

The Arrest of Sulak Sivaraksa

Conflicts between a militantly anti-Christian group and the Catholic Church continue in Thailand. Even as the campaign is being stepped up in the rural areas, the Thai Interreligious Commission for Development has been making efforts to promote mutual understanding among all those engaged in development activities, regardless of religious affiliations.

But the past several months have been difficult ones for the TICD, since its chairman, Sulak Sivaraksa, has been arrested and charged with lese majeste. Sulak is internationally known for his publications (among them Siam Through the Looking Glass, A Buddhist Vision for Renewing Society and Monuments of the Buddha in Siam) and his numerous activities on behalf of development and interreligious cooperation throughout Asia. Hundreds of telegrams and letters of protest and solidarity have poured in from every corner of the world, particularly from Catholic and Protestant groups, but at the time this Bulletin goes to press, the matter is still pending. According to certain sources the case may be dropped before it is ever judged formally in a court of law.

On 26 September, 1984, Mr. Sivaraksa released the following signed statement, which has been circulating in mimeographed form in Thailand. It is reproduced here with only minor typographical changes.

1. About May 1983 Mr. Chitrakorn Tangkasemsukh, Teachers College, Udornthani, came to interview me about Thai education in the past, to be compiled with other interviews for a new book to be published by the College to celebrate its Diamond Jubilee on 1st November 1983. The title of the book was *Looking at Thai Education: Past, Present, and Future*.

2. Soon after its publication, a former Minister of Education lodged a complaint to the Ministry that my interview contained defamatory remarks about Rama VI and the present King. As a compromise, the Ministry ordered the College to remove my interview from the book and Mr. Chitrakorn interviewed another former Minister of Education instead, in order to insert it into the book where my interview had appeared before.

3. The Special Branch Police were sent to investigate the matter at the College and the Metropolitan Police invited Mr. Kitti Sitthichindachoke, the printer, for investigation in Bangkok. The conclusion was that there was no case against the printer, the publisher (the College), or anyone concerned.

4. I was not informed officially about all these matters but was told personally that although I had made stronger remarks on the monarchy before, I could do so as a private citizen. This time, my views were published by a Government Agency, which implies that what I said might be in accordance with Government's policy. Hence it was better to leave my remarks of this nature outside official publication.

5. Hence I felt confidence to have my pieces published by the Komol Keemthong Foundation—a non-Government Organization—together with two other interviews. The new book was called *Unmasking Thai Society*, with publication date of 27th June 1984 to mark the Golden Jubilee of Thammasat University. Yet the book was not ready for distribution until 6th July.

6. While the book was being printed by Central Publication, I was abroad. In fact I left for China on my way to Tibet on 24th June and stayed on as a guest of Sun Yatsen University in Guangzhou for a few more days.

7. When I arrived in Hong Kong on the 11th, I learned from Thai newspapers that many Communist suspects were arrested in Bangkok.

8. I proceeded to Japan on the 14th to attend the Pacific Youth Forum outside Tokyo. The Thai participants who came from Bangkok to attend the Forum took with them a copy of my new book, *Unmasking Thai Society*, together with other Thai magazines and newspapers. I learned from them that a lecturer and an editor were arrested in connection with Communist suspects. Some Thai friends teased me that I might be the next target.

9. When the Forum was over, we returned to Tokyo on 22nd, there I received a cable from my wife saying, "IN MY OPINION YOU SHOULD COME BACK TO PROVE YOUR INNOCENCE STOP BUT MAKE YOUR OWN DECISION." A Japanese friend of mine said perhaps I needed to testify to my fidelity.

10. Most Thai participants returned to Bangkok that evening, but I had to give a lecture at Chiba, outside Tokyo. At question time, someone waved a copy of the Sunday *Mainichi Shinbun* which had a long article on the arrest in Bangkok and dealt with events from early July until the confiscation of about 1,000 copies of my latest book on the 14th.

11. I learnt subsequently that although *Unmasking Thai Society* was

not ready for distribution until 6th July, the warrant for confiscating the book was dated the 4th of that month, but the actual confiscation took place on the 17th.

