperialism. For instance, the information that the CGRS generated was also disseminated in newsletters by solidarity groups around the world.¹²⁹ These were Thai students abroad and Thais in political exile together with people, generally students, in their host countries – such as the US, UK, France, Germany, Sweden, Australia, New Zealand, Hong Kong and Japan. The solidarity material presents human rights as a political tool against the authoritarian state and as a means to ending imperialism.

Human Rights as an Anti-imperialist Language

The international solidarity movement used an anti-US imperialist language which fitted perfectly the critique of the Thai authoritarian regimes that had served US intervention in the South-East Asian region. After the 6 October massacre, human rights became clearly intertwined with the overarching critique of military regimes in Thailand.

A notable example of groups abroad that wrote about Thailand as a human rights cause was the Union for Democratic Thais (UDT) based in Los Angeles, US. Founded in October 1976, their purpose was to give support to the political prisoners, to stop CIA activity and US government military aid to and support of the Thai government, and to support the Thai people's struggle for democracy and human rights.¹³⁰ They used the human rights language in a way that asserted its place in the political conflict, writing that "the dictatorship government of Thailand has violated the universal declaration of human rights," and stating that the 6 October 1976 coup "has ended our people's hopes for democracy and basic human rights."¹³¹ Considering Thailand as being the second largest receiver of military aid from the US, the UDT argued with anti-imperialist rhetoric that "the

¹²⁸ *Amnesty International Report 1977* (London, 1977), 226.

¹²⁹ For more on the human rights solidarity work see Haberkorn, *In Plain Sight*, 153-64.

¹³⁰ *UDT Report*, October (1976), n.p.

¹³¹ UDT, *Thai Bulletin* 1, no. 1 (November 1976), 1-2, 4-5.

defeat of US imperialism [...] must be done with all the anti-imperialist forces around the world. In solidarity and friendship[...].”¹³² Similarly, the French bulletin *Thai d’Information*, argues that 6 October was not an “événement local”, but only made possible by the support of Western state powers.¹³³

Even though the solidarity groups published many of the same texts, the bulletins differed from each other on a political scale from liberal democracy to communism. In publications by international student associations, there is optimism in the lessons learned and the continuous organizing of students for democracy. The student association at Victoria University of Wellington writes in March 1977 in their periodical that “The Thai student movement would grow amidst the stormy times. Bloody oppressions only signify the deterioration of the ruling elite and the ever-increasing strength of the people’s movement.”¹³⁴

In Sweden, a socialist bulletin for solidarity with Thailand had been published since at least 1970. The first two issues in 1970 are by the “Thai Study Group” and printed in English, but for the third issue the same year they changed the language to Swedish and the group name to “The Working Group for Support of the Thai Patriotic Front” (Arbetsgruppen för stöd till Thailands Patriotiska Front). In 1977, they again changed the name to THAIS, an acronym for Thai Association in Scandinavia (in English). The Swedish bulletin, both prior to 1973-76 and following the 6 October 1976 event, has a very strong focus on the insurgency led by the CPT and the Patriotic Front. The Swedish solidarity bulletins in 1977-1978, while sharing the global calls for the political prisoners, do not use the language of human rights but talk instead about the importance of armed struggle for national sovereignty and the people’s liberation. They express optimism towards a radicalized struggle following the coup in October 1976, with more people joining the communist insurgency. It is worth noting that Thailand did not have a strong presence in the Swedish left-wing movement and after the 6 October 1976 massacre and coup both the left-wing press and the national press in general, failed to address the scope and implications of the event.

In spite or because of the massacre and the repression that followed, CPT was a viable option for survivors in the struggle against authoritarian rule. In 1977 it is

¹³² *UDT Report*, October (1976), n.p.

¹³³ Association de Solidarité avec le Peuple Thaï, *Bulletin Thai D’Information*, no. 4 (1977): 7.

¹³⁴ Victoria University of Wellington Students Association, “Thailand - Crimes against the People,” *Salient* 40, no. 4 (1977), accessed 20 March, 2020, <http://nzetc.victoria.ac.nz/tm/scholarly/tei-Salient40041977.html>.

estimated that the communist insurgency armed forces grew from eight or nine thousand to twelve thousand, as the clashes with state forces increased. The CPT did not explicitly use the concept human rights, but they referred to principles of rights and freedoms in their attacks on the Thai state. Establishing links to international advocacy groups was part of the CPT's "united front" strategy.¹³⁵ As an example, in their revised party programme after the October 1976 massacre and coup, the CPT writes against capitalism, feudalism and imperialism, but also for equal rights for men and women, and for all "various nationalities" in Thailand.¹³⁶

There is a tension between the human rights rhetoric and the violent struggle that comes to light in the pamphlets and bulletins after 1976. The Thai government under Prime Minister Thanin Kraivichien (1976-1977) is consistently referred to as fascist in all languages, including Thai. A group calling themselves the Union for Human Rights of Thailand (*sahaphap phuea sitthi manutsayachon haeng prathet thai*) threatens the government that they will resort to violence if their demands for human rights for the political prisoners after 6 October 1976 are not met.¹³⁷ At the same time, pacifism and innocence are key to the appeals to human rights principles made by solidarity groups writing in English. In the appeals for the political prisoners, it is emphasised that the protests prior to 6 October 1976 were ordinary and non-violent. The students themselves insisted on this narrative against the military rulers' accusations of their being armed and infiltrated by Vietnamese communist forces. In a letter from the NSCT to the secretary general of UN, Kurt Wallenheim, the NSCT emphasise that the military cracked down on a constitutionally legal protest that was both peaceful and unarmed and that most of the arrested were "children."¹³⁸ This pacifism is contrasted by rhetorical attacks on the US military support in Thailand.

In the solidarity press, the individual cases against people arrested on and after 6 October 1976 were framed as part of a pattern in the Thai state's judiciary. That

¹³⁵ On human rights and the united front strategy see also, Thomas A. Marks, "The Communist Party and the Strategy of the United Front in Thailand since October 1976," *Asia Quarterly*, no. 1 (1980).

¹³⁶ Transcription of Voice of the People radio broadcasting, 1 December 1977, printed in Association de Solidarité avec le Peuple Thaï, *Thai Information Bulletin*, no. 10 (1977): 33.

¹³⁷ Sahaphap phuea sitthi manutsayachon haeng prathet thai, "Chotmai poet phanuek theung nayok rathamontri chapab thi 2," (1977).

¹³⁸ I found the letter printed on the back side of a poster, in Thammasat University Archive, and also in UDT, *Thai Bulletin* 1, no. 3 (August 1977): 23-24.

pattern pointed the human rights movement to the bigger issue of unchecked and unbalanced powers. The detentions of protestors drew attention to the political conflict that the suppression of protests had aimed to silence. Such was the case against the NSCT leader Sutham who was subjected to physical torture in the Bang Kwang prison. The documentation states that he was beaten with a rubber-clad iron rod and given electric shocks on his penis. Sutham wrote a poem in a letter that was approved by the prison guards, but the poem was later used to charge him with lèse-majesté, a case in point made in the solidarity call (fig. 3).¹³⁹ The new military government after the coup had introduced a three-year minimum sentence and increased the maximum punishment for lèse-majesté from seven to fifteen years.¹⁴⁰

Another case that was given special attention was that of Orisa, president of the United Front of Vocational Students for the People, and the only vocational student among the eighteen who stood trial following the arrests of protestors on 6 October 1976. Orisa, who had been in charge of security during the rallies, was suffering from a severe gun wound to his chin and was denied medical treatment for many months in prison. The appeals were made for adequate care but Orisa also became a martyr symbol for the bigger struggle connecting the 6 October massacre with the success of the demonstrations on 14 October 1973. After writing about “the bravery of the vocational students in the great victory of the political struggle of the Thai people against the fascist dictators Oct. 14, -73,” the UDT goes on to describe how the vocational students had been infiltrated by the CIA in order to break apart the vocational students from the NSCT to recruit them to the right-wing nationalist vigilante group the “Red Gaurs.” Notwithstanding the coercion, Orisa and other vocational students had stood with the student movement against the military dictatorship.¹⁴¹

Despite the immediate state repression of political activism and of any publication or statement deemed socialist or too liberal, the international solidarity movement did not compromise in their political stance against the military regime, the US support, and the international order that was blamed for holding the Thai people

¹³⁹ Ibid. 1, no. 3 (August 1977): 15; THAIS - Thai Association in Scandinavia, *Information Bulletin*, no. 1 (1978): 31.

¹⁴⁰ David Streckfuss, “Freedom and Silencing under the Neo-Absolutist Monarchy Regime in Thailand, 2006-2011,” in *‘Good Coup’ Gone Bad: Thailand’s Political Development since Thaksin’s Downfall*, ed. Pavin Chachavalpongpan (Singapore: Institute of Southeast Asian Studies, 2014), 115.

¹⁴¹ UDT, *Thai Bulletin*, 1, no.3 (August 1977): 1-3.

back. Student organizations around the globe appealed for political prisoners' human rights while underlining the global struggle against imperialism and human rights for the emancipation of all peoples. The solidarity bulletins mirror the political tensions and the global environment in which human rights were shaped in the late 1970s – making human rights violations the justifying critique of the Western world's interference in the global south and authoritarian states like Thailand.

Figures on the pages 51-52:

Figure 4. Poster by the Asian Students' Association (ASA), Hong Kong.

Campaign to free Sutham Saengpratoom, Secretary General of the NSCT, arrested on 6 October 1976. Printed on the back of the poster is an open letter from the NSCT to the UN Secretary General. Courtesy of Thammasat University Archives.

Figure 5. "Kob, A Thai Poem." Printed in *Asia Student News*, by Asian Students' Association (ASA), (March/April 1977): 22.

The photograph in the background shows people looking at bodies burning outside Thammasat University on 6 October 1976. Courtesy of Thammasat University Archives.

FREE SUTHAM SAENGPRATOOM NOW!

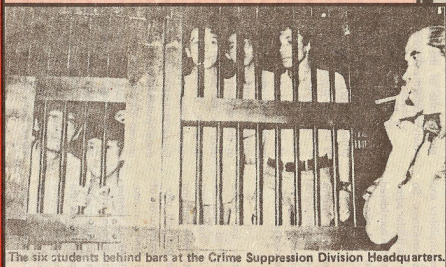
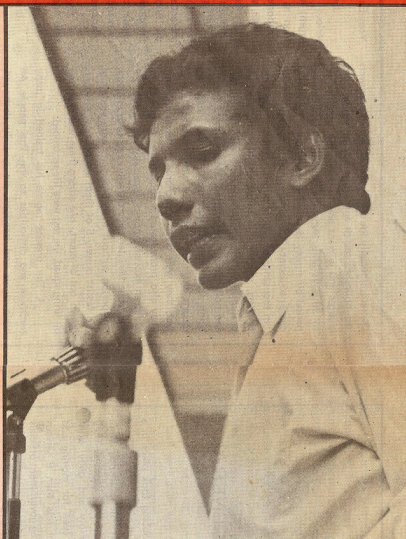
**Campaign for the immediate release of Sutham Saengpratoom ,
Secretary General of the National Student Centre of Thailand.**

Dear friends, brothers and sisters,
dim light glimmers into the dark cell
in the cold of a night. I wake
spread my blanket to friends sleeping besides
thinking of you makes my heart warm.

since coming here, many might have been worried
I affirm that
Bang Kwang, in the eyes of outsiders, may be a cruel place
though we were worn out from other places
Bang Kwang has not added to us insult or injure
friendly eyes, cheerful words are a warm welcome
this place is big enough for me and other friends
many may ask: am I fine or demoralized?

Dear friends, brothers and sisters,
when I was still free
once listened to a monk
who told a story of a mother's gratitude
I was impressed
the story says
new life is born out of a mother's pain and suffering
no new life will come to the world
unless a mother suffers, bleeds and sweats in great pains
it moved me to tears
he was right!

Sutham Saengpratoom
January 13, 1977
Nonburi Special Prison, Special Zone.



The six students behind bars at the Crime Suppression Division Headquarters.

* Sutham Saengpratoom, the Secretary General of the National Student Centre of Thailand, was arrested among the 6 NSCT leaders in the morning of October 6, 1976. Sutham has been detained at the Nonburi Special Prison, Special Zone (or called Bang Kwang in other name) since the coup.

As well as other "hard core" student leaders, Sutham has been subjected to two methods of torture: electric shock at his penis and beating with an iron clad covered with rubber.

This poem letter was examined and stamped "Approved" by the Prison Department on January 14, 1977. Sutham is now facing a "lese majesty" charge, a reference to the mock hanging incident which involved a student whose face resembled the crown prince. The Bangkok regime has since late last year announced that the investigation of his case would be finished soon, but so far it renewed his detention, and there is no sign that he will be tried.

**Support the just struggle
of the Thai people for
people's democracy and independence.**

published by the Asian Students' Association Secretariat, c/o 511, Nathan Road, 1/F, Kowloon, Hong Kong.



KOB A THAI POEM

Kob,
is that you,
hung from the tamarind tree
bloody —
and why have they cut your hands off?
you said you would struggle in all ways,
Kob, i believe you now.

do you remember
one morning, how we were walking on that mud path to the village?
The sun was hot, and the way long,
i tried to keep up with you, but my legs were tired
and i kept slipping
You slowed down to wait for me,
and to pass the time away while we walked together,
you told me a funny story of
the little girl who tried to walk to school in the rain,
but found that for each step forward that she took, she would slide back two,
because the road was slippery.
So she turned around and walked backwards,
and in that way she reached the school in no time at all.
We laughed, and then already our village was in sight,
and my legs seemed strong again.
You said you would struggle in all ways, Kob,
i believe you now.

Today, Kob,
when i saw you
hanging from the tree,
your hands cut off,
i thought i could walk no more, ever.
But then i remember your laughter,
and how you said you would struggle in all ways,
and i grow strong again.
Kob, i believe you now.

*by a friend of one of the students who was beaten to death
during the Thammasat Massacre, and whose body was later
hung and mutilated near the university, before being burnt
with three others.*

The End of the Cold War and Towards a Democratic Narrative

If universal human rights had been an international affair for the Thai state in the 1950s and 1960s, the violence in the 1970s turned them into a domestic issue. 1977 saw an increased movement for human rights, but human rights did not replace more radical and emancipatory political visions. Rather, those visions were part of the context in which human rights could enter political thought in Thailand after the 6 October 1976 event. This context was a highly political struggle about the future of Thailand, nearing the end of the cold war.

Back in 1974, at the same time as the struggle for radical social change was ongoing, King Bhumibol had launched the “sufficiency economy” philosophy. Founded in Buddhist morals as a model for raising farmers from poverty without redistributing wealth, it conformed to both conservative and liberal politics and posed no threat to authoritarian military rule. The king’s engagement in rural development was to become a nationally unifying force in the battle against communism. The CPT had been able to advance in the countryside where the state was absent or merely acting through its military force. After the height of communist insurgency in 1979, the CPT began to diminish due to both international and national changes. When Vietnam intervened in Cambodia in 1979, the rift between Soviet and Chinese-backed communist movements spilled over to Thailand. China, who continued supporting the Cambodian Khmer Rouge with arms, withdrew its support for the CPT. In 1980, under prime minister Prem Tinsulanonda (1980-1988), Thailand’s counter-insurgency strategy turned to emphasise political and social development in order to meet the identified but neglected needs of the rural population.¹⁴² Insurgents were offered the opportunity to come back to society without repercussions, leading to thousands of students returning to universities in the early 1980s. By the mid-1980s the insurgency had officially ended.

Throughout the 1980s, human rights found a place within the growing numbers of NGOs in Thailand. There is a gap in more general research on human rights developments and movements during this period in Thailand, while much more interest has been afforded to the 1990s in the wake of the new democracy movement and the writing of the 1997 constitution. For example, Don Selby

¹⁴² Pasuk and Baker, *Economy and Politics*, 328-29.

argues that human rights “emerged” in Thailand in the 1990s and that those who had been political activists in the 1970s re-formulated their politics in the light of the “new” framework of international human rights.¹⁴³ Indeed, several of the socialist activists in the 1970s became prominent public figures influential in promoting human rights at both state and non-state level in the 1990s and early 2000s.¹⁴⁴ There is no question that the 1990s is an important period in human rights history, not least because by then human rights were increasingly institutionalized around the world and thus also in Thailand. At the same time, they were contested through the Asian values debate – manifested in the Bangkok declaration on human rights, 1993.¹⁴⁵ Still, Thailand followed the global trend, ratifying several key human rights conventions. The National Human Rights Commission of Thailand (NHRCT) was also modelled in accordance with the Paris principles (1991), the Bangkok declaration and the Vienna declaration (both in 1993).¹⁴⁶ The NHRCT and other measures to institutionalize human rights cannot be treated as a completely foreign import to Thailand, but the NHRCT was also not a product of a distinct national development of the 1990s democracy movement.¹⁴⁷

My own study shows that the leap from the 1970s radical activist movement to the 1990s human rights movement and institutionalisation is full of nuances along a political spectrum of transnational movements. I would argue that, in the light of the Thai state’s early engagement with the international human rights regime in the 1950s and the popular engagement in the 1970s, the growing trend of human rights in the 1990s is better regarded as a different form of both conceptualizing and institutionalizing human rights in Thailand. In the 1970s, human rights could still have been imagined as part of an emancipatory project of the Thai left, but this changed in the 1980s. Thailand thus follows a global trend

¹⁴³ Selby, *Human Rights in Thailand*.

