

Protests in Indonesia, Thailand, and the Philippines (2019 -2022). A Synthetic and comparative study of recent advances through a historical lens

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Abstract. Indonesia, Thailand, and the Philippines have witnessed a concerning rise in illiberalism within their governments and institutions. In recent years, instances of human rights violations and the implementation of laws and constitutional reforms have curtailed the freedom of expression in these countries. Consequently, there has been a surge in widespread protests and demonstrations against these illiberal policies, contentious policy proposals, and violations of fundamental rights, such as freedom of expression. These protesters strongly condemn the repression and persecution of journalists, actions that undermine fundamental freedoms. Analyzing the significance and enduring nature of these uprisings raises the question of whether Indonesia, Thailand, and the Philippines are currently undergoing a period of democratic regression and the suppression of fundamental rights. The social unrest expressed through these diverse movements can be viewed as a response to the decline in democratic values.

This document is based on extensive desk research, utilizing secondary resources and data obtained through a comprehensive literature review. Its primary objective is to provide a comprehensive overview of this phenomenon. Conducting comparative and historical analyses of the processes leading to the protests in these countries is crucial to understanding the mechanisms of oligarchy in Indonesia and the Philippines and the hindrance of socio-political mechanisms by the Thai junta. Social movements play a pivotal role in influencing and reshaping government policy decisions that undermine freedom of expression and civil rights. Drawing from Neo-Marxist theories, this paper argues that these reforms and legislative enactments are aimed at maintaining dominion over society.

Keywords: Politics, Rights, Governments.

1 Introduction

This work focuses on the protests that transpired in Indonesia, Thailand, and the Philippines, starting in 2019. Southeast Asia has witnessed remarkable political transformations in recent decades, beginning with decolonization and establishing stable governmental structures. These developments have been mirrored in the establishment of the Association of Southeast Asian Nations (ASEAN), an interregional platform fostering infrastructure and connectivity, economic integration, and diplomatic relations, thereby projecting Southeast Asia's presence on the global stage alongside influential actors such as the United States, China, and the European Union.[1][2][3][4]

From an internal perspective, Southeast Asia, particularly Indonesia, Thailand, and the Philippines, has experienced the consolidation of human rights movements, political figures and the emergence of a distinct political identity. However, the political systems in these countries have long been dominated by oligarchic forces, as seen in Indonesia and the Philippines. In Thailand, the military has impeded mechanisms for sociopolitical change, leading to social disillusionment that culminated in widespread protests, particularly from 2019 to 2022.

Indeed, the protests in 2019 in these countries were sparked by various factors, including the announcement of new regulations and reforms to the legislative apparatus. In Indonesia, the 2019 protests were primarily triggered by the publication of the draft for the penal code reform, known as the Rencana Kitab Undang-Undang Hukum Pidana. The proposed reform was criticized for its authoritarian nature and potential to restrict freedom of protest, expression, and gender rights. The contentious revisions in the new law resulted in widespread protests across the archipelago, particularly in Jakarta.

During the COVID-19 pandemic, Indonesia introduced a new legal approach called the Omnibus Law. This law aimed to revise regulations in various sectors, such as taxation, pharmacy, and the capital city, while also addressing perceived barriers to job creation and the growth of micro, small, and medium enterprises (MSMEs). However, Indonesian trade unions strongly criticized the Omnibus Law on Job Creation for its perceived negative impact on workers' rights. When the law was eventually passed, it sparked large-scale riots, particularly in West Java and Jakarta, as well as other islands like Sulawesi. The authorities responded to the protests with force and repression.

More recently, in 2022, between the end of the second wave of the COVID-19 pandemic and the start of the Russia-Ukraine conflict, Indonesia witnessed a demonstration triggered by rising food prices and statements made by Luhut Binsar Pandjaitan, the Coordinating Minister for Maritime Affairs and Investment. Pandjaitan's comments about the possible candidacy of President Joko Widodo (Jokowi) in the 2024 elections fueled the protest, known as the 11 April demonstration (demo 11 April in Bahasa Indonesia). This protest was particularly dramatic and violent, with police employing tear gas and water cannons against student protesters. Both protesters and police sustained injuries during the clashes.