12. While in Japan, I telephoned my wife, who said that the police only took the book into their custody on the charge that it corrupted public morale. The police said in public as well as privately that they would not arrest me. Hence I returned home as planned on 24th July.

13. On 25th, a lot of reporters came to interview me at home. In the evening, the *Bangkok Post* told me that tomorrow there would be a big gathering of Village Scouts to demand my arrest.

14. This reminded me of the event which had led to the 6th October 1976. Then the *Post* also played a crucial role in reporting or shaping the news which led to the political tragedy. While I was in Japan *Dao Sayam (Siamese Stars)* also headlined that I was about to leave Japan to seek political asylum in U.S.A. In October 1976, this same Thai newspaper published a group photograph taken as a memento of an American Quaker Seminar on Pha Mong Dam (which resulted in the famous film *Tongpan*), yet it was captioned as a group photograph of leading communists. On the faces of Dr. Puey Ungphakorn and Mr. Stewart Meecham, the convenor of the seminar, as well as on my face, there were circles, designating our "positions" in the Communist Party. Mr. Meecham was a Russian KGB!

15. On 26th in the morning, about 1,000 Village Scouts gathered in front of the Government House and handed a petition to the Prime Minister that I should be arrested on a charge of *lese majeste*. I was told that the P. M. was annoyed and the Police Chief as well as the Chief of the Special Branch said that there was no cause to arrest me as the book had been confiscated already.

16. On 27th at 5 p.m., I went to give a public lecture at Thammasat University on "Youth and the Problems of Sex." There was a big crowd and of course many reporters and photographers were there. I hardly touched on the political events of the month, nor did I make any criticism on the Village Scouts. I said they had the rights to do as they did. Yet many Colleges and Universities asked me to speak again, but I declined.

17. While I was lecturing at A. T. Auditorium, there was a panel discussion at the Faculty of Law, where Mr. Thongbai Thongpao (who later received the Magsaysay award), Mr. Piyath Vajraporn (Deputy Speaker of the House of Representatives), and two others took part, on the Communist Suppression Act. Mr. Piyath made a strong accusation on the Village Scouts.

18. The press on the following days covered my lecture and the panel discussion quite widely, but the army radio stations attacked Mr.

Piyanath very strongly.

19. The 28th–29th being a week-end, I rested at home and went to Pataya with my family. On Monday the 30th I went to the office as usual. In the evening, I analyzed the political situation with some close friends until 2 a.m. We all agreed that things were not yet too bad, and that they should not arrest me at this stage.

20. On the morning of 31st July, the army radio again attacked our dear Deputy Speaker. Since my wife said I should not worry any more, I went to the office and had my hair cut before proceeding to Thammasat University for yet another public lecture on “Youth and Buddhism.” I was invited to give these two lectures some months ago, as I was due to teach a basic course on Buddhism and Society at the Faculty of Liberal Arts of the same University in the following month.

21. When I arrived at the Faculty of Political Science Auditorium about 5 p.m., I was told that the Special Branch Police were waiting for me at home and had shown the warrant of arrest to my son. I gave the lecture regardless and cut short the question period, telling the audience that I was about to be arrested. I pleaded with them that they should remain calm and they should pass my message to every university that on no account should the students organize any demonstration on my behalf. I felt some power-that-be wanted clashes between the right wing mobs and those they called left wing “students.”

22. Mr. Kitti Siddhichindachoke, the printer of *Looking at Thai Education*, was arrested on the same day. Mr. Chitrakorn Tangkasem–sukh, my interviewer, was arrested the following day, but the printer of *Unmasking Thai Society* was not arrested at all.

23. I thought I would go home to be arrested but my friends who had close contact with some military circles warned me that I should not give in yet, as there was a rumor that there might be a *coup* late that evening, and the police would change the charge against me from *lese majeste* to being a Communist suspect. This would certainly incite students’ anger.

24. It was on such an advice that I hid myself for five days. On Sunday, 5th August, I was consulting my lawyer, Mr. Sunai Chulapongsadhorn, whether, and if so when, should I give myself up. However, I was arrested while discussing with my lawyer.