¹⁴⁴ Kanokrat treats this as a “re-alignment” of radical ideas with liberal progressiveness, Kanokrat Lertchoosakul, *The Rise of the Octobrists in Contemporary Thailand*, Southeast Asia ed. (Chiang Mai, Thailand: Silk Worm, 2016), 14ff, 19, 112.

¹⁴⁵ Vera Mackie, “Introduction: Ways of Knowing About Human Rights in Asia,” *Asian Studies Review* 37, no. 3 (2013); Amartya Sen, “What Lee Kuan Yew and Li Peng Don’t Understand About Asia,” *The New Republic* 217, no. 2-3 (1997).

¹⁴⁶ Sonia Cardenas, *Chains of Justice: The Global Rise of State Institutions for Human Rights*, 1st ed. ed., Pennsylvania Studies in Human Rights (Philadelphia: University of Pennsylvania Press, 2014), 192, 210-12.

¹⁴⁷ Compare with Selby, conclusion to *Human Rights in Thailand*.

as argued by Samuel Moyn: The end of the cold war was also the triumph of global neoliberalism and with that human rights ceased to be an operational language for global social justice and equality. Human rights conformed to rather than challenged economic and social inequalities.¹⁴⁸ This still did not mean a triumph for human rights in Thailand, as state practices under both democratic and non-elected regimes through the first two decades of the second millennium have shown.

The window of opportunity for human rights in Thailand was opened by a particularly violent moment in history. The movement in the late 1970s highlighted an emancipatory potential of human rights, by positioning Thai people as subjects of human rights to make claims against the Thai state. At the same time, the events in the 1970s turn attention to contestations over the notion and meaning of the concept, and the possible depoliticization of human rights.

In this chapter I have shown how a human rights subject in Thailand was constructed in the political context of a particular historical moment. From this more general understanding of the historical and political conditions for human rights, I will now move on to the study of engagement with photography within a human rights discourse. In the next chapter I present the methodological and ethical challenges of the photographic source material.

¹⁴⁸ Moyn, *Not Enough*, 174-76, 216.

2. Sources, Method, and Methodology

In this chapter I describe my process for collecting source materials, the interplay between that process and the development of the thesis, the shaping of the research questions, the analytical framework and the methodology. The source materials were collected over a period of five years and from several different places including digital spaces. The divergent nature of the source materials – newspapers, magazines, pamphlets, leaflets, books, exhibitions, monuments, and museums – required me to constantly reflect on the role of photography. The content of the photographs and the context of their making demanded careful reflection of my own role in this study. Ethically grounded choices were made throughout the process, from collecting to analysing and to disseminating my knowledge. The ethical questions have to be raised in relation to the human rights issues in the photography that I study, and with regard to using photography to study human rights. Therefore, a discussion on ethics foregrounds this chapter. Thereafter, I describe collecting source materials and the conclusions I've drawn from that work. From that follows an outline of my analysis of the photographic source materials. The analytical method is closely tied to an ontological and theoretical approach to photography, and I argue for the fruitfulness of thinking through Ariella Azoulay's concept of "the event of photography."¹⁴⁹ I begin with ethical questions concerning the photographic source material and the choices I have made during my research.

¹⁴⁹ Azoulay, *Civil Imagination*.

In Search for an Ethics of “Looking”

The choice of subject puts moral responsibility on me as a researcher. The material in itself demands that ethical questions be raised, both about my choices and about the ethics of engaging with photography of violence and suffering. Curiosity might enthrall a researcher to find knowledge. However, gaining and disseminating knowledge are two different things with which a researcher engages. The sources – visual materials – make writing without looking impossible. And it is difficult to support my interpretation if the evidence has to be seen, but cannot or should not be shown. Ethical guidelines are required for my own looking (as part of my research), for my writing about what I have seen, and for choosing what to disseminate for others to look at.

One guiding principle has been to only include photographs that have already been published and circulated. The conditions for this principle have changed with digitalisation, which has made more photographs available over the course of my thesis writing. The photographic series discussed in article III can be experienced in its entirety online, where it has been expanded since the publication of my article. The digital site Documentation of October 6 (doct6.com) collects photographs from multiple sources, and it has contributed to reducing confusion over the previously existing photographic reproductions.

That a photograph has been published countless times does not alter the ethical issues concerning further dissemination. First, the fact that there are photographs in circulation draws attention to photographs that have not been disseminated: the moments, people, and actions missing from known records. We have to ask critical questions about what dictates what we can look at and where we focus our gaze. We must take on the seemingly impossible task of considering non-existing photographs and what that non-existence indicates. For a photograph to be made and then preserved or disseminated, several factors have to be at work and these are conditioned by economic, social, and political relations.¹⁵⁰

Second, holders of copyrights are rarely stakeholders in the issues addressed by the publications. Most photographs I have collected were originally published in the daily press and/or sold by press agencies. There is intention behind editors' publishing choices but editors and press photographers are themselves not subjects

¹⁵⁰ Allan Sekula, “Reading an Archive: Photography between Labour and Capital,” in *The Photography Reader*, ed. Liz Wells (London: Routledge, 2003).

of the photographs – they are neither the victims nor the perpetrators of the photographed event.

The caption is a first layer of interpretation that I have taken into account when analysing the first publication moments, but they are neither the only nor the “final” descriptions of what is seen in the photographs. I have chosen to translate texts from photographic publications as these give context, but in cases where I publish photographs provided by press companies, I have chosen not to publish the captions they provide. Firstly, these are not the original captions but added in the press companies’ cataloguing systems. Secondly, captions are not neutral: they are categorizing and they inscribe photographs with signs that guide our looking. The “news logic” that editors of the popular press follow is different from the logic behind analytical research. That leads me to the third consideration. I argue that photographs as well as the meaning of photographs, are shared property. Photographs exist in social exchange, and after photographs enter circulation, they become the responsibility of anyone engaging with them. Photographs move between different contexts over time, making them useful for understanding history and most importantly, the people who are subjects of history.

In my archival work I have come across publications and photographs I believe have not been widely disseminated. These serve mostly as reference, but I have chosen to publish some as illustrations of the material to show on what I base my interpretations and conclusions. In many cases I do not name victims, or use only first names or nicknames, even if the full name is known through other publications and even if I sympathise with the intentions to restore personhood through naming. This choice is founded on the fact that I am not a stakeholder in the struggles in which the photographs are embedded. In article III, the naming is a constituent part of the photographs, as is the case for some of the photographs I have traced in article IV, so removing the name would alter the object of study. My conclusion is that there is not one guiding principle that holds for all the photographic source material, and more generally that a responsible engagement with photography – particularly of other people’s suffering – requires consideration also of the context of which one’s own engagement becomes a part. An ethics of “looking” thus goes beyond my own encounter with a photograph.

Reflecting on what “regarding the pain of others” does to us, should do, and cannot do, Susan Sontag writes that “[p]hotographs objectify: they turn an event or a person into something that can be possessed.”¹⁵¹ To Sontag, the “regarding”

¹⁵¹ Susan Sontag, *Regarding the Pain of Others* (New York: Farrar, Straus and Giroux, 2003), 81.

is done from a distance (in time and space, mediated through photography), and it allows us to be passive – to look without acting. In the ethical discussion, Sontag challenges such a consumption of photographs of atrocities by turning the people in the photographs from objects into subjects:

These dead are supremely uninterested in the living: in those who took their lives; in witnesses – and in us. Why should they seek our gaze? What would they have to say to us? ‘We’ – this ‘we’ is everyone who has never experienced anything like what they went through – don’t understand. We don’t get it. We truly can’t imagine what it was like.¹⁵²

This is persuasive rhetoric, but it is a critique that is partly launched from the same distance as Sontag’s “regarding.” Sontag assumes that the context for circulation of photographs is distant, not just in time and space, but from the people in the photographs. However, the distance in time – a pastness we cannot change – might not be a distance in space. What happened then could have happened here. And photographs of what happened then and there are tangible here and now. Sontag’s ethical reflection is in essence an observation of a particular reality, that is the instances of a passive consumption of photographs through news or art. Susie Linfield asks what we should do with such an observation:

Now we know that pictures of affliction can be easily ignored – or, even worse, enjoyed. Now we know that photographs of suffering can be the start of human connection – and the endpoint to deadly fantasies of revenge. Now we know the fatal gaps that exist between seeing, caring, understanding, and acting.¹⁵³

Linfield proposes that the crucial question is, how “we use images of cruelty.” “Can [photographs] help us make meaning of the present and the past? If so, what meanings do we make, and how do we act upon them?”¹⁵⁴ I will discuss this viewpoint further on in relation to a human rights discourse, but here I want to return to the question of what a photograph is in a social exchange. Linfield suggests it is something that can help make meaning, but again, it might not. Photographs can be used, and I study the usage of photography – images which

¹⁵² Ibid., 125.

¹⁵³ Susie Linfield, *The Cruel Radiance: Photography and Political Violence* (Chicago Ill.: University Of Chicago Press, 2010), 60.

¹⁵⁴ Ibid.

at times are of the type that Linfield finds ethically defensible. Yet, I am involved in the phenomenon that I study. Following Azoulay's reasoning: I am both addressed by the photograph and I can "produce" and disseminate a meaning for it.¹⁵⁵ Michelle Caswell identifies this complex research position when writing about the archive of mug shots from the Khmer Rouge S-21 (Toul Sleng) prison:

When we view these mug shots as records, that is, evidence of human activity, we see them within their proper context. Viewing the mug shots as records first and foremost forces us to connect them to the violation of human rights that occurred in their creation and the performance of human rights that occurs in their use.¹⁵⁶

In Caswell's case, performance of human rights includes preservation for remembering, for identification of victims, and as legal evidence to seek justice.¹⁵⁷ Human rights function thus as an ethical justification.

I study human rights as a phenomenon, it is my object of study, and even if I am sympathetic to a human rights cause, I cannot use it as my armour. What I am doing when engaging with these photographs does not become an ethical act through the label human rights alone. Though I am not passively regarding violations, it remains a fact to me that this work emanates from someone else's struggle and suffering. The photographs I engage with are filled with people who have had no say about being included in my research. Some are dead and therefore cannot be asked, while others are known or unknown perpetrators of violence. These photographs have been produced in violent contexts, and while throughout this process I have made ethical considerations about showing and publicising the photographs, I also have an ethical responsibility to make the photographs – in all their violence – visual in history. And that responsibility extends to understanding the role of the photographs and the context of their production in history. My involvement is more than a recognition of the suffering, it is an intervention in the history of it. By writing about it and reproducing photographs, I propose that this is important, casting light on the violence as well as the human rights discourse. The intervention in history consists of not only adding yet another moment of publication to the ones that I study, but also in the suggestion that

¹⁵⁵ Ariella Azoulay, *The Civil Contract of Photography* (New York: Zone Books, 2008), 14.

¹⁵⁶ Michelle Caswell, *Archiving the Unspeakable: Silence, Memory, and the Photographic Record in Cambodia* (Madison, Wisconsin: The University of Wisconsin Press, 2014), 162.

¹⁵⁷ *Ibid.*, 163-64.

there is a history worthy of attention, and one from which we can also learn ethical lessons.

Collecting Source Material

There is no single comprehensive archive from where the sources I have used can be retrieved. It was not obvious in which repository to begin. The sources are fragmented and not all of the same kind. The collection process has required repeated visits to some of the repositories, as archive indexes are not always complete and as I did not always know how to approach that particular repository. A majority of the source materials have been retrieved from libraries and traditional archives, others have been shared with me by people I have met through my research, and I have used sites such as museums and monuments as sources. I have also visited commemorations, photographic exhibitions, talks and other events that engage with photography related to political violence in Thailand.

I conducted the initial collection of source material in Thailand in November-December 2012. That survey was limited to the National Library of Thailand (NLT), the National Archive of Thailand (NAT), and the archive of the English daily newspaper Bangkok Post. This was a practical decision as the Bangkok Post was the only newspaper responding that they welcomed me to their archive. The English daily *The Nation*¹⁵⁸ informed me that upon moving offices they had destroyed most of their holdings, while giving some to the Bangkok Post. I visited several scholars and their guidance to possible sources led to my first visit to the Labour Museum of Thailand and the NGO Humanset/Friends of the Assembly of the Poor. During this first collection of source material, I made a few discoveries that shaped my research moving forward. After discovering what was dominating the repositories and the photographic reproductions, I began reflecting on what was not in these repositories. Apart from realizing my own expectations, this drew my attention to the political and historical context for publication and archiving in Thailand. From the start I had not thought much about the archival reality beyond a mere theoretical engagement, i.e. a de-constructivist or post-colonial approach to archival practices and knowledge. Instead the repositories have become an important part of the object of study (I write more about this in

¹⁵⁸ Founded in 1971 as *The Voice of the Nation*.

chapter 3). The sites and repositories have also had a very practical impact on my work. The very discovery of a source has turned out to be a research finding in itself. Each time I found a publication with a photograph from either of the two October events (1973 and 1976), it added to the previously non-existent (scholarly) knowledge about the prevalence of photographs, and their publication contexts, over the four decades that have passed. This way of collecting informed me about the photographic reproduction but also about the conditions for dissemination and preservation of this type of material in Thailand. Against such research findings I could approach the newly produced photographs in the series *For Those Who Died Trying*, by Luke Duggleby and the NGO Protection International (article III).

I returned to Bangkok in January 2014, focusing then on the Thammasat University Archive (TUA). From February to April 2014, I spent my time at the Australian National University and collected material from the National Library of Australia (NLA) in Canberra. This proved to be the most comprehensive repository for Thai and English language national newspapers and magazines. At the NLA there is also a large collection of rare books published in Thailand, and I was greatly helped by the librarians to acquire copies of publications valuable for my material collection. What I couldn't find there I retrieved digitally from the Cornell University Library, USA. From January – May 2015 I was a guest researcher at Thammasat University and could return to the TUA again, as well as the repository of local organizations and private collectors. The final collection of source material in Thailand was conducted irregularly between December 2016 – April 2017.

I want to foreground that my work with this thesis has run parallel with others who engage with photographs, and their initiatives have influenced my own work (articles III and IV). This influence goes beyond museums, monuments, commemorations etc. that I have incorporated in my source material. At the TUA I was truly helped by Ravin Thomya who had an academic interest in the 6 October event, and shared books and publications with me. After I had presented my work at the Department of History, Thammasat University, in April 2015, I came into contact with Patporn Phoothong and Puangthong Pawakapan, who were then in an initial stage of starting the Documentation of October 6 project (doct6.com). Patporn had already produced one documentary about the memory of 6 October, and in 2016 she released a second documentary, followed up in 2017 with a third documentary called *Two Brothers (Song Phi Nong)* about the relatives of two electrical plant workers lynched by police in September 1976 – an

incident that has served as a prelude to the photographic narrative of the 6 October massacre. I was on parental leave throughout 2016, and I only engaged in my research during the 40th anniversary commemoration of 6 October 2016 at Thammasat University. After that event I started conversing with Patporn about the photographs and shared material with the Documentation of October 6 project. Patporn's visual work concerning the memory of 6 October has been informative for both article III and IV in this thesis, and the doct6.com-project is discussed in chapter 3.

It is not solely within the Thai publication context that I have found material relevant to my study. At the TUA, I came across clips from international newspapers reporting on the 6 October event, and also documents with the sender and authors being student organizations and solidarity groups abroad. Tyrell Haberkorn shared with me a bulletin published by the US-based Union for Democratic Thais (UDT) and news-letters by the Thailand-based, but internationally connected, Coordinating Group for Religion in Society (CGRS). I was invited to talk about my archival work at the Swedish Labour Movement's Archives and Library in Stockholm. In the archives was a poster with a photograph from 6 October to advertise a solidarity meeting in Stockholm, which I dated to October 1977 (fig. 6). That finding made me interested in a possible Swedish solidarity movement and I found an almost complete collection of a bulletin about Thailand kept at the National Library of Sweden. I was able to compare the texts and photographs in those publications with various bulletins and pamphlets from the rest of Europe, the US, Australia, Japan, and Hong Kong.