In Thailand, significant protests erupted in 2020, led by students and citizens in Bangkok. The demonstrations expressed dissatisfaction and anger toward the military regime. Notably, for the first time since the end of absolute monarchy in 1932, protests were also directed against the monarchy. The seeds of these protests were sown during

the 2017 constitutional reform, which was approved through a referendum. The constitutional changes granted increased power to the military junta and resulted in the dissolution of the progressive and anti-military Future Forward Party, founded in March 2018 by Thanathorn Juangroongruangkit, a young Thai businessman. These protests marked a significant shift in the country, as, for the first time since the end of absolute monarchy, demands were made for the abolition of the law on lese majeste, which pertains to royal insult.

In the Philippines, protests against Rodrigo Duterte's administration took place from 2016 until the end of his term in 2022. These protests primarily centered around Duterte's controversial drug war policy and the anti-terrorism bill. The situation in the Philippines drew parallels to the Ferdinand Marcos regime (1965-1989) in some respects. Furthermore, the controversial election of Ferdinand Marcos Jr. as the president of the Philippines and the continued political influence of the Duterte dynasty, exemplified by Sara Duterte's victory as vice president, also generated protests against the new government. This study examines the situation in three countries, namely Indonesia, Thailand, and the Philippines, with a focus on the protests that have taken place in recent years. The underlying assumption is that these countries have experienced a democratic regression characterized by the adoption of increasingly restrictive regulations that undermine democratic principles and fundamental rights.

2 Theory

This work is informed by neo-Marxist theory, specifically regarding the analysis of the state, to contend how the examined governments establish a repressive and authoritarian regime within society. In particular, this study will adopt the critical theory approach. The critical theory examines society by employing "critique" not in a Kantian manner but through Marx's critique of society.[5][6][7] Horkheimer (1992) argues that critical theory can commence with the emancipation of humans from oppressive conditions, leading to acts of freedom and liberation. Marx's theory utilizes critique to illustrate the origins of the political economy and its limitations, demonstrating how the capitalist production system generates an unjust social structure with distinct classes.[8][9] However, critical theory can be understood through a dialectical analysis, combining Marxist and Hegelian ideas[10]. Society exposes social problems, thereby identifying actors who can emancipate the social world.[11] Using normative and practical thinking, critical theory seeks to analyse the capitalist system (i.e., society) to establish an authentic democracy and eliminate inherent suffering within the social structure.[12][13][14]

Furthermore, critical theory, drawing upon historical self-knowledge and rational analysis, aims to scrutinize extra-theoretical interests that give rise to social destabilization, such as protests. The primary objective of this study is to comprehend the historical-political processes underlying protests. Moreover, the use of critical theory and dialectical analysis in this research seeks to explain how and why the governments of Indonesia, Thailand, and the Philippines employ the legislative apparatus to introduce increasingly draconian measures and endeavors to analyze such choices. Additionally, the paper examines protests as the primary agents seeking to destabilize the government's tough decisions.

Following the conclusion of World War II, social movements and protests assumed a crucial role in the Western European world. The traditional materialism and orthodox Marxist labor movement witnessed the emergence of a new wave of social movements and protests, which focused more on civil rights, gender rights, environmental issues, and anti-war demonstrations. These movements, known as New Social Movements (NSMs), were influenced by neo-Marxism, the Frankfurt School, and post-modernism in France.[15][16][17]. Conversely, in Southeast Asia, colonization was nearing its end, leaving behind countries that would later regain independence. According to Ford (2013), NSMs in Southeast Asia emphasized post-materialist social movements, particularly among the middle class.