25. I was taken into the custody of the Special Branch Police, Division Two (dealing with political matters), at its Headquarters from 5th to 10th August. I was well looked after. Mr. Chitrakorn was brought from Udhorn to the same building on the same day. But Mr. Kitti was kept at the local police station all through. He was not as well treated as the two of us at the Special Branch, although the two

of us did not meet each other either.

26. The police officers who interviewed me were cordial. Unfortunately others, such as book sellers who were "invited" for investigation, were treated quite roughly.

27. After investigation, Mr. Chitrakorn and Mr. Kitti were allowed bail on 7th August but my bail was refused by the Police on the 8th. The reasons given were:

- a) I might escape
- b) I might not be safe in the outside world; and
- c) I was a powerful person, and if not in custody could use my influence to alter the case for my benefit.

28. Although the police had the right to keep me for 7 days, as I was arrested on Sunday, they had to hand me over to the Court on Friday 10th August, asking the court to lock me up for 12 more days. They could do this 7 times maximum - unlike the Communist case in which the police could keep the accused under their security for 480 days.

29. It was agreed that my lawyers and my family would meet me and police officers in charge of me at the Criminal Court on 10th at 9:30 a.m. Yet the police took me to the Court before 8 a.m. and led me to appear before the judge at 9 a.m. - without the presence of my lawyers. However, my family and friends were there - many from abroad, including Japanese TV cameramen.

30. The Criminal Court acting as a Military Tribunal agreed with the police that I could be in Jail for 12 days and I was rushed into the Special Prison of Bangkok before anybody knew anything. I spent the whole day there before the Chief Justice of the Criminal Court kindly granted me bail so that I could return home late in the evening.

31. On Tuesday 21st August, I had to go to the Court again to extend my bail for the next 12 days. The Court told me to be there at 8:30 a.m. Yet the police did not turn up until 2 p.m., so my lawyers, my friends and family, as well as I myself wasted the whole day at the Court. Some journalists made nasty comments on the police's behaviour.

32. On Friday 31, although it was not quite 12 days, the police and I had to meet again at the court. This time the Police were punctual and the bail was extended for the next period as the police claimed that they could not yet finish the case.

33. On Tuesday 11th September, the police informed the other two accused that they had finished preparing the case and would pass the case to the Department of Public Prosecutors, so that the two accused had to transfer their bail from the police to the DPP. If the DPP were ready, they would prosecute the three of us on Friday 14th as that was the day I was to go to Court anyhow!

34. As it happened, the DPP felt that the case was not strong enough for them to accuse us as it was, so the police were asked to give the DPP more information. On 14th September, therefore, I was granted bail for the fourth time. This time, my opposite number was no longer the police but the Public Prosecutors. Legally I could be granted bail like this 7 times only.

35. As I understand, the Director-General of the DPP, on receiving my case from the police, had passed it on to Division One in the Department. The Committee of three in the Division would examine the case and recommend its opinion to the Special Public Prosecutor in charge of the case. If the committee's opinion and that of their immediate superior agreed that the evidence was not sufficient to prosecute me and the two others accused with me, they had the right to drop the case. If, however, they agreed or disagreed about prosecuting us, the final decision rested with the Director-General. It was on his recommendation that the case would proceed to the Court.

36. At last the DPP agreed to prosecute us on Wednesday 26th September. So the trial would begin.

37. The charge against me reads: "Mr. Scott, former Director-General of the Royal Mines Department, said King Rama V had done much good for his country but he had also damaged the country tremendously, which covered over all his virtues, i.e. the King had sent students to be educated abroad when they were still young. Hence when they returned home they did not understand their country yet they thought they did. For example, Rama VI thought he understood his country. How could he, as he was always surrounded by courtiers? He could not really understand. The same is true of the present King. He would not understand. If we say he does not understand, people will get angry with us. Especially when he goes up country, a lot of people come to see him; he thinks he understands."

But then I went to the Court, I found that they made more accusations against me on many counts. The next hearings at the Court are 6th-7th November. If enough international pressure is applied, there is a likelihood of dropping the case, although when the case is at the Court it is more difficult than when it was with the DPP.

38. I wish to thank all my friends and concerned people all the world over who have been supporting me in this struggle for justice.

Sulak Sivaraksa
26.9.84