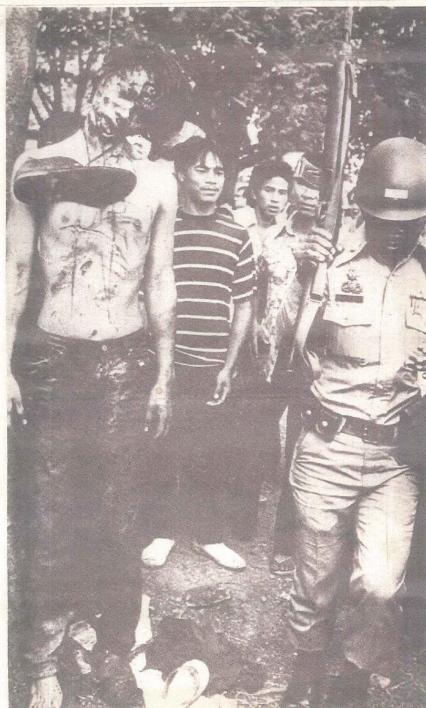
A final note on my archival work is in order before moving on to the specific method applied to the source materials. The different repositories that I have used have different resources and different organizational principles. For instance, at the National Archive of Thailand I could retrieve photographs from the days 13-15 October 1973, but none relating to the 6 October event (this experience has been confirmed by others). I made repeated visits to the Thammasat University Archive, which allowed me to use different search strategies for material related to the two October events. The Thammasat University Library holds Thai newspapers dating back several decades, but the binders covering the date 6 October 1976 were either missing or damaged. The National Library of Australia has collected Asian language material since the 1950s, with country-specific curators and a separate reading room for on spot access. The technical equipment is of high standard, making reading and compiling easy. Newspapers not available on microfilm were retrievable as hard copies. My experience of the immense

difference in resources between repositories inside and outside Thailand is of course a legacy of the Asia Area Studies institutions established at Western Universities in the aftermath of the Second World War, to strengthen Australian, European and North American geopolitical interests in the regions.¹⁵⁹ That said, the publications that make up the majority of the primary source material in this thesis are produced and circulated in Thailand. The places and events that make up part of the sources are also located in Thailand. The only exception is the solidarity material mentioned above.

My method for collecting and analysing source materials has been an open-ended process with a wide scope: I accept different types of material (various publications, events, and places), a timespan over four decades, and I have let the source material be reflected in my research questions. This approach facilitated identification of tendencies over time, and shaped an empirically based analysis. One of the results from collecting source material has been the importance of the two events 14 October 1973 and 6 October 1976 as “events of photography” in Thai history and in Thai human rights histories. In the following section I will describe how I worked with the photographic material related to the two October events, and why this material is relevant for shaping my analysis.

¹⁵⁹ Peter A. Jackson, “South East Asian Area Studies Beyond Anglo-America: Geopolitical Transitions, the Neoliberal Academy and Spatialized Regimes of Knowledge,” *South East Asia Research* 27, no. 1 (2019).

SOLIDARITET MED DET THAILÄNDSKA FOLKETS KAMP MOT FASCISMEN!



Möte i ABF i Stockholm, SVEAVÄGEN 41, 1 tr.
Torsdag den 6 oktober kl. 18.00-22.00; Katarisalen
Fredag den 7 oktober kl. 18.00-22.00; Sändersalen
Lördag den 8 oktober kl. 10.00-16.00; Sändersalen

Figure 6. Poster announcing a solidarity meeting in Stockholm, October 1977.

Headline reads: "Solidarity with the Thai people's struggle against fascism!" Courtesy of the Swedish Labour Movement's Archives and Library.

The Role of 14 October 1973 and 6 October 1976

My analysis of the role of photography for human rights in Thai political history has been shaped in tandem with collecting source materials, and especially photography relating to the two events 14 October (1973) and 6 October (1976). The October events have been particularly important as support for the benefit of thinking through “the event of photography”. As I point out in the first chapter of this introductory overview, the two October events had an impact on the development of human rights in Thailand. For this thesis, they are significant in terms of how they have been understood over the past forty years, and how that in turn, reflects on the development of the events as human rights events. Photography has been my source for tracing that development, with a focus on the appearance of a human rights subject.

My initial research questions were ignited by the repeated referral to these two October events among human rights and other political activists in Thailand, among Thai scholars, and among foreign scholars writing about Thai politics and history. The discussions and historical writing were frequently illustrated with photographs, leaving a visual imprint on me. There is a generally held truth among academics who had been involved in, or written about the two October events: whereas the event 14 October 1973 event had become part of a national history, the 6 October 1976 event had been silenced and left out. The manners in which this had come to happen were more obscure. I was intrigued by the role of photography in the published writings about the events: what type of photographs were circulated, in what context, and what meanings they carried or were attributed. I started asking questions about how photography contributed to history and memory, especially of such violent events. What role did photography have in shaping understanding of the events? The October events and photographs from the events appear a lot in Thai human rights contexts and I wanted to understand why. What was it with the events and the photographs that lends itself to a human rights discourse? Putting it in the context of global human rights history, to answer the difficult why question, I needed to find out more about when and how this tendency had come about.

I began by collecting as many photographs as possible that could be found in various types of publications: daily press, popular magazines, official school history books, and academic as well as other books. Soon it became clear that a genealogy over the photographs from the two events was needed, of when and where specific photographs were published. To outline a sort of timeline for the

publication moments, I collected national daily newspapers, in Thai and English, from the days before and after the events of 14 October and 6 October. I continued with end-of-year wrap-ups in newspapers, and a couple of months following until mentions of the events thinned out. Thereafter I looked at newspapers for the dates 14 October and 6 October a few years following the events with special attention paid to the dates for every tenth anniversary, as appeared in daily newspapers as well as popular magazines.

I counted publication moments but it was soon clear that what I had initially treated as one and the same photograph, were actually several different photographic frames. The same scene had been photographed from different angles and most likely by different photographers. In several of the photographs people with cameras are also visible. This attested to both events being public and well-recorded. The silencing of 6 October was not due to lack of visual documentation. However, the photographs often figured as illustrations, without guiding information as to what one is actually looking at. Paying attention to captions, I could observe that information which, at an early stage had been known, for instance the names of victims in photographs from the 6 October massacre, had later been lost. In other instances, no photograph exists of either the human activity or the agents behind the event, but only of a violated body. In others there is only the name of a missing or dead person but no photographs of what happened prior to death or disappearance.

Some photographs were published to a much greater extent than others and there are likely several possible explanations to that: photographs commissioned by press associations were more widely spread, the aesthetic composition plays a part in the editorial choice, but also that a big part of the reproduction, especially during the first two decades, are copies of already published press photographs. Regarding the photographs of 6 October, it is important to remember that the photographs that circulated during the first two decades following the event were picked up from the few publications that had been printed prior to the general censorship issued on the press by the military junta (see also article IV).

Clare Veal presents an excellent overview of the 1970s development of photojournalism as a profession in Thailand, and the 14 October 1973 event as a breakthrough moment for Thai press photography.¹⁶⁰ The developments of Thai photojournalism during the 1970s are also important for understanding circulation of photographs in Thai and foreign publications. Veal finds no

¹⁶⁰ Veal, "Thainess Framed," 329-30.

supporting evidence for the presence of foreign photojournalists in Bangkok in October 1973¹⁶¹ and images owned by foreign press agencies that I have found in my research support this claim. However, by 1976, the wars in Vietnam, Laos, and Cambodia attracted Western and Japanese photographers to Southeast Asia, with Bangkok being a strategic hub in the region.¹⁶² One of them was Associated Press photographer Neil Ulevich, who was awarded the Pulitzer Prize for a photograph of one of the lynchings on 6 October 1976 (fig. 7); another, Frank Lombard, a journalist for a New Zealand radio station whose photographs can be seen on the Documentation of 6 October website.



Figure 7. Lynching in Sanam Luang, Bangkok, 6 October 1976. By Neal Ulevich, AP/TT.
Victim and perpetrators unknown.

¹⁶¹ Ibid., 331.

¹⁶² Ibid., 331-32.

Another finding to which the photographic reproductions attested was that while 14 October had remained in the public and in a national historical imaginary, it was within a particular narrative that refuted nuances, and especially paid no attention to the state's complicity in the violence (this is discussed in article IV). Against that, the state violence as well as the violence by rioting protestors is an uneasy trope in the photographic reproductions – reflecting competing narratives about the 14 October event. As it turned out that the people's demonstration “won”, the societal war had to be turned into a societal victory. The students as righteous was an image created immediately by the press, which had planted its support for the protests at an early stage.¹⁶³ In the reproductions there is also a tendency to display the students not as rioting but in defence positions, and their deaths as sacrificial for a higher cause. The photographs are impossible to detach from their symbolism, but that symbolism also has a context and a history. In the case of 6 October, it is particularly clear that the symbolism has changed over the course of forty years through contesting narratives and activist work, such as the digital archive Documentation of 6 October.

As I mentioned in the section about my archival work, there are gaps in official repositories, and preservation over time and between different places is uneven. These conditions for preservation condition in turn which photographs and publications have been reproduced, and that extends to the possible ways the two October events have been understood. In article IV I write about how 6 October could return to the public space with the 1990s new democracy movement. The very repression of narratives about the event over the first 20 years made the event an even stronger symbol for state violence and impunity and, I would argue, also made it possible for it to appear as a human rights event. These observances and conclusions from my archival work, shaped my method for analysing and, later, also confirmed my ontological position.

Analytical Method

The four articles have different themes and different empirical sources. Article II diverges from the rest as it is based on secondary sources and does not engage with photography. It is connected to the other articles as it discusses the image of the Thai political subject. Photography is the main focus of this study and the

¹⁶³ A general popular support in the press is argued by *ibid.*, 314.

following section focuses on my analytical method. The method has been developed through the course of my research, and thus the clarity of method varies between the articles published at different stages of thesis writing.

In my analytical model, I make a functional differentiation of levels between which the analysis is moving. All the concepts will be discussed further but I want to briefly first introduce the analytical levels. One level is the content of the photographic frame and its possible indexicality – what we can know from only looking at a photograph. The second level is the narratives that reproductions of several photographs produce. This level is complicated by the contextual and material limitations for publicising photographs and creating narratives. The third level is the relationship between the photograph as indexical of a past and the “image.” These levels are reflected in the material but also an outcome of my research, a model that is based on how photography is used in the empirical sources.

A foundational base of the analysis in articles I, III, and IV is that it is not only photographs that I study but photography as a social practice. None of the photographs or the photographic publications in my source materials can be detached from context. I incorporate the photograph, the narratives, and the context for publicising in the theoretical concept of the “event of photography.”¹⁶⁴ In this event, everyone who engages with the photograph is part of a “civil contract.” In the section that follows on from the methodological discussion I will outline this “political ontology of photography” as it is argued by Azoulay.

The first level of the analysis concerns content and indexicality of the photographs. It is through indexicality that photographs lend themselves to evidence of history. This character of truth and evidence is “constituted by the material stability of the content in terms of ‘reality’.”¹⁶⁵ It will be clearer further on in this thesis that I question any stable meaning in a photograph, but for analytical clarity, the assumed “material stability of the content” must be explained. The indexicality of a photograph is basically a description of what is seen in the photograph. To the influential photographic thinker Roland Barthes, indexicality is derived from the “analogical perfection” that Barthes considers the

¹⁶⁴ Azoulay, *Civil Imagination*.

¹⁶⁵ Elizabeth Edwards, *Raw Histories: Photographs, Anthropology and Museums*, (Oxford: Berg, 2001), 88.

photograph to be.¹⁶⁶ This means that a photograph, in its light-capturing can be treated as “a trace of the body that stood before the camera.”¹⁶⁷ We see an object in a photograph and we understand that there was once an object like that in a place that existed before, if only for seconds, before we looked at the photograph – therefore, a photograph can be treated as evidence in history. However, a photograph can also mean something. We look at it and interpret what we see. To Barthes, any message of a photograph is firstly denoted and secondly connoted. In other words, there is “message proper” and a “second-order message” in all photographs. Connotation is “the imposition of second meaning on the photographic message proper”, or “a coding of the photographic analogue.”¹⁶⁸ Connotation is produced through editing, choice of angles, lighting, framing, objects in the frame, aesthetic principles, captions etc. As will become clearer, I think it is objectionable to treat a photograph simply as an analogue perfection of that which once was, i.e. a representation of a past reality (see chapter 3). Despite that, Barthes’ definition is descriptive of how people actually engage discursively with photographs. It is important to have this in the back of the mind when considering photographs as historical objects and historical sources.

My second level of analysis is narrative. This level is particularly important to understand what kind of narratives about the past are created through the photographic reproductions. My material consists of photographs on display with other photographs, usually as a series, though not always a progressive sequence. What photojournalism does when arranging photographs sequentially is “adopting the functions of written and spoken language.”¹⁶⁹ This means that connotation is no longer in a single photograph in the sequence, but “what the linguists would call the suprasegmental level.”¹⁷⁰

In article IV, I describe how photographs are used to narrate the cause of events, from the dictator Thanom returning as an ordained monk on the streets of Bangkok, to the massacre on 6 October 1976. The sequence of photographs

¹⁶⁶ Roland Barthes, *Image, Music, Text: Essays* trans. Stephen Heath (New York: Hill and Wang, 1977), 17.

¹⁶⁷ Sarah Sentilles, “The Photograph as Mystery: Theological Language and Ethical Looking in Roland Barthes’s *Camera Lucida*,” *Journal of Religion* 90, no. 4 (2010): 513.

¹⁶⁸ Barthes, *Image, Music, Text*, 20.

¹⁶⁹ Daniel H. Magilow, “Photography’s Linguistic Turn,” in *On Writing with Photography*, ed. Karen Beckman and Liliane Weissberg (Minnesota: University of Minnesota Press, 2013), 96.

¹⁷⁰ Barthes, *Image, Music, Text*, 24.

begins with the monk Thanom and the protestors, followed by the execution of two electrical plant workers, and the student mock hanging as a response. The narrative up until that point, when the photographs of the mock hanging were taken but not yet printed in the press, could have taken on a different cause, as assumedly the students intended. But, as Alan Klima notes on the matter, “to sign and to mean is not to control the circulation of your signs or the meaning that they carry.”¹⁷¹ The photograph, I argue, must be understood through the context of its circulation which sometimes is the sequence in which it appears.

My narrative analysis is based on how the photographs are used, first in their original publication context, which is predominantly the daily press, and secondly, in reproductions. The photographic narration is a linear story that gives structural logic to the photographed events. As such, the photographs are “historical agents”, influencing “the way in which those events were viewed at the time,”¹⁷² but they cannot be treated as evidence of the cause of events. These narratives are part of overarching discourses, but there are also very material limitations to discourses and possible narratives related to the conditions for dissemination, circulation, and preservation. It is clear that photographs from violent events are treated as a sort of evidence. (I write about this activist practice in article III.) Veal has also argued for “the notion of truth” as “central to the medium’s ideological power in a Thai context.”¹⁷³

As is evident in article IV, the photographs analysed are related to images: the image of the student, the activists as righteous or unrighteous, royalist and nationalist images. The photographs in their publication contexts are also often treated as images without clear boundaries. The first published article in this thesis (2015), is based on an early observation of the usage of photographs from historical events in Thailand. That is that images are frequently detached from historical context and functioning as icons representing one or several political and social phenomena in which history is an important element (see, for example, the collage in article I). These images could no longer be said to serve as evidence of the event, yet strong truth value is attributed to them and they can be treated as evidence of something else – such as a commitment to memory (more on this in chapter 3). An example of this usage of imagery is the monument to the 14

¹⁷¹ Klima, *The Funeral Casino*, 77.

¹⁷² Peter Burke, *Eyewitnessing: The Use of Images as Historical Evidence*, Picturing History (London, UK: Reaktion Books, 2001), 145.

¹⁷³ Veal, “Thainess Framed,” 11-12.

October event in the Thammasat University grounds (fig. 8). Another example is the iconic status awarded to the image of the hanged man in Neil Ulevich's photograph or, the man, from the same photograph, holding a chair to beat the hanging victim (fig. 7, fig. 9). To this date, neither the victim nor the perpetrator in the photograph are publicly known.¹⁷⁴ This photograph serves as an image representing the event 6 October, but also as a symbol for how the Thai nation punishes those charged with *lèse-majesté*. The photograph is a materialisation of the image, while the image cannot be reduced to the photograph.

To Sontag the photograph objectifies but the photograph is also an object – a “trace” of reality – while the image is an “interpretation of the real.”¹⁷⁵ This is similar to how Rosalind Morris understands the photograph as “indexical traces of the event” but the image as “the symbolically mediated structures within which these events could occur,” underscoring that photographic images and pictures can function as both at the same time.¹⁷⁶ The question for me is then how the photographic images “function” as “evidence.” Explaining Agamben's thoughts about the image, John Lechte and Saul Newman suggests thinking of images as language – not a statement (which is an object) but an “enactment”. Thus “...the image is precisely something that cannot be objectified, because it becomes the entity which reveals or exposes the world as such and is not itself the thing exposed.”¹⁷⁷ The image carries indexical signs, but is not the sign in itself. The indexical signs, and not the image, are thus evidence of the existence of something.¹⁷⁸

The various publication moments create possible narratives in themselves and when considered together with others (for instance, the publicising of photographs from the same event over the stretch of days in newspapers). While this analysis can connect the photographs and their publication moments to discourses, it is of little help in understanding the social embeddedness of photography. The collection of material and seeing the various ways that people have engaged with photography challenged me to think beyond the photograph

¹⁷⁴ Also, Thongchai Winichakul, *Moments of Silence: The Unforgetting of the October 6, 1976, Massacre in Bangkok* (University of Hawai'i Press, 2020), 231.

¹⁷⁵ Susan Sontag, *On Photography* (London: Penguin, 2008), 154.

¹⁷⁶ Morris, “Photography and the Power of Images,” 145-46.