However, as observed in the Southeast Asian context, the social movement coexisted with labor class struggles and the hardships faced by the urban poor.[18][19] This work does not directly examine NSMs. Instead, it focuses on the underlying causes of protests in these countries, often triggered by factors such as the implementation of repressive laws or norms.

3 Method

This research employs a historical-critical analysis of the democratisation process in the examined nations to elucidate how protests function as manifestations against the repressive political choices undertaken by these countries. To conduct the historical-critical analysis, a semi-systemic approach was utilized to comprehend the democratization process and the impact of protests on this process within the studied nations.

In the case of Indonesia, an in-depth exploration of the post-1945 era was undertaken. This involved a thorough analysis of the events that shaped the evolution of Soekarno's ideologies, including Masharnism, the downfall of the Soekarno regime, the genocide against the PKI, and the subsequent emergence of Soeharto's authoritarian rule. Following a critical assessment of the period spanning 1945 to 1998, the research aims to grasp the contemporary process of democratic polarization in Indonesia and the pivotal role of protests in response to this polarization.

Turning to the Thai context, a comprehensive investigation into the nation's political history and its democratic journey concerning military coups was carried out. Specifically, this analysis encompassed the political literature from 1932 onward, which marks the end of the absolute monarchy and the era of democratic reforms from 1940 until the onset of the Taksin Shinawatra era in the 1990s. The historical-political analysis of these milestones is indispensable for comprehending the significance of protests during the latest coup in 2014.

For the Philippines, the historical-political analysis centred on the role of protests and social movements both pre-independence and during the Marcos regime. This analysis then shifted focus to underscore the role of pro-democracy movements in response to the repressive Duterte regime. Employing a historical approach, particularly adopting a historical-political, descriptive, and prescriptive framework.[20] The author aims to expound on the evolution of protests in the political narratives of Indonesia, Thailand, and the Philippines, alongside their contributions to the goal of democratization within these nations. Furthermore, this approach facilitates the

understanding of contemporary events through historical analysis, highlighting the surge of protests in these countries against their respective governments' arbitrary and suppressive decisions.

Additionally, a comparative analysis encompassing Indonesia, Thailand, and the Philippines—countries featuring distinct political electoral systems—was conducted to shed light on the role of protests in response to the repressive policies of their governments.

4 Indonesia

4.1 The first phase of post-1945 Indonesia policy

Contemporary Indonesian political history is replete with significant events. Following Dutch colonialism's end, the party system's incompatibility in forming a robust government prompted Soekarno to advocate for "Guided Democracy" from 1957 to 1960.[21][22] Indonesia has undergone a complex political history.[23][24], and comprehending the present Indonesian political structure and its behavior necessitates an understanding of key historical periods, namely the rise and fall of Soekarno, the Soeharto regime, the 1998 protests, and the "reformasi" period.

Soekarno, revered as the father of modern Indonesia, stands as one of the most influential figures in Indonesian political history. He was a highly controversial figure, particularly during his later years when Soeharto assumed control of the country following the September 30th Movement[21] or G30S (an abbreviation for Gerakan September 30)[25]. This event precipitated the downfall of Soekarno, the mass killing of members of the Indonesian Communist Party, and the establishment of a military-led authoritarian regime under Soeharto. Nevertheless, comprehending the foundations of Indonesian politics today necessitates an appreciation of Soekarno's political ideology. Anderson (2002) asserts that Soekarno's political thought underwent an evolution, transitioning from his early years as a "revolutionary" to a more radical stance. In fact, during his later years, he sought parliamentary appointment as president for life in contravention of the 1945 Constitution.

Furthermore, the historical significance of Soekarno's political thought in this discourse is closely linked to the approach he adopted in Indonesian politics. The historical notions of Indonesian national identity, particularly during Soekarno's era, were rooted in four principles: nationalism (specifically anti-imperialist nationalism), Marxism, which developed into Marhaenisme, and religiosity.[26][27][28]. Soekarno is renowned for his staunch opposition