¹⁷⁷ John Lechte and Saul Newman, *Agamben and the Politics of Human Rights: Statelessness, Images, Violence*, (Edinburgh: Edinburgh University Press (2013) 2015), 144.

¹⁷⁸ *Ibid.*, 147, 52.

and visual narratives. In the next section I will discuss the limits of photography as “evidence,” building on the understanding of the photographs as image (above), and why it is not enough to study a photograph to extract meaning about the past or the role of the past in the present. I will also clarify the conditioned circulation of photographs (which is related to the material limitations), and why thinking through “the event of photography” can aid in tackling these epistemological problems.



Figure 8. Part of the statue “October 14th, 1973.”

In the “Memorial Sculpture Garden Project: Sunny Breezes – Thammasat University and the Struggle for Democracy”, erected 14 October, 2001. The images are taken from press photographs of the event in 1973. By Karin H. Zackari, 2014.



Figure 9 . Front cover of the left political magazine *Fa Diaw Kan* 6, no.2 (2008).

The 'K' stands for right-wing-Thai [kwa-Thai]. The text on top and below the chair translates as "Charged with lèse majesté 2008 [top] and 1976 [bottom]". The man holding the chair is cropped from the photograph by Neil Ulevich, 6 October 1976 (fig. 7).

The “Event of Photography” as Ontological Position

The “event” figures in different forms in this thesis. It refers to the historical event and to other occurrences and incidents. It is also an ontological stance on what photography is, captured in the concept the “event of photography”, which I borrow from Azoulay (2012). The authority given to photography as document of the past and as a “powerful” news medium very much rests on the belief in photography’s claim to authenticity, and an ability to capture – in Henri Cartier Bresson’s words – “the decisive moment.” Sontag locates this authority in the camera as being the only medium that can “catch a death actually happening and embalm it for all time.”¹⁷⁹ To Sontag, photography is “acquisition” – of that which stood before the camera – and one form of acquisition is the consumption of events. The materiality and reproducibility of the photograph make it possible to “acquire” an event “as information,” beyond merely experiencing it through photographs.¹⁸⁰ Based on my own “acquiring” of photographs, I have two main concerns to raise. The first is about the material dissemination of information, and the other is about the information, or knowledge derived from the photographs in circulation. These concerns are intimately linked, and need to be understood in their political and historical context.

Earlier in this chapter I have discussed what it has meant to this project that no single comprehensive archive exists from where I could acquire photographs to “derive” information. The archiving of photographs as a performance of state power functions also as such in its absence – the non-existent archive is a political context. The images of the past that have not been organized and that have not been circulated as knowledge, inform us of another aspect of state power, which is that of exclusion, silencing, and hiding.

Returning then to information through acquisition of photographs, photographs are not purely evidence – indexes of a past reality – they are inscribed with social relations of their production and reproduction.¹⁸¹ There is a debate as to the extent photography differs from other imagery in the ability to actually testify to a past reality: a debate that, as historian Peter Burke points out, “contrasts between

¹⁷⁹ Sontag, *Regarding the Pain of Others*, 59.

¹⁸⁰ Sontag, *On Photography*, 156.

¹⁸¹ Edwards, *Raw Histories*, 87ff.

subjective narrative and ‘objective’ or ‘documentary’ photography.”¹⁸² To stick to such categorization I believe does little for understanding photography’s role as historical documents. Historical anthropologist Elizabeth Edwards cautions that: “it is not what a photograph is of in purely evidential terms that should primarily concern us, but the context in which it is embedded.”¹⁸³ The contextual embeddedness can translate to the political and historical context for the taking of a photograph, and the contexts for preservation and reproduction.¹⁸⁴ Historians of colonialism have long cautioned that, with photography and anthropology developing in tandem, photographic technique was used to “scientifically” document the colonial land and its inhabitants. Photographs that were circulated to display “facts” and observations, also reinforced imperial power.¹⁸⁵ Outside of the post-colonial discourse photography has also been closely linked to “the instrumental power of the state and its apparatus.”¹⁸⁶ Azoulay goes even further, stressing that state mechanisms “restrict the photographer’s field of vision, significantly influencing what enters the frame.”¹⁸⁷ The challenge then is to acknowledge the diversities within photographic history, and to see how subjects of the apparatus of state or empire have used photography in (speaking again in Foucauldian terms) counter-histories, counter-archives, and counter-memories.

To more clearly outline the relations governing the photograph over time, Azoulay suggests thinking about photography as an event in which the camera, the photographer, the photographed, disseminators, and the viewers/spectators all participate in attributing meaning to the photograph. This “the event of photography” goes beyond the power relations that dictated the photographed event: “the event of photography” does not equal the event that is photographed.¹⁸⁸ Moreover, a perhaps radical thought considering the medium, the photograph in itself is just one possible outcome of the “infinite series of

¹⁸² Burke, *Eyewitnessing*, 22.

¹⁸³ Edwards, *Raw Histories*, 88.

¹⁸⁴ See also Sekula, “Reading an Archive.”

¹⁸⁵ See for example Christopher Pinney, *Photography and Anthropology* (London: Reaktion, 2011); Edwards, *Raw Histories*.

¹⁸⁶ Edwards, *Raw Histories*, 11.

¹⁸⁷ Azoulay, *Civil Imagination*, 219.

¹⁸⁸ *Ibid.*, 23-27.

encounters” that make up “the event of photography.”¹⁸⁹ It is thus temporally different from historical events such as the event of 14 October 1973 and 6 October 1976.

The event of photography has two different modalities of “eventness” – the first occurs in relation to the camera or in relation to its hypothetical presence while the second occurs in relation to the photograph or in relation to the latter’s hypothetical existence.¹⁹⁰

Azoulay describes the relationship between these modalities as a “mathematical formula” with hidden and visible variables on each side of the equation. Just as with a mathematical formula, encountering the constituents of “the event of photography” is not linear or necessarily chronological.¹⁹¹ What is important, to Azoulay and for this thesis, is that there is no “ownership” or any “property right” in “the event of photography.” Participants in “the event of photography” can claim dominance over a variable which affects everyone involved, but this does not mean that they own the meaning of the event. Though usually we attribute authorship to the photographer, the photographer alone does not dictate or set the boundaries for what is inscribed in the photograph. Azoulay argues that the one variable that cannot be owned, cannot be appropriated, is the “point of view” – the “agency of the spectator.” And with that, “the event of photography” cannot be terminated, but has the “potential for permanent renewal.”¹⁹²

The amassment of photographs from the two October events and how they have been used, at times without much attention to content details, informed me that it is not the single photographic frame in itself that matters as much as context for the making of the photograph, its further publication, and the meanings assigned to the photograph in every encounter with it. The exclusion of photographs relating to 6 October 1976 from public state archives and the censorship that dominated the first two decades, return us to the question of how state power is exercised through archives. Azoulay points out that the photograph in its moment of publication, or organized in an archive, is inscribed with both excess and lack of detail and information. In the photographs from 6 October 1976, there is an

¹⁸⁹ Ibid., 26; See also Ariella Azoulay and Nato Thompson, “Photography and Its Citizens,” *Aperture*, no. 214 (2014).

¹⁹⁰ Azoulay, *Civil Imagination*, 26.

¹⁹¹ Ibid.

¹⁹² Ibid., 27.

excess in detail of bodily suffering, while, as I also point out in article IV, the genealogy over the forty years has been haunted by a lack of information about the perpetrators and the victims. As the Documentation of 6 October project has managed to show, contrary to common belief about the massacre, the photographs are not documentations of killing; they show how the corpses of persons already killed are being assaulted. That knowledge, as well as the fact that it has taken forty years of engagement with the photographs to conclude this, adds another layer to the logic of the violence.

In the photographic series discussed in article III, the photographs refer to instances of violence that were not visually documented (if any photographs exist in police or court archives, they are in any case not categorized as to point towards either illegitimate violence or impunity). The outcome – Luke Duggleby’s photographs – materializes several years, even decades after the event of violence. A key component of Duggleby’s photographs is the portrait of the deceased or disappeared. However, these were created before the instance of violence that they were later used to refer back to. To the original symbolic meaning of the portraits, a second layer of meaning is added by the placement in a site of alleged crime. (I here follow Burke, resisting viewing the portraits as “accurate representations”, but rather in their “symbolic form.”¹⁹³) The photograph that ends up in my analysis is very clearly only one part, a materialization of a point in time, in an event of photography that begins long before the photographer takes a photograph (and before the original portrait is taken), and has not yet ended. It is also the case that Duggleby, the photographer, is not the sole author of the photograph – the production involves the deceased or disappeared subject, the community to which that person belonged, his or her family, the persons involved in collecting information about the case. These engagements with photography, embedding photographs in a history of continued struggle for human rights, also resists any theoretical critique of passive “regarding” of violence and refute distancing to the photographed event.

In the next chapter I return to the question of photographs as evidence in human rights history. I will discuss the notion of “political power” in atrocity photography, how photography functions as a medium in memory production, and the role of the archive for human rights research.

¹⁹³ Burke, *Eyewitnessing*, 25.

3. Photography and Human Rights in History and Memory Production

In the previous chapter I described the methodological approach to the material I have collected as well as an adherence to a political ontology of photography to think beyond the photographic frame and content and to consider photography as an event made up of a series of encounters.¹⁹⁴ In addition, in this chapter I discuss the role of photography in the production of memory and in human rights historiography. In relation to “the past” and to contestations over its meaning, memory is productive – creating competing narratives about the past. Memory is a way to make sense of past events, and struggles over memory can overlap with contestations about history – as my material also shows. Part of these contestations occur within and through archiving. I argue that the photographic engagements in my study contribute to a continuous construction of archives and that these archives are part of memory production and function as interventions in contestations over past events.

Through my collection of materials, it has become very clear that archival context limits the possibilities of research findings. I have described the practical challenges I encountered with repositories while collecting materials (see chapter 2, and articles III and IV). Against that background, I end this chapter with a discussion about the options for human rights researchers and activists who engage with official or unofficial archiving. I identify two main approaches to the archive for human rights research. One is coming from a post-colonial or de-constructivist perspective on archival knowledge. Another is the active participation in re-constructing or creating archives as “human rights” or “activist” archives.¹⁹⁵ This latter type of archives, which have a different rationale,

¹⁹⁴ As argued by Azoulay, *Civil Imagination*.

¹⁹⁵ Michelle Caswell, “Defining Human Rights Archives: Introduction to the Special Double Issue on Archives and Human Rights,” *Archival Science* 14, no. 3 (2014). Doreen Lee, *Activist*

structure, and logic from more conventional forms of repositories, such as state archives, also have a particular place in human rights history. They are anchored in the same guiding principle as human rights photography – that human rights violations must be documented and made visible.

I begin by discussing how human rights can be made visible through photography. I anchor my discussion in the *violated body* as a trope in human rights photography, but argue against assumptions that the violated body signifies, in itself, either the human rights subject or the rights issue at stake. This harks back to previous discussions about the political potential of human rights and ethical considerations for engaging with atrocity photography.

The Political Power of Photography

The police says that there is nothing to see on a road, that there is nothing to do but move along [...] Politics, in contrast, consists in transforming this space of 'moving-along' into a space for the appearance of a subject: i.e., the people, the workers, the citizens: It consists in refiguring the space, of what there is to do there, what is to be seen or named therein.¹⁹⁶

In this section I aim to lay a foundation for thinking simultaneously about human rights as political and photography as a political practice. There are parallel histories of photography, atrocities, and human rights that raise questions about how to understand and engage with photography within a human rights discourse. Two questions are brought to the fore here. The first question concerns the conditions for our understanding of particular photography as *representations* of human rights violations. I discuss the limits of thinking about photography through a political-aesthetic dichotomy, arguing that aesthetic principles are not decisive in whether we understand a photograph as being or not being a representation of human rights issues, and more specifically human rights violations. The second question concerns where, if not in representation, the political power of photography can be located. This is the power that makes photography matter for human rights activists as well as human rights researchers. I argue that such power cannot be reduced to the content of the photograph, that

Archives: Youth Culture and the Political Past in Indonesia (Durham: Duke University Press, 2016).

¹⁹⁶ Jacques Rancière, "Ten Theses on Politics," *Theory & Event*, no. 3 (2001): thesis 8.

it is not located in the depiction of the capturing of death and agony, as the violated body is not a representation of human rights per se.

To begin with, photography in human rights contexts is by large atrocity photography. The trope of the suffering body, the starving, the maltreated, the tortured and the beaten, runs through the history of photography *and* the history of human rights.¹⁹⁷ Photography developed parallel with humanitarianism from the mid 19th century when [European] belief in human morality and progress was challenged by human brutality instigated by colonial and imperial endeavours, such as the Belgians in Congo.¹⁹⁸ Photography was and is readily employed by humanitarian and human rights organizations in advocacy work, with photographs believed to transmit the witnessing of atrocities in distant places and that this visual exposure would prompt action. An example of this kind of humanitarian photography is presented in historian Lina Sturfelt's study of how Swedish Save the Children (Rädda Barnen) visualized "the suffering war child's body" in the post-war 1920s. Presented as victims in images and texts, the children served both as evidence of the horrors of war and as "emotional provocation" so the Swedish public "would be moved to act."¹⁹⁹ However, there are no guarantees that such photography will make the spectator take action. Even though modern photographic techniques have increased image production and dissemination, as Sharon Sliwinski comments, "spectators' capacity to witness [suffering, war, genocidal violence] from a distance has had little effect on the frequency or savageness of these atrocities."²⁰⁰ I will return to the issue of distance between the photographed atrocity and the spectator later in this chapter.

Another way to write the history of human rights photography is to look at how photography has been used to manifest power. Photography has been, from the beginning, part of violent atrocious regimes. The lynchings in the US generated thousands of photographs, and images were circulated on postcards; the German

¹⁹⁷ Sharon Sliwinski, *Human Rights in Camera* (University of Chicago Press, 2011).

¹⁹⁸ Ibid.; Heide Fehrenbach and Davide Rodogno, "Introduction: The Morality of Sight: Humanitarian Photography in History," in *Humanitarian Photography: A History*, ed. Heide Fehrenbach and Davide Rodogno (New York: Cambridge University Press, 2016); Kevin Grant, "The Limits of Exposure: Atrocity Photographs in the Congo Reform Campaign," *ibid.*; Christina Twomey, "Framing Atrocity: Photography and Humanitarianism," *History of Photography* 36, no. 3 (2012).

¹⁹⁹ Lina Sturfelt, "Visualizing War Victims," in *War Remains*, ed. Marie Cronqvist and Lina Sturfelt (Lund: Nordic Academic Press, 2018), 70, 73.

²⁰⁰ Sliwinski, *Human Rights in Camera*, 29; see also Sontag, *Regarding the Pain of Others*.

Nazis visually recorded in the millions the atrocities that were part of the state apparatus; the Khmer Rouge in Cambodia and Stalin's Soviet Union photographed and archived records of political prisoners; military and paramilitary forces participating in ethnic cleansing and genocide have visually documented the committing of torture, rape, and murder.²⁰¹

To understand the uses of atrocity photography, we need to distinguish what the photographic medium is supposed to do with the human rights violation (assuming this is what is at stake) and to the spectators of photography. Susie Linfield argues that photographs "are the perfect medium to mirror the lacunae at the heart of human-rights ideals", because even though photographs cannot show what human rights are, cameras can capture suffering in the *loss of rights*.²⁰² Linfield argues that the camera enables "empathic leaps" between people and places and that it has contributed to "globalize our consciences".²⁰³ Based on these arguments, Linfield describes photojournalism as "interventions in the world".²⁰⁴ However, *space* poses a problem in Linfield's argument that photography can be interventionist and enable "empathic leaps". The reasoning assumes that a space exists between the photographed (who has been deprived of rights) and the viewer (whose human rights are intact). This space is also emphasized as a problem in Sontag's critique of the distant spectator (discussed in chapter 2, pp. 56-57). My contention is that we need to challenge all assumptions about stable positions: that the photograph has a stable meaning and that there is a stable distance between the photographed and the spectator. One objection is how such a distance is upheld over time. For instance, technical advancements such as digital photography have shortened the distance in time between taking the photograph and encountering it, and presumably shortened the time between looking at and re-acting to a photograph – disseminating a photograph can be a click away on a mobile device. These technical aspects of photography have however not altered time and space per se and it remains a different task to understand photography in history from understanding the effects of contemporary photography (a point I will get back to later on in this chapter). Another important point to make is that the meaning of a photograph is not stable – it is not inscribed within the

²⁰¹ See for example Linfield, *Cruel Radiance*; Caswell, *Archiving the Unspeakable*; Marianne Hirsch, "Surviving Images: Holocaust Photographs and the Work of Postmemory," *The Yale Journal of Criticism* 14, no. 1 (2001).

²⁰² Linfield, *Cruel Radiance*, 37.

²⁰³ *Ibid.*, 46-7.

²⁰⁴ *Ibid.*, 59.

photographic frame and content. Whatever the intent of a photographer or publisher, intention does not control interpretation. Meaning is instead formed through the context for dissemination and through the encounters with the photograph. As I explain in the previous chapter, in “the event of photography”, meaning is created in every encounter with the photograph and everyone participating in this event has responsibility for what they see. This responsibility comes from the idealized relationship that Azoulay calls the “civil contract of photography”, which builds on Hannah Arendt’s definition of the political as a relational space of individuals coming together in public.²⁰⁵ Photography as a “civil contract” is then a space that “contests the distancing” usually assumed between the photographed, the photographer, and the spectators.²⁰⁶ In Azoulay’s idealized model for the making of meaning, each participant in the event of photography is a citizen of a sort but no sovereign power rules over the event as a whole (thus this notion of citizenship is different from the nation-state citizenship). However, there is a tension between the potential of photography as a space of equality, and the acknowledgement that what is photographed and what is persevered and disseminated over time is conditioned by power relations. To develop this argument, I will now go on to discuss the limits of representation and the potential for thinking politically about images and photography.

Atrocity photography is frequently attacked within the debate on “pornographic consumption” or “aestheticization” of suffering.²⁰⁷ An underlying assumption in this type of critique is that photographs have a particular power because they belong to either a political or an aesthetic sphere. In that logic, photography can only be a political tool for human rights as a representation – something to hold up as proof. Thus, if the photograph is considered to be a representation of a human rights violation, then it can also be political. However, the principal question to determine the political faculty of photography lies not in the question of aestheticization. Not only is all image part of the ontology of the aesthetic but to say that “this is political” is at the same time identifying what is not accepted as political.²⁰⁸ It is a judgement that falls back on the author’s intent or the spectator’s interpretation.

²⁰⁵ Hannah Arendt, *The Human Condition*, intro. Margret Canovan (1958; repr., Chicago, Ill.: University of Chicago Press, 1998).

²⁰⁶ Azoulay, *Civil Imagination*, 231.

²⁰⁷ See also Linfield, *Cruel Radiance*, 42-45.

²⁰⁸ Azoulay, *Civil Imagination*, 49-55.

I find it helpful to evoke Walter Benjamin's distinction between *aestheticized* politics – exemplified by how fascism turns the destruction of mankind into a spectacle – and the *politicization* of art, which Benjamin saw as the necessary response to fascism. Benjamin's assertion runs parallel to his argument that photography, in its mechanical reproducibility, removes the "criterion of authenticity" from art, and by that "the total function of art is reversed", and "[i]nstead of being based on ritual, it begins to be based on another practice – politics."²⁰⁹ The first point here is that art must be politicized to counter the aestheticization of violent oppression and destruction (which is political). The second point is that photography makes multiple meanings possible through its reproducibility, facilitating endless possible encounters, which puts into question faith in representations.

Thinking of photography as an event in which those looking at and disseminating photographs also attribute meaning to the image, we realize that the photograph is more than a representation of something that once was in front of the camera – just as any image is not the imaged.²¹⁰ It seems intuitive enough to say that a photograph of an object is not the object itself but a representation of it. However, the photograph is only a representation insofar as we recognise it as such. It is not the original subject that gives meaning to the photograph; it is how we conceptualize what we see and how we understand the signs of the image that create meaning.²¹¹ The problem is illuminated when stating that a photograph of a violated person is a representation of a human rights issue at stake (as Linfield does). How do we know that we are looking at human rights violations? An example of this question is on the very cover of Linfield's book *The Cruel Radiance*, where a photograph of a young unnamed Cambodian girl, a prisoner in the Khmer Rouge S-21 (Toul Sleng) prison, stands as an icon for the genocidal violence.²¹² Linfield makes a compelling argument that we have an ethical obligation to look at such photographs and that we are capable of seeing the degradation of the violent structure behind the photography. Yet, the question stands – *What* is the photograph of this girl a representation of if something more than herself? A possible but perhaps discomfiting answer, is that the photograph

²⁰⁹ Walter Benjamin, "The Work of Art in the Age of Mechanical Reproduction," in *Illuminations*, trans. Harry Zohn, ed. Hannah Arendt (1968; repr., New York: Schocken Books, 2007)

²¹⁰ See also chap. 3; Azoulay, *Civil Imagination*, 222-26; Lechte and Newman, *Agamben*, 141.

²¹¹ On representation see Stuart Hall, *Representation: Cultural Representations and Signifying Practices* (London: Sage Publications, 1997).

²¹² Linfield, *Cruel Radiance*.

represents the neglect that resulted in her (continuing) anonymization, despite a posthumous appearance on a book cover. The point is that it is the context that makes this photograph a possible representation of human rights violations, not its indexicality.

A different perspective to the discussion about representation is offered by Peggy Phelan.²¹³ Using the example of photographs taken in the Abu Ghraib prison in Iraq by US army personnel, 2003-2004, Phelan writes:

The Abu Ghraib photographs not only document atrocity, they create it. In this sense the photographs function as weapons. They both reflect and transcend the United States' military imagination. [...] By dramatizing the visible structure and fact of torture, while failing to make manifest the singularity and specificity of each body subject to it, the Abu Ghraib photographs expose the futility of meaningful philosophical discussions of torture. To speak of torture is to give it a rational structure that the act repudiates.²¹⁴

Phelan here touches upon challenging questions. One relates to the photograph's temporality, whether it is foremost a documentation of a past action or an action in itself. Phelan makes a case for understanding photographs as both performative and constative, meaning that they "describe and document actions that have, if not quite ended, nonetheless become attached to narratives, however contested."²¹⁵ This performative aspect of photographs also leads to thinking of the photograph as a second violation and part of the rationalization of the photographed violence. There is a risk that this line of argument dislocates power. Even though violent regimes use photography, it is not photography that preserve power – it is compliance and inaction.

Another important issue I take from Phelan's writing is what the photographs connote: what it is that we see and what it tells us – whether we see the horror of torture or the performance of a mighty military power. This question accentuates the importance of the dissemination context for decoding photographs. For the Abu Ghraib photographs to have anything to say about the US military as an agent in the photographs, there must be a signifier pointing it out. While for the

²¹³ Peggy Phelan, "Atrocity and Action: The Performative Force of the Abu Ghraib Photographs," in *Picturing Atrocity: Photography in Crisis*, ed. Geoffrey Batchen, et al. (London: Reaktion Books, 2012).

²¹⁴ *Ibid.*, 58.

²¹⁵ *Ibid.*, 54.

photographs to say something about torture, the agent does not have to be present. The question can also be illustrated through the series *For Those Who Died Trying*, analysed in article III, and whether the photographs connote both a crime against a person as well as direct the spectators' attention towards the Thai state.

Take the photograph of the violated body; can it be anything more than (or even) evidence of a violence committed against the person in the picture? If it can raise awareness of violence, is it limited to the force against the body, or can photographs reveal the violent regime in which this violated body is embedded? Azoulay cautions against the assumption that the violated body can stand as representation of violence, as violence is always part of a structure that is bigger than the exercise of force. The focus on the physical violation in all its singularity risks blanking out the wider political context for the violence.²¹⁶ We thus need to ask ourselves what political order has created the violence, what other expressions of violence came before the violation of the body, and what violations will follow.

The question I return to in this thesis and in my articles is, *what* can be seen, and *who* can be seen in the public as a political subject and a subject of human rights. These questions bring us back to Agamben's concept of *homo sacer*, the sacrificial person expelled from political life, that epitomises the state of exception. As discussed in the introduction, the depoliticizing of people's existence is highly political. This is pointed out by Judith Butler (among others) who exemplifies the *homo sacer* with the detained person. Detention, Butler writes, is a "situation that is highly, if not fatally, politicized", despite the person detained being suspended from political life.²¹⁷ Butler wants us to pay attention to the processes that cast certain lives as dispensable to the sovereign powers, exemplified by the publicness or non-publicness of mourning.²¹⁸ In articles I, III, and IV, I refer to aesthetic regimes of public mourning and when these are cast as protest in Thailand and globally. The public mourning is understood as protest only because all public mourning, in its aestheticization of religious, national, or royalist belonging, belong to a political ontology. The protest is a political protest in that it appears in the public against the dictates of a regime, when it, so to say, "refigures" a space, and thus challenges the limits of the political.²¹⁹ To understand the political power

²¹⁶ Azoulay, *Civil Imagination*, 245-46.

²¹⁷ Judith Butler, *Precarious Life: The Powers of Mourning and Violence* (London: Verso, 2004), 68.

²¹⁸ *Ibid.*, chap. 2.

²¹⁹ Rancière, thesis 8 in "Ten Theses on Politics", quoted above.

of photography as “refiguring” of the public, I return to Azoulay’s reasoning that photography is a space for equal political participation – (ideally) everyone is addressed by, everyone gives meaning to, and everyone assumes responsibility for what they see. The act of bringing photographs of mourning into the public is then potentially an act that lets “everyone” see and gives meaning to what they see in these photographs – thus essentially refiguring what and who can be seen as political subjects (see the Thai funeral photographs, article III). I stress the importance of the public further in the following section where I discuss memory practices.

I have argued here against what I take as a constructed distance between the photographed and the spectator, and called for a more active spectatorship - one that realizes that we also have responsibility for what we see whether “it” happened in a distant time or a distant space.²²⁰ I have also argued that any political power of photography is not located within the photograph, but is created through the encounters that give meaning to the photograph. To understand how engagement with photography of violence, agony, and suffering can serve a human rights cause, attention must always be directed towards power. Here I think history poses a particular challenge, as we have to take into account the powers dictating the photographed event, the powers dictating preservation and dissemination of records, and the powers dictating the conditions for remembering. In the next section, I discuss engagement with photography in relation to history and memory production.

Photography in History and Memory of Human Rights

In this study I am interested in how photography is used in public contestations over past events. Two main concepts are employed to understand how individuals and collectives relate to and create knowledge about the past: history and memory. Both concepts are vividly present in the object of this study – used by both activists and scholars – and no clear distinction can be made between the two. History has generally been understood as professional representations of the past that are mostly, but not exclusively, based on written and archived sources. In contrast, memory would be a subjective approach to the past which makes no claim to

²²⁰ Azoulay, *Civil Imagination*, 231.

scientific objectivity.²²¹ Over the past decades there has been a growing interest within both history and memory studies in the metanarratives of the collective. Memory studies concerns more than individual reminiscences. Memory is integral to the contestations over the historical meta-narrative of the Thai nation. There are several concepts that can be used to describe the relationship between the private or individual and the public narratives of the past, such as social memory, collective memory, collected memory, and counter memory. All these concepts aim to capture contestations over the past and how the past is remembered in relation to main narratives and national history. For my study, these concepts are important because they point towards the publicness of memory production.

Photography has a particular place in scholarly literature on memory. In articles I, III, and IV, I refer to photography as a site for memory and material trace of memory, in place of memory, and as a medium that can “bridge” memory and history – the photograph can aid or direct memory of a historical past that we might or might not ourselves have experienced.²²² Photography can materialise the relationship between history and memory, by both representing memory and mediating the memory to a potential public space.²²³

Memory, as a cultural phenomenon, is productive and political in the sense that it is “a site of struggle over meaning.”²²⁴ The productive character of memory to convey past events is summarised by Doreen Lee:

Memory is productive. It produces archives, spatial practices, bodies of writing, ways of talking and remembrance. These different sites and practices conjoin and overlap the past with the present, the eventful with the everyday.²²⁵

²²¹ Geoffrey Cubitt, “History of Memory,” in *Debating New Approaches to History*, ed. Marek Tamm and Peter Burke (London, UK: Bloomsbury Academic, 2019), 129.

²²² As a site for memory, Pierre Nora, “Between Memory and History: Les Lieux De Mémoire,” *Representations* 26, no. 26 (1989); In place of, John Berger, “Uses of Photography,” in *About Looking*, ed. John Berger (1980; repr., New York: Vintage International, 1991); As a bridge, Jay Winter, *Remembering War: The Great War between Memory and History in the Twentieth Century* (New Haven, CT, USA: Yale University Press, 2006), 79.

²²³ See also Nora, “Les Lieux De Mémoire,” 19.

²²⁴ Katharine Hodgkin and Susannah Radstone, *Memory, History, Nation: Contested Pasts*, 3rd ed. (New Brunswick, NJ: Transaction Publ., 2009), 5.

²²⁵ Lee, *Activist Archives*, 5.

This productive or constructive character of memory is also expressed by scholars who have focused particularly on memory in Thai political history. Malinee Khumsupa and Sudarat Musikawong write that:

Central to the Thai term for memory *khwamsongcham* [...] is *song*, which literally translates as form or medium. The word *khwamsongcham* in itself forges an embodiment of the past (albeit always interpreted), and signals the capacity for the transformation of memory through various forms and mediums, including social practices and material culture.²²⁶

The photography that I study appears in reference to past occurrences and in practices that simultaneously produce memory and history. To insist, for instance, in using the photographs of the violent events of 14 October and 6 October (article IV), or to reframe and recontextualise photographs of killed or disappeared persons (article III), is to actively work against forgetting and at the same time to write history. In article I, the focus is on whose and what history and memory is afforded a place in the public, acknowledging that the act of making history and memory visible in the public can be a contentious act (article I, 209-210). To erect a monument or hold a public commemoration over a contested event in a nation's history is a way to claim a place in the public – a physical space for an abstract phenomenon. Erecting a monument or establishing a museum doesn't necessarily mean the contestation is over, but is rather a manifestation of the ongoing contestation.²²⁷ A similar argument has been made by Sudarat about the memorials to the 1970s student movement in Thailand: that they created physical space for an "abstract movement" while conflicts persist over the narrative that the memorials represent.²²⁸

The monuments, memorials, and museums funded by donations and voluntary labour that I visit in this study form part of the memory production that can be called counter memory. This term can be understood as a sort of collective

²²⁶ Malinee Khumsupa and Sudarat Musikawong, "Counter-Memory: Replaying Political Violence in Thai Digital Cinema," *Kyoto Review of Southeast Asia*, no. 20 (2016), <https://kyotoreview.org/issue-20/counter-memory-replaying-political-violence-in-thai-digital-cinema/>.

²²⁷ On nation, collective memory and monuments see also Hodgkin and Radstone, *Memory, History, Nation: Contested Pasts*; Jay Winter, *Sites of Memory, Sites of Mourning: The Great War in European Cultural History*, Canto ed. (Cambridge: Cambridge University Press, 1998).

²²⁸ Sudarat Musikawong, "Mediating Memories of the 1970s in Thai Cultural Production" (PhD diss., University of California, 2006), 293-94.

memory, which Jay Winter defines as “the practices of remembrance of different collectives” that produce contesting interpretations of and narratives about the past.²²⁹ The main Thai nationalist narrative of unity creates only one other, “the un-Thai,” an unfixed and discursive category. Against that nationalist narrative counter memories are created. The producers of counter memory are not however a united or homogenous collective, but different collectives that among themselves have competing narratives. This is not least true for the so-called Octobrists, exemplified by the debates over their role in Thai politics and society since the 1970s. There is also a debate about the action of naming the Octobrists, and who or what the name refers to, pointing at the limits of thinking through categories such as collective vs individual memory.²³⁰ While it is beyond the scope of this research to understand all the various competing narratives, the question I pursue is how photography – including preservation and dissemination of photographs – contributes to the creation of competing narratives.

Focusing on visual arts, Sudarat describes how the cultural memories of the 14 October and 6 October, have been “unmanageable” for various state regimes.²³¹ Survivors, activists, and families have insistently created counter memory, which resists the state’s royalist-nationalist memory production that celebrates the past in order to create a sense of national unity in the present.²³² Sudarat’s identified counter memories work against an assumed national repression, silencing, or amnesia of the events. This is similar to how Thongchai interprets the 6 October event as a trauma that silenced Thai society.²³³

The nucleus of the competing narratives and collective memories in this study is how to write violence into history. There are similarities with the October commemorations in Thailand, with how other collectives have survived and commemorated traumatic events. A comparison can be made with how the 1965-

²²⁹ Winter, *Remembering War*, 276.

²³⁰ For a discussion on the term Octobrists see Thongchai, *Moments of Silence*, 212ff. Kanokrat, *Rise of the Octobrists*.

²³¹ Sudarat, “Mediating Memories,” 6.

²³² Ibid., 25, 363; For an elaboration on counter-memories in Thailand see Sudarat Musikawong, “Mourning State Celebrations: Amnesic Iterations of Political Violence in Thailand,” *Identities* 17, no. 5 (2010); Malinee and Sudarat, “Counter-Memory.”

²³³ Thongchai Winichakul, “Remembering/ Silencing the Traumatic Past: The Ambivalent Memories of the October 1976 Massacre in Bangkok,” in *Cultural Crisis and Social Memory: Modernity and Identity in Thailand and Laos*, ed. Shigeharu Tanabe and Charles Keyes (Honolulu: University of Hawaii Press, 2002), 245.

66 repression of communism in Indonesia has been represented as a collective suffering, and that there is a sense of commonality among survivors.²³⁴ Collective suffering and societies' handling (or inability to handle) trauma are common themes in the academic field that combine memory studies with photography. Here Benjamin's "thought-image" (*Denkbild*) of the angel of history can be evoked (inspired by Paul Klee's *Angelus Novus*), as an illustration of the gap between visual traces of an atrocious event and the impossibility to visualize the same. Benjamin's angel, who is propelled backwards into the future with face towards the past where "wreckage upon wreckage" is hurled at his feet, is a critique of the idea of historical progress.²³⁵ The thought-image is commonly used to illustrate the difficulties for modern European civilisations to reconcile with the terrors and wars they had created.

As I mention in article III, one genre of memory photography is occupied with emptiness and absence of action in reference to atrocious and traumatic events.²³⁶ Judith Keilbach writes about visualizations of the Holocaust, noting that the photographs which exist can only form parts of the whole structure, never tell the complete history, yet:

[...] these pictures, however, with their actual and visible objects, oppose the perception of the holocaust as a traceless destruction. Instead, the visualization of the latter concept has taken place in pictures of landscapes or of empty places that simultaneously reflect on the impossibility of photographic depiction.²³⁷

The conceptualisation of the "traumatic memory" has a particular place in memory studies, not least in "bridging the gap" between individual and collective memory, between survivors and society at large. "[T]he making public of private trauma relocates individual suffering in historical and social context, while also foregrounding the problem of historical truth itself."²³⁸ The framework of trauma

²³⁴ Vannessa Hearman, *Unmarked Graves: Death and Survival in the Anti-Communist Violence in East Java, Indonesia* (Copenhagen, Denmark: NIAS Press, 2018), 171ff.

²³⁵ Walter Benjamin, thesis IX in "Theses on the Philosophy of History," in *Illuminations*, trans. Harry Zhon, ed. Hannah Arendt (1968; repr., New York: Schocken Books, 2007), 257-58.

²³⁶ See for example Donna M. F. Brett, "The Uncanny Return: Documenting Place in Post-War German Photography," *Photographies* 3, no. 1 (2010); Ulrich Baer, "To Give Memory a Place: Holocaust Photography and Landscape Tradition," *Representations*, no. 69 (2000).

²³⁷ Judith Keilbach, "Photographs, Symbolic Images, and the Holocaust on the (Im)Possibility of Depicting Historical Truth," *History and Theory*, no. 47 (2009): 62.

²³⁸ Hodgkin and Radstone, *Memory, History, Nation*, 100.

is also important for Veal to understand the particular contestations over the massacre on 6 October:

The traumatic event is also a site of contested truth because it elides conventional modes of historicization and understanding. [...] Thus, attempts to reintegrate a traumatic event, like 6 October, into a historical narrative are often tied-up with efforts to discover the event's 'truth', to comprehend the possibility of its occurrence, and offer some mode through which those affected can relieve themselves of the trauma.²³⁹

The 6 October event was particular in all its atrocious violence and in the publicness of the violence – a publicness to which the photographs attest (see article IV). While the photographs are used to find the “truth”, the photographs of the event and the event that is photography, resist stable meaning. The trauma inflicted on society, the impunity for perpetrators, and the silencing in official history contributed to the difficulty of remembering the 6 October event – for individuals and on a societal level.²⁴⁰ At the same time, the contestations over the history and memory of the event are also related to the political development of Thailand. Especially important was the final state victory over the communist insurgency and the demise of the Communist Party of Thailand (CPT) in the early 1980s. After that came the development of a civil society in which many of the student leaders of the 1970s made a career, the neo-liberal economic developments of the 1980s, and the liberal democratic reforms in the 1990s (see chapter 1).

The role of the CPT in the 1970s student movement was a point of conflict among the survivors who in 1996 prepared the first major public anniversary of the massacre.²⁴¹ Going against the winds was historian Somsak Jaemteerasakul's stance that 6 October was first and foremost part of the Thai state's suppression of communism, and that those who had died should be remembered as heroes prepared to die for the socialist cause.²⁴² Thongchai, on the other hand, imagined a broad unity among survivors. He envisioned making the 20th anniversary

²³⁹ Veal, “Thainess Framed,” 347.

²⁴⁰ Thongchai, “Remembering/Silencing the Traumatic Past.”; Thongchai, *Moments of Silence*.

²⁴¹ Kanokrat, *Rise of the Octobrists*, 104-07; see also Thongchai Winichakul, “We Do Not Forget 6 October’ – the 1996 Commemoration of the October 1976 Massacre in Bangkok,” (paper presentation, workshop, Cebu, Phillipines, 2001), 8.

²⁴² Kanokrat, *Rise of the Octobrists*, 106.

commemoration a space for public memory, and through that, make individual stories possible and dignify the dead.²⁴³ Thongchai was himself one of the eighteen imprisoned for two years after the event. Through his engagement in the commemorations and his writings about the massacre, Thongchai has been important in the framing of 6 October as an event of atrocious human rights violations.

I want to refer back to chapter 1 in this thesis, and human rights history in Thailand. Following May 1992, in a time when democracy blossomed, attempts were made to align the 14 October 1973 and 6 October 1976 events under the discourse of “democratic progress”. With the advent of the 1997 so-called people’s constitution that for the first time used the term human rights to refer to citizen rights, and the institutionalisation of a National Human Rights Commission in 2001, a royalist-nationalist history of progress was consolidated. This history merged human rights with democracy and narrated 1973, 1976, and 1992 as moments along Thailand’s path towards human rights.²⁴⁴ I do not propose that the 6 October massacre was not framed as human rights violations in 1976. However, as my study shows, the engagement with photography from 6 October developed after the public commemoration in 1996, and especially in the last decade, to focus on the question of state violence, impunity, and redress for the individual victims. Photography functions at the same time as “evidence” in historiography about the event and as a medium for memory – making it possible to “witness” the past event in the present.

The focus on 6 October as an event of state violence and impunity makes it a sort of negated human rights event. It is a more radical version of Thailand’s human rights history than that which places 6 October in a chain of events within a “human rights progression.”²⁴⁵ The narrative of human rights progress has placed the atrocities in an “untouchable” past, where they are protected by the production of impunity, but also by societal discourses of Thailand “moving forward”. Whereas truth and justice processes are generally thought of as necessary for societies to move on and reconcile after experiencing societal violence, the Thai case illuminates how such a process is highly contested. For instance, Thongchai notes how not all survivors of the 6 October massacre agree that finding the truth about the event and bringing perpetrators to justice (of any sort)

²⁴³ Ibid., 105, 07.

²⁴⁴ See also Sudarat, “Mediating Memories,” 30ff.; Selby, *Human Rights in Thailand*.

²⁴⁵ Presented by for instance the NHRC of Thailand, in Selby, *Human Rights in Thailand*.

is necessary for reconciliation with the past.²⁴⁶ Another stance has been the liberal ideal of a Thai society beyond what is referred to as extreme polarisation.²⁴⁷

In photography and memory practices there is an element of de-constructing the distance between past and present. In article IV, I write about how photographs from the 6 October massacre are used in commemoration, undoing the constructed distance between past atrocities and the spectators' present. In article I, there is a spread from the political left magazine *Fa Diaw Kan*, consisting of four photographs. They are aesthetically similar in their composition but captions reveal that they are from different times and places in Thailand. All refer to violent and deadly suppression of Thai citizens that have been followed by impunity. The aesthetic composition of the violated bodies creates a common denominator between the events, one that is otherwise impossible to visualize. The persons who figure in the series *For Those Who Died Trying* (article III), were also separated by time and place before they were put in a historical continuity of killings, forced disappearances, and impunity. In all of the above examples, the violence and impunity are brought from a historical past into the present, casting light on continuous contestations in Thai society. These engagements with photography are at the same time re-engagements with records of the past, constructing new contexts through which the photographs can be understood. One form of such a new context is the making and re-making of repositories to contextualise the photographic record. In the next section, I will discuss human rights approaches to archives and repositories as contexts for photography of/and violence.

The Human Rights Archive

In chapter 2 on methodology and earlier in this chapter, I have touched upon some theoretical problems regarding the photograph as “evidence” or “representation” of past events. Not least, it is important to understand the context of the making of a photograph and the multiple contexts for its preservation and dissemination. Attention to context can answer questions the researcher should raise about what kind of photographs are being made, which photographs survive through history, and why. The archival context is notably

²⁴⁶ Thongchai, *Moments of Silence*, 116, 62-64, 74.

²⁴⁷ Referred to by many as the “third way”, meaning liberal democracy and human rights. *Ibid.*, 185-86.

important for this study, but the archive is also of more general interest to human rights research. I will here discuss different approaches to the archive as a repository of human rights violations resulting in both new archival knowledge and in (re-) constructing archives from a human rights perspective.

In human rights studies, the archive has a particular important function as a repository for traces of past regimes' human rights violations and as a resource for social and transitional justice claims.²⁴⁸ Still, it cannot be stressed enough that the material trace of a past violation does not guarantee its visibility. It is important to consider the powers that dictate not only what traces are produced and preserved, but the conditions for preservation and the conditions for making the traces visible. Decades of academic studies have scrutinised not only the administrative regime of archives but also social, political, economic, and cultural contexts of archival knowledge.²⁴⁹ This deconstructivist approach to archives is perhaps most familiar in post-colonial studies that ask questions about epistemic violence and take on the challenge to read the archive from the perspective of the subjects of the records. More recently, it has been argued that a human rights framework could serve a similar purpose and deconstruct archival principles (such as respect des fonds, original order, and provenance). If not questioned and contextualised, these organizing principles, including description of sources, can function as preserving power and structural violence in the archives.²⁵⁰ There are several challenges to approaching archives from a human rights perspective – keeping the focus on the subjects of the records and the human rights issues at stake. Archives are constructed on principles that can simultaneously work to protect and to obscure the subjects of the records – the victims, the survivors, the perpetrators and other stakeholders. I will later discuss the particular challenges I identify in archives containing photographic records, but first I will introduce two more general approaches to archives within a human rights framework.

The first example is the Thai state archives as representative of a state that has not transitioned from an authoritarian to democratic regime. Rather, state violence and impunity are present in a continuum between the military juntas and the elected governments.²⁵¹ Inspired by the post-colonial approaches to archives,

²⁴⁸ Stacy Wood et al., "Mobilizing Records: Re-Framing Archival Description to Support Human Rights," *Archival Science* 14, no. 3/4 (2014).

²⁴⁹ Eric Ketelaar, "Tacit Narratives: The Meanings of Archives," *Archival Science* 1 (2001).

²⁵⁰ Wood et al., "Mobilizing Records."

²⁵¹ Haberkorn, *In Plain Sight*.

Haberkorn describes a fruitful method for reading Thai state records to trace human rights violations and impunity:

The archives of the state, at least those open to the public, rarely offer up a source in which violent actors state both their actions and their desire to obscure those actions in order to retain power and avoid responsibility. In Thailand, available state and other documentary sources must be read against the grain, which means with attention to absence, gaps, discordant statements, and unexpected revelations. [...] Impunity [instead] demands a reading of state records against the grain in order to identify a different kind of hidden transcript: indications of complicity and participation in violence, anxiety, and the evasion of responsibility by the state itself.²⁵²

It is against the experience of the Thai state's complicity in violence and impunity, and against "absence" and "gaps" in official repositories, that the digital project Documentation of October 6 (doct6.com) must be understood (article IV). The same applies to non-governmental museums such as the Thai Labour museum, and to some extent the work by Protection International and Luke Duggleby to document cases of human rights defenders in Thailand who have been murdered or forcefully disappeared (article III). The creation of repositories like archives and museums can be a way to claim a public space for histories otherwise unacknowledged. These alternative repositories are contentious in relation to state institutions (schools, museums, archives) that obscure or distort narratives about regime violence. Though not archives in a traditional sense, I see these initiatives as a form of human rights archives (discussed below). They actively take on both human rights issues and violations (ongoing and past) and redress the epistemic violence produced by state institutions.

Within archival studies in the twenty-first century, there has been a growing concern with the political dimensions of archival meta-data, how provenance and description affect "the human life to which [the record] is related."²⁵³ This has resulted in re-envisioning archival activities within a human rights framework and re-constructing archives according to human rights principles. This growing body of scholarly work has been framed as human rights archives.²⁵⁴ These repositories have a broad definition:

²⁵² Ibid., 112.

²⁵³ Wood et al., "Mobilizing Records," 398.

²⁵⁴ Caswell, "Defining Human Rights Archives."

Colonial encounters, the silencing of minorities, the sale and purchase of enslaved human beings, the epistemic violence of absence, misportrayal, and miscategorization—these are issues that are contained within and endemic to all archives everywhere. Documentation of power and its state-sanctioned abuse through violence are the common threads that bind human rights archives. With this expansive view in mind, [...] human rights archives are those collections of records that document violent and systematic abuse of power.²⁵⁵

Caswell argues for a broad application of the term archive, and a wide definition of what can constitute human rights violations – including the epistemic violence of archives. All archives should be recognised as facilitators of specific histories, but Caswell’s approach is actively articulating the role of archives as interventions in history. The construction of human rights archives is thus for those whose history has been ignored, repressed, or hidden.

There is a tension between the ability of photography to show and archival orders that obscure, yet again casting light on the difficulty in treating photographs as evidence or as representations. In chapter 2 I described my own encounter with incomplete information and my own attempts to create a meta-data of sorts for photographs from 6 October. There are several explanations for the deficiency in description of the visual records. The initial press photographs were published without any information about the persons photographed, and the authorities speedily censored the press and produced dis-information. After the event, missing records in public repositories have contributed, as well as the multiple reproductions that treated the photographs as illustrations omitting explaining captions. Thinking about the online Documentation of October 6, the close relationship between photography, archive, and memory production becomes clearer. The digital and online form offers possibilities for making the archival material more accessible, not limited to those who can visit and are granted access to the physical repository. At the same time, it is different from a traditional repository where “hidden transcripts” can be found. The project is transparent in its aims, and the digital platform allows for continuous and instant updating of information. This is the most complete collection of photographs from the 6 October massacre and the photographs are used to identify victims and to rectify information. But while the photographs are organized according to provenance, the archive has little meta-data on the life of the records.

²⁵⁵ Ibid., 208.

On the other hand, taking photographs out of their original publication context makes it possible to make new connections between them. It also allows for a visual connection of the photographs to a before and an after of the photographed event. A before of students who were something else than their violated body, and a before of perpetrators rallying to stir up aggression. In the immediate aftermath there was censorship, repression and amnesties for perpetrators. The after is the continuation of such state violence. The after is also an open end for a continued struggle for redress.

Summaries of the Articles

Article I

This article explores photography and imagery in the production of history and memory of violent political events in Thailand. I look at publications, sites of memory such as museums and monuments produced by political organizations and activists. These relate histories about oppression, about resistance to state violence, about struggles for freedom and justice, using both explicit and implicit human rights language. These histories are narrated against an official national history of harmony and progress in the Thai royalist state. In this context, photography is part of the making of counter-histories that reveal disharmony and political contestations in Thailand. I identify how social and political movements are aware of the symbolic power of photography, and readily make use of gendered tropes, tropes of oppression, death and mourning. This study points out two ways in which photography relates to a Thai human rights discourse. One is focusing on rights issues directly: for freedom and rights, against oppression and abuse. The other is the performative and emancipatory act of claiming rights in public. The two contribute to historical consciousness and the construction of collective memory, despite not providing comprehensive historical accounts. This article supports the argument of the thesis that the power of photography in writing histories, lies in the public sphere where visibility becomes political.

Article II

In this book chapter, I argue that the discourse of Thainess legitimises state violence and impunity. The formation of the modern Thai nation-state entailed the construction of boundaries for political and cultural

belonging: state-subjects can be ethnically Thai but construed as culturally and politically un-Thai. These boundaries I conceptualize as peripheries of nationhood. This type of othering runs throughout Thai history alongside the unifying and isomorphic practices of the nationalist project. It has lent itself to the violent suppression of political conflicts, and is explicit in contestations concerning what histories, arts, thoughts and ideas that can be expressed in public without repression. The discourse of Thainess and the Thai nationalist rhetoric of unity and harmony harbours a logic for violence. Writing a history of state violence in Thailand is thus writing a history of the continuity of disruption, factionalism, unstable governments and authoritarian regimes. The consequences of impunity – no or inadequate restitution for victims and claimants, positions them in the periphery of both state and nationhood. This article serves as an opening to think about human rights within the frames of violence, nationalism, and conflicts over the political.

Article III

In this article the challenge of visualizing ongoing and repeated state violence and impunity in Thailand are discussed. Human rights activists commonly assume that photographs hold political power, but there is reason to question such assumptions. Even when there are material traces of the violence these cannot guarantee visibility. Photography of violence that equates the violation with the violated body, risks having a depoliticizing function by obscuring the structures of violence. Though there is a public character of state violence and the production of impunity, often there are no photographs of violence or the consequences of it. What can photography do in the absence of photography of an event of violence? I analyse a series of staged photographs in relation to global and Thai photographic practices and activist uses of photography, and investigate their role in the knowledge production about violence and impunity. The series, called *For Those Who Died Trying*, is produced by Thailand-based photographer Luke Duggleby and the human rights NGO Protection International. It covers cases from all over Thailand of rights-activists that have been killed or forcibly disappeared. The photographs in the series function both as historical records and as material bases for collective and individual memory. I argue that through

aesthetic repetition connections are created between the cases, between the persons in the photograph and the Thai state, and between the individual instances of violence and a history of impunity in Thailand.

Article IV

This article offers an analysis of the role that photography plays in the history and memory of the two political events in Thailand known as 14 October 1973 and 6 October 1976. Both events were violent, and they took place in public, in front of the press and cameras. The events are connected, but the records of them have been treated very differently in Thai history. This difference is particularly clear in the representation of violence. Photographs contribute to the main narrative of 14 October as a struggle for democracy and justice, however, within a nationalist discourse that obscures and abstracts state violence. My research shows that after two initial decades of invisibility and silence, photographs from 6 October have become a repository in a human rights discourse that focuses on individual redress for violence and impunity. To understand the role of photography in history, I argue that attention must be given to the conditions for archiving and dissemination, as well as to lacunas in the photographic records – to what is missing. Further, I suggest that thinking beyond the photographic frame, and of photography as an event over time and space, allow for directing attention towards the power-relations that dictate the photographed event, as well as the moments of encounter with the photographs.

References

- Agamben, Giorgio. *Homo Sacer: Sovereign Power and Bare Life*. Stanford University Press, 1998.
- . *State of Exception*. University of Chicago Press, 2005.
- Amnesty International. *Amnesty International Report 1 June 1975 - 31 May 1976* (London, 1976); *Amnesty International Report 1977* (London, 1977).
- . *Annual Report 1972-1973* (London, 1973); *Annual Report 1974-1975* (London, 1975).
- Anderson, Benedict. "Withdrawal Symptoms: Social and Cultural Aspects of the October 6 Coup." *Bulletin of Concerned Asian Scholars* 9, no. 3 (1977): 13-30.
- "Announcement of the People's Party." In *Thai Politics: Extracts and Documents 1932-1957*, edited by Thak Chaloemtiarana, 4-7. Thammasat University, Thailand: The Social Science Association of Thailand, 1978.
- Annual Human Rights Reports Submitted to Congress by the US Department of State*. (1976-1977); (1978); (1979).
- Arbetsgruppen för stöd åt Thailands patriotiska front. *Mitt Thai bulletin*. (1970).
- . *Thailandbulletinen* (1971-1973).
- Arendt, Hannah. *The Human Condition*. Introduction by Margret Canovan. 2nd ed. First published 1958. Chicago, Ill.: University of Chicago Press, 1998.
- Asia Student Association (ASA), *Asia Student News: Special Issue on Thailand*. Hong Kong, 1977.
- Association de Solidarité avec le Peuple Thaï. *Thai Information Bulletin*, no. 10 (1977).
- . *Bulletin Thai D'Information*, no. 4 (1977).
- Azoulay, Ariella. *The Civil Contract of Photography*. New York: Zone Books, 2008.
- . *Civil Imagination: A Political Ontology of Photography*. Translated by Louise Bettleheim. Brooklyn, N.Y.: Verso, 2012.
- Azoulay, Ariella, and Nato Thompson. "Photography and Its Citizens." *Aperture*, no. 214 (2014): 52-57.
- Baer, Ulrich. "To Give Memory a Place: Holocaust Photography and Landscape Tradition." *Representations*, no. 69 (2000): 38-62.

- Barmé, Scot. *Luang Wichit Wathakan and the Creation of a Thai Identity*. Singapore: Institute of Southeast Asian Studies, 1993.
- Barthes, Roland. *Image, Music, Text: Essays*. Translated by Stephen Heath. New York: Hill and Wang, 1977.
- Benjamin, Walter. "Theses on the Philosophy of History." In *Illuminations*. Translated by Harry Zhon. Edited by Hannah Arendt, 253-64. First published 1968 by Hartcourt, Brace & World (New York). Originally published in Germany 1955 by Suhrkamp Verlag, Frankfurt a.M. Reprint edition with preface by Leon Wieseltier. New York: Schocken Books, 2007.
- . "The Work of Art in the Age of Mechanical Reproduction." In *Illuminations*. Translated by Harry Zhon. Edited by Hannah Arendt, 217-51. First published 1968 by Hartcourt, Brace & World (New York). Originally published in Germany 1955 by Suhrkamp Verlag, Frankfurt a.M. Reprint edition with preface by Leon Wieseltier. New York: Schocken Books, 2007.
- Berger, John. "Uses of Photography." In *About Looking*, edited by John Berger, 52-67. Originally published 1980 by Pantheon Books (New York). New York: Vintage International, 1991.
- . "Photographs of Agony." In *About Looking*, edited by John Berger, 41-44. Originally published 1980 by Pantheon Books (New York). New York: Vintage International, 1991.
- Brett, Donna M. F. "The Uncanny Return: Documenting Place in Post-War German Photography." *Photographies* 3, no. 1 (2010): 7-22.
- Breuilly, John. *Nationalism and the State*. 2nd ed. Chicago: Univ. of Chicago Press, 1994.
- Burke, Peter. *Eyewitnessing: The Use of Images as Historical Evidence*. London, UK: Reaktion Books, 2001.
- Burke, Roland. *Decolonization and the Evolution of International Human Rights*. Philadelphia: University of Pennsylvania Press, 2010.
- Burke, Roland, and Steven L.B Jensen. "From the Normative to the Transnational: Methods in the Study of Human Rights History." In *Research Methods in Human Rights: A Handbook*, edited by Bård A. Andreassen, Siobhán McNerney-Lankford and Hans-Otto Sano, 117-140. Edward Elgar Publishing Limited, 2017.
- Butler, Judith. *Precarious Life the Power of Mourning and Violence*. London: Verso Books, 2004.
- Calhoun, Craig J. *Nationalism*. Minneapolis: University of Minnesota Press, 1997.
- Cardenas, Sonia. *Chains of Justice: The Global Rise of State Institutions for Human Rights*. Philadelphia: University of Pennsylvania Press, 2014.
- Caswell, Michelle. *Archiving the Unspeakable: Silence, Memory, and the Photographic Record in Cambodia*. Madison, Wisconsin: The University of Wisconsin Press, 2014.

- . “Defining Human Rights Archives: Introduction to the Special Double Issue on Archives and Human Rights.” *Archival Science* 14, no. 3 (2014): 207-13.
- Chai-anan Samudavanija. “State-Identity Creation, State-Building and Civil Society, 1939--1989.” In *National Identity and Its Defenders: Thailand Today*, edited by Craig J. Reynolds, 49-70. Rev. ed. First published 1991. Chiang Mai, Thailand: Silkworm Books, 2002.
- . *Thailand: State-Building, Democracy, and Globalization*. Bangkok, Thailand: IPPS, Institute of Public Policy Studies, 2002.
- Chaiyan Rajchagool. *The Rise and Fall of the Thai Absolute Monarchy: Foundations of the Modern Thai State from Feudalism to Peripheral Capitalism*. Bangkok: White Lotus, 1994.
- Chamaiphan Suwatthe. “Botbat sathanaphap khong ongkan sitthi manutsayachon nai kanmueang thai [The Role of Human Rights Organizations in Thai Politics].” Master’s thesis, Thammasat university, 1989.
- Chambers, Paul, and Napisa Waitookiat. “The Resilience of Monarchised Military in Thailand.” *Journal of Contemporary Asia* 46, no. 3 (2016): 425-44.
- Charnvit, Kasetsiri. *14 tula banthuek prawatsat: October 14, 1973 student uprising*. Translated by Benedict Anderson. Bangkok: Munnithi khrongkan tamra sangkhomsat lae manutsayasat, 2003 [2546].
- CIA. “Communist Insurgency in Thailand.” *National Intelligence Estimate* 5266, 1 July, 1966.
- Connors, Michael Kelly. *Democracy and National Identity in Thailand*. Copenhagen: NIAS Press, 2007.
- Constitution of the Kingdom of Siam B.E. 2475 (1932).
- Constitution of the Kingdom of Thailand B.E. 2517 (1974).
- Constitution of the Kingdom of Thailand B.E. 2521, (1978).
- The Coordinating Group for Religion in Society (CGRS). *Human rights in Thailand Report*. (December 1976 – March 1977, 1977); (March, 1977); (September-October, 1977).
- Copeland, Matthew Phillip. “Contested Nationalism and the 1932 Overthrow of the Absolute Monarchy in Siam.” PhD diss., Australian National University, 1993.
- Cubitt, Geoffrey. “History of Memory.” In *Debating New Approaches to History*, edited by Marek Tamm and Peter Burke, 127-58. London, UK: Bloomsbury Academic, 2019.
- Eckel, Jan. “The Rebirth of Politics from the Spirit of Morality: Explaining the Human Rights Revolution of the 1970s.” In *The Breakthrough: Human Rights in the 1970s*, edited by Jan Eckel and Samuel Moyn, 226-59. Philadelphia, Pennsylvania: University of Pennsylvania Press, 2014.

- Eckel, Jan, and Samuel Moyn. *The Breakthrough: Human Rights in the 1970s*. Philadelphia, Pennsylvania: University of Pennsylvania Press, 2014.
- Edwards, Elizabeth. *Raw Histories: Photographs, Anthropology and Museums*. Oxford: Berg, 2001.
- Elinoff, Eli. "Unmaking Civil Society: Activist Schisms and Autonomous Politics in Thailand." *Contemporary Southeast Asia: A Journal of International and Strategic Affairs* 36, no. 3 (2014): 356-85.
- Featherstone, David. *Solidarity: Hidden Histories and Geographies of Internationalism*. London: Zed, 2012.
- Fehrenbach, Heide, and Davide Rodogno. "Introduction: The Morality of Sight: Humanitarian Photography in History." In *Humanitarian Photography: A History*, edited by H. Fehrenbach and D. Rodogno, 1-21. New York: Cambridge University Press, 2016.
- Flood, E. Thadeus. "The Vietnamese Refugees in Thailand: Minority Manipulation in Counterinsurgency." *Bulletin of Concerned Asian Scholars* 9, no. 3 (1977): 31-47.
- . "The Thai Left Wing in Historical Context." *Bulletin of Concerned Asian Scholars* 7, no. 2 (1975): 55-67.
- Galtung, Johan. "Cultural Violence." In *Johan Galtung: Pioneer of Peace Research*, edited by Dietrich Fischer Berlin: Springer, 2013.
- Grant, Kevin. "The Limits of Exposure: Atrocity Photographs in the Congo Reform Campaign." In *Humanitarian Photography: A History*, edited by H. Fehrenbach and D. Rodogno, 64-88. New York: Cambridge University Press, 2016.
- Haberkorn, Tyrell. "The Hidden Transcript of Amnesty: The 6 October 1976 Massacre and Coup in Thailand." *Critical Asian Studies* 47, no. 1 (2015): 1-25.
- . *In Plain Sight: Impunity and Human Rights in Thailand*. Madison, Wisconsin: University of Wisconsin Press, 2018.
- . *Revolution Interrupted: Farmers, Students, Law, and Violence in Northern Thailand*. Madison, Wisconsin: University of Wisconsin Press, 2011.
- Hall, Stuart. *Representation: Cultural Representations and Signifying Practices*. London: Sage Publications, 1997.
- Harding, Andrew, and Peter Leyland. *The Constitution of Thailand : A Contextual Analysis*. Oxford: Hart Publishing, 2011.
- Hearman, Vanessa. *Unmarked Graves: Death and Survival in the Anti-Communist Violence in East Java, Indonesia*. Copenhagen, Denmark: NIAS Press, 2018.
- Hewison, Kevin, and Kengkij Kitirianglarp. "Social Movements and Political Opposition in Contemporary Thailand." *The Pacific Review* 22, no. 4 (September 2009 2009): 451-77.

- . “‘Thai-Style Democracy’: The Royalist Struggle for Thailand’s Politics.” In *Saying the Unsayable: Monarchy and Democracy in Thailand*, edited by Søren Ivarsson and Lotte Isager, 179-202. Copenhagen: NIAS, 2010.
- Hirsch, Marianne. “Surviving Images: Holocaust Photographs and the Work of Postmemory.” *The Yale Journal of Criticism* 14, no. 1 (2001): 5-37.
- Hodgkin, Katharine, and Susannah Radstone. *Memory, History, Nation: Contested Pasts*. 3rd ed. New Brunswick, NJ: Transaction Publ., 2009.
- Hoffman, Stefan-Ludwig. “Genealogies of Human Rights.” In *Human Rights in the Twentieth Century*, edited by S. L. Hoffman. Cambridge: Cambridge University Press, 2011.
- Hoover, Joe. “Rereading the Universal Declaration of Human Rights: Plurality and Contestation, Not Consensus.” *Journal of Human Rights* 12, no. 2 (2013): 217-41.
- Human Rights Watch. *Thailand. Not Enough Graves: The War on Drugs, Hiv/Aids, and Violations of Human Rights*. (2004).
- Hutchinson, John, and Anthony D. Smith. *Nationalism*. Oxford: Oxford University Press, 1994.
- iLaw. “Report on the Exercise of Power under Section 44.” Accessed 14 July, 2020, <https://www.ilaw.or.th/node/3679>.
- International Commission of Jurists (ICJ). “Human Rights in the World: Thailand.” *The Review*, no. 19 (December 1977): 10-14.
- Ivarsson, Søren, and Lotte Isager, eds. *Saying the Unsayable: Monarchy and Democracy in Thailand*. Copenhagen: NIAS, 2010.
- Jackson, Peter A. “The Performative State: Semi-Coloniality and the Tyranny of Images in Modern Thailand.” *Sojourn* 19, no. 2 (2004): 219-53.
- . “South East Asian Area Studies Beyond Anglo-America: Geopolitical Transitions, the Neoliberal Academy and Spatialized Regimes of Knowledge.” *South East Asia Research* 27, no. 1 (2019): 49-73.
- . “The Thai Regime of Images.” *Sojourn* 19, no. 2 (2004): 181-218.
- . “Virtual Divinity: A 21st-Century Discourse of Thai Royal Influence.” In *Saying the Unsayable: Monarchy and Democracy in Thailand*, edited by Søren Ivarsson and Lotte Isager, 29-60. Copenhagen: NIAS, 2010.
- Kanokrat Lertchoosakul. *The Rise of the Octobrists in Contemporary Thailand*. Southeast Asia ed. Chiang Mai, Thailand: Silk Worm, 2016.
- Kasian Tejapira. “The Misbehaving Jeks: The Evolving Regime of Thainess and Sino-Thai Challenges.” *Asian Ethnicity* 10, no. 3 (2009): 263-83.

- . “The Post-Modernization of Thainess.” In *House of Glass: Culture, Modernity and the State in Southeast Asia*, edited by Yao Souchou, 150-70. Singapore: Institute of Southeast Asian Studies, 2001.
- Keilbach, Judith. “Photographs, Symbolic Images, and the Holocaust on the (Im)Possibility of Depicting Historical Truth.” *History and Theory*, no. 47 (2009): 54-76.
- Kelly, Patrick William. “‘Magic Words’: The Advent of Transnational Human Rights Activism in Latin America’s Southern Cone in the Long 1970s.” In *The Breakthrough: Human Rights in the 1970s*, edited by Jan Eckel and Samuel Moyn. Philadelphia, Pennsylvania: University of Pennsylvania Press, 2014.
- Ketelaar, Eric. “Tacit Narratives: The Meanings of Archives.” *Archival Science* 1 (2001): 131-41.
- Keyes, Charles, and Shigeharu Tanabe, eds. *Cultural Crisis and Social Memory: Modernity and Identity in Thailand and Laos*. London: RoutledgeCurzon, 2002.
- Klima, Alan. *The Funeral Casino: Meditation, Massacre, and Exchange with the Dead in Thailand*. Princeton, N.J.: Princeton University Press, 2002.
- Kuhonta, Erik Martinez, and Aim Sinpeng. “Democratic Regression in Thailand: The Ambivalent Role of Civil Society and Political Institutions.” *Contemporary Southeast Asia* 36, no. 3 (2014): 333-54.
- Kullada Kesboonchoo Mead. *The Rise and Decline of Thai Absolutism*. London; New York: RoutledgeCurzon, 2004.
- Lechte, John, and Saul Newman. *Agamben and the Politics of Human Rights: Statelessness, Images, Violence*. Paperback ed. Edinburgh: Edinburgh University Press, 2015.
- Lee, Doreen. *Activist Archives: Youth Culture and the Political Past in Indonesia*. Durham: Duke University Press, 2016.
- Linfield, Susie. *The Cruel Radiance: Photography and Political Violence*. Chicago Ill.: University Of Chicago Press, 2010.
- Mackie, Vera. “Introduction: Ways of Knowing About Human Rights in Asia.” *Asian Studies Review* 37, no. 3 (2013): 293-301.
- Magilow, Daniel H. “Photography’s Linguistic Turn.” In *On Writing with Photography*, edited by Karen Beckman and Liliane Weissberg, 94-116. Minnesota: University of Minnesota Press, 2013.
- Malinee Khumsupa and Sudarat Musikawong. “Counter-Memory: Replaying Political Violence in Thai Digital Cinema.” *Kyoto Review of Southeast Asia*, no. 20 (2016). <https://kyotoreview.org/issue-20/counter-memory-replaying-political-violence-in-thai-digital-cinema/>.
- Marks, Thomas A. “The Communist Party and the Strategy of the United Front in Thailand since October 1976.” *Asia Quarterly*, no. 1 (1980): 3-18.

- McCargo, Duncan. *Fighting for Virtue: Justice and Politics in Thailand*. Ithaca: Cornell University Press, 2019.
- . “Network Monarchy and Legitimacy Crises in Thailand.” *Pacific Review* 18, no. 4 (2005): 499-519.
- Mérieau, Eugénie. “Thailand’s Deep State, Royal Power and the Constitutional Court (1997–2015).” *Journal of Contemporary Asia* 46, no. 3 (2016): 445-66.
- Morell, David, and Chai-Anan Samudavanija. *Political Conflict in Thailand: Reform, Reaction, Revolution*. Cambridge, Mass.: Oelgeschlager, Gunn & Hain, 1981.
- Morris, Rosalind C. “Photography and the Power of Images in the History of Power.” In *Photographies East: The Camera and Its Histories in East and Southeast Asia*, edited by R. C. Morris, 121-60. Durham [NC]: Duke University Press, 2009.
- . “Surviving Pleasure at the Periphery.” *Public Culture* 10, no. 2 (1998): 341-70.
- Moyn, Samuel. *The Last Utopia: Human Rights in History*. Cambridge, MA: Belknap Press of Harvard University Press, 2010.
- . *Not Enough: Human Rights in an Unequal World*. Cambridge, MA: Belknap Press of Harvard University Press, 2018.
- Murashima, Eiji. “The Origin of Modern Official State Ideology in Thailand.” *Journal of Southeast Asian Studies* 19, no. 1 (1988): 80-96.
- Nora, Pierre. “Between Memory and History: Les Lieux De Mémoire.” *Representations* 26, no. 26 (1989): 7-24.
- Pasuk Phongpaichit and Chris Baker. *Thailand: Economy and Politics*. 3rd ed. New York, US: Oxford University Press, 2000.
- . “Thaksin’s Populism.” *Journal of Contemporary Asia* 38, no. 1 (2008): 62-83.
- Pavin Chachavalpongpun, ed. *“Good Coup” Gone Bad: Thailand’s Political Development since Thaksin’s Downfall*. Singapore: Institute of Southeast Asian Studies, 2014.
- Peleggi, Maurizio. *Lords of Things: The Fashioning of the Siamese Monarchy’s Modern Image*. United States of America: University of Hawai’i Press, 2002.
- . *Thailand: The Worldly Kingdom*. London: Reaktion, 2007.
- Phelan, Peggy. “Atrocity and Action: The Performative Force of the Abu Ghraib Photographs.” In *Picturing Atrocity: Photography in Crisis*, edited by Geoffrey Batchen, Mick Gidley, Nancy K. Miller and Jay Prosser, 51-61. London: Reaktion Books, 2012.
- Pinney, Christopher. *Photography and Anthropology*. London: Reaktion, 2011.
- Prajak Kongkirati. “Bosses, Bullets and Ballots: Electoral Violence and Democracy in Thailand, 1975-2011.” PhD diss., Australian National University, 2013.
- . “Counter-Movements in Democratic Transition: Thai Rightwing Movements after the 1973 Popular Uprising.” *Asian Review*, no. 19 (2006).

- . “The Rise and Fall of Electoral Violence in Thailand: Changing Rules, Structures and Power Landscapes, 1997–2011.” *Contemporary Southeast Asia: A Journal of International and Strategic Affairs* 36, no. 3 (2014): 386–416.
- Prajak Kongkirati and Veerayooth Kanchoochat. “The Prayuth Regime: Embedded Military and Hierarchical Capitalism in Thailand.” *TRaNS: Trans -Regional and -National Studies of Southeast Asia* 6, no. 2 (2018): 279–305.
- Preedee Hongsaton. “Chuet kai hai ling du: rat thai kap kanthamlai sattru duay nattkam [‘Killing a Chicken to Scare the Monkeys’: The Thai State’s Annihilation of Its Enemies].” *The Thammasat Journal of History* 1, no. 2 (2015): 53–99.
- . *Sayam mahakam: kanmueang watthanatham kap kanchuangching khwampen satharana* [Siamese Fairs: Cultural Politics and the Struggle for Publicness]. Krung Thep: Matichon, 2019.
- . “Wela Wang: Technologies, Markets, and Morals in Thai Leisure Culture, 1830s– 1932.” PhD diss., The Australian National University, 2015.
- Prizzia, Ross. *Thailand in Transition: The Role of Oppositional Force*. Hawaii: University of Hawaii Press, 1985.
- Prizzia, Ross, and Narong Sinsawasdi. *Thailand: Student Activism and Political Change*. Bangkok: Allied Printers, 1974.
- Rancière, Jacques. “Ten Theses on Politics.” *Theory & Event*, no. 3 (2001).
- . “The Thinking of Dissensus: Politics and Aesthetics.” In *Reading Ranciere*, edited by Richard Stamp and Paul Bowman, 1–17. London: Continuum, 2011.
- . “Who Is the Subject of the Rights of Man?” *The South Atlantic Quarterly*, no. 2 (2004): 297–310.
- Randolph, R. Sean. *The United States and Thailand: Alliance Dynamics, 1950–1985*. Berkely, California: Institute of East Asian Studies, University of California, 1986.
- Reynolds, Craig J. “Globalisers Vs Communitarians: Public Intellectuals Debate Thailand’s Futures.” *Singapore Journal of Tropical Geography* 22, no. 3 (2001): 252–69.
- , ed. *National Identity and Its Defenders: Thailand Today*. Rev. ed. First published 1991. Chiang Mai, Thailand: Silkworm Books, 2002.
- . “The Plot of Thai History: Theory and Practice.” In *Patterns and Illusions: Thai History and Thought*, edited by Gehan Wijeyewardene and E.C. Chapman, 312–32. Singapore: The Richard Davis Fund, 1992.
- . “Thai Revolution (1932).” In *The Encyclopedia of Political Revolutions*, edited by Jack A. Goldstone, 479–80. Washington, D. C.: Congressional Quarterly Inc., 1998.
- , “Time’s Arrow and the Burden of the Past: A Primer on the Thai Un-State.” (2012), <http://sensatejournal.com/2012/05/craig-reynolds-et-al-times-arrow/>.

- Saichol Sattayanurak. "Intellectuals and the Establishment of Identities in the Thai Absolute Monarchy State." *Journal of the Siam Society* 90, no. 1-2 (2002): 101-24.
- . *Khwamplianplaeng nai kansang chat thai lae khwampenthai doy Luang Wichitwathakan [Changes in the Construction of the Thai Nation and Thainess by Luang Wichitwathakan]*. Krung Thep: Matichon, 2002.
- Saneh Chamarik. *Democracy and Development: A Cultural Perspective*. Bangkok, Thailand: Local Development Institute, 1993.
- . *Sitthi manutsayachon: ken khunnakha lae than khwamkhit = Human Rights: Value and Concepts*. [in Thai] Bangkok: Munnithi Khrongkan Tamra Sangkhomsat Lae Manutsayasat, 2001.
- Sahaphap phuea sitthi manutsayachon haeng prathet thai [Union for Human Rights of Thailand], "Chotmai poet phanuek theung nayok rathamontri chapab thi 2 [2nd open letter to the prime minister]," (13 July 1977 [2520]). Thammasat University Archives, B4/9.
- Sarun Krittikam. "Entertainment Nationalism." In *Saying the Unsayable: Monarchy and Democracy in Thailand*, edited by Søren Ivarsson and Lotte Isager, 61-87. Copenhagen: NIAS, 2010.
- Schaap, Andrew. "Enacting the Right to Have Rights: Jacques Rancière's Critique of Hannah Arendt." *European Journal of Political Theory* 10, no. 1 (2011): 22-45.
- Sekula, Allan. "Reading an Archive: Photography between Labour and Capital." In *The Photography Reader*, edited by Liz Wells, 443-52. London: Routledge, 2003.
- Selby, Don. "Experiments with Fate: Buddhist Morality and Human Rights in Thailand." In *Wording the World: Veena Das and Scenes of Inheritance*, edited by Roma Chatterji, 128-53. New York: Fordham University Press, 2014.
- . *Human Rights in Thailand*. Philadelphia: PENN, University of Pennsylvania Press, 2018.
- Sen, Amartya. "What Lee Kuan Yew and Li Peng Don't Understand About Asia." *The New Republic* 217, no. 2-3 (1997).
- Sentilles, Sarah. "The Photograph as Mystery: Theological Language and Ethical Looking in Roland Barthes's Camera Lucida." *Journal of Religion* 90, no. 4 (2010): 507-29.
- Simpson, Brad. "Human Rights Are Like Coca-Cola': Contested Human Rights Discourses in Suharto's Indonesia, 1968-1980." In *The Breakthrough: Human Rights in the 1970s*, edited by Jan Eckel and Samuel Moyn, 186-203. Philadelphia, US: University of Pennsylvania Press, 2014.
- Sing Suwannakij. "King and Eye: Visual Formation and Technology of the Siamese Monarchy." PhD diss., University of Copenhagen, 2013.
- Sliwinski, Sharon. *Human Rights in Camera*. University of Chicago Press, 2011.
- Sontag, Susan. *On Photography*. Penguin on Design. London: Penguin, 2008.

- . *Regarding the Pain of Others*. New York, N.Y.: Farrar, Straus and Giroux, 2003.
- Streckfuss, David. "The Colonial Legacy in Siam: Origins of Thai Racist Thought, 1890–1910." In *Autonomous Histories, Particular Truths: Essays in Honor of John R.W. Smail*, edited by Laurie Jo Sears, 123–53. Madison, Wisconsin: University of Wisconsin, Center for Southeast Asian Studies, 1993.
- . "Courting Disaster: Can Thailand's Monarchy Survive Democracy?" *World Politics Review* (April 22 2014): 9–14.
- . "Freedom and Silencing under the Neo-Absolutist Monarchy Regime in Thailand, 2006–2011." In *"Good Coup" Gone Bad: Thailand's Political Development since Thaksin's Downfall*, edited by Pavin Chachavalpongpun, 109–38. Singapore: Institute of Southeast Asian Studies, 2014.
- . "The Intricacies of Lèse-Majesty." In *Saying the Unsayable: Monarchy and Democracy in Thailand*, edited by Søren Ivarsson and Lotte Isager, 105–143. Copenhagen: NIAS, 2010.
- . *Truth on Trial in Thailand: Defamation, Treason, and Lèse-Majesté*. New York: Routledge, 2010.
- Sturfelt, Lina. "Visualizing War Victims." In *War Remains*, edited by Marie Cronqvist and Lina Sturfelt, 53–85. Lund: Nordic Academic Press, 2018.
- Sturm, Andreas. "The King's Nation: A Study of the Emergence and Development of Nation and Nationalism in Thailand." PhD diss., London School of Economics and Political Science, 2006.
- Sudarat Musikawong. "Mediating Memories of the 1970s in Thai Cultural Production." PhD diss., University of California, 2006.
- . "Mourning State Celebrations: Amnesic Iterations of Political Violence in Thailand." *Identities* 17, no. 5 (2010): 560–80.
- Sulak Sivaraksa. "Buddhism and Human Freedom." *Buddhist-Christian Studies* 18 (1998): 63–68.
- Sulak Sivaraksa and Donald Swearer. *Conflict, Culture, Change: Engaged Buddhism in a Globalizing World*. Somerville: Wisdom Publications, 2015.
- Surachai Yimprasert. "Kantang klum phalang faikhwa uen uen [Setting up Other Right-Wing Groups]." Accessed 17 October, 2019. <https://doct6.com/learn-about/how/chapter-3/3-3>.
- THAIS - Thai Association in Scandinavia. *Information bulletin*, (1977–1978).
- Thak Chaloemtiarana. *Thailand: The Politics of Despotic Paternalism*. Southeast Asian ed. Thailand: Cornell Southeast Asia Program and Silkwork books, 2007.
- Thanet Aphornsuvan. "Jak thang daeng theung tak bai: prasopkan nai kankae panha khong rat [From Thang Daeng to Tak Bai: Experiences of Solving the State's Problems]." Paper presented at Thammasat University, 23 January 2005.

- . *Kamnoet lae khwampenma khong sitthi manutsayachon [Origins and Development of Human Rights]*. Krung Thep: Kobfai, 2006.
- . “The Search for Order: Constitutions and Human Rights in Thai Political History.” *article 26*, no. 3 (June 2007): 32-41.
- . “Slavery and Modernity: Freedom in the Making of Modern Siam.” In *Asian Freedoms: The Idea of Freedom in East and Southeast Asia*, edited by David Kelly and Anthony Reid, 161-86: Cambridge University Press, 1998.
- Thongchai Winichakul. “Bot thotlong sanoe: aphisit plot khwamphit (impunity) lae khwamkhaochai sitthi manutsayachon nai titirat baep thai thai [An Experiment Proposal: Impunity and the Understanding of Human Rights in Thai-Style Laws].” *Fa Diaw Kan* 14, no. 2 (2016 [2559]): 191-218.
- . *Moments of Silence: The Unforgetting of the October 6, 1976, Massacre in Bangkok*. University of Hawai'i Press, 2020.
- . “The Others Within: Travel & Ethno-Spatial Differentiation of Siamese Subjects 1885-1910.” In *Civility and Savagery: Social Identity in Tai States*, edited by Andrew Turton, 38-62. Richmond: Curzon, 2000.
- . “Remembering/ Silencing the Traumatic Past: The Ambivalent Memories of the October 1976 Massacre in Bangkok.” In *Cultural Crisis and Social Memory: Modernity and Identity in Thailand and Laos*, edited by Charles Keyes and Shigeharu Tanabe, 243-83. Honolulu: University of Hawaii Press, 2002.
- . “‘We Do Not Forget 6 October’ – the 1996 Commemoration of the October 1976 Massacre in Bangkok.” Paper presented at workshop, Cebu, the Philippines, 2001.
- Twomey, Christina. “Framing Atrocity: Photography and Humanitarianism.” *History of Photography* 36, no. 3 (2012): 255-64.
- “UNHCR Says No Comment on Activist’s Abduction.” 8 June, 2020, accessed 14 June, 2020, <https://www.khaosodenglish.com/politics/2020/06/08/unhcr-says-no-comment-on-activists-abduction/>.
- Union of Democratic Thais (UDT). *UDT Report*, October (1976); *UDT Report*, November (1977).
- . *Thai Bulletin* 1, no.1 (1976); no. 2 (1976); 1, no. 3 (1977)
- Veal, Clare. “The Charismatic Index: Photographic Representations of Power and Status in the Thai Social Order.” *Trans-Asia Photography Review* 3, no. 2 (2013). <http://hdl.handle.net/2027/spo.7977573.0003.207>.
- . “Thainess Framed: Photography and Thai Identity, 1946-2010.” PhD diss., University of Sydney, 2015.
- Veerayooth Kanchoochat and Kevin Hewison. “Introduction: Understanding Thailand’s Politics.” *Journal of Contemporary Asia* 46, no. 3 (2016): 371-87.

- Victoria University of Wellington Students Association. "Thailand - Crimes Against the People." *Salient* 40, no. 4. (1977): 9-10. Accessed 21 March, 2020.
<http://nzetc.victoria.ac.nz/tm/scholarly/tei-Salient40041977.html>.
- Winter, Jay. *Remembering War: The Great War between Memory and History in the Twentieth Century*. New Haven, CT, USA: Yale University Press, 2006.
- . *Sites of Memory, Sites of Mourning: The Great War in European Cultural History*. Canto ed. Cambridge: Cambridge University Press, 1998. 1995.
- Wood, Stacy, Kathy Carbone, Marika Cifor, Anne Gilliland, and Ricardo Punzalan. "Mobilizing Records: Re-Framing Archival Description to Support Human Rights." *Archival Science* 14, no. 3/4 (2014): 397-419.
- Wright, George, and Issariya Praithongyaem. "Wanchalearm Satsaksit: The Thai Satirist Abducted in Broad Daylight." *BBC News*, 2 July, 2020, accessed 14 July, 2020, <https://www.bbc.com/news/world-asia-53212932>.
- Zackari, Karin H. "Konstitutioner och konflikter om mänskliga rättigheter i Thailand [Constitutions and Conflicts about Human Rights in Thailand]." In *Mänskliga rättigheter i samhället*, edited by Malin Arvidsson, Lena Halldenius and Lina Sturfelt, 211-31. Malmö: Bokbox Förlag, 2018.

The Original Articles

Article I. Zackari, K. “Writing Rights into Thailand’s History with Photography.” *Thammasat Journal of History* 2, no. 1 (2015).

https://so05.tci-thaijo.org/index.php/thammasat_history/article/view/78480

Article II. Zackari, K. “Violence on the Periphery of the Thai State and Nationhood.” In *State Terror, State Violence: Global Perspectives*, edited by Bettina Koch, 71-92. Springer Fachmedien Wiesbaden, 2016.

<https://www.springer.com/gp/book/9783658111809>

Article III. Zackari, K. H. “Visualizing Impunity: Photography and State Violence in Thailand.” *Trans-Asia Photography Review* 10, no.1 (2019).

<http://hdl.handle.net/2027/spo.7977573.0010.105>

Article IV. Zackari, K. H. “Photography in the History of the 14 October 1973 and 6 October 1976 Events.” *South East Asia Research* (forthcoming).

<https://www.tandfonline.com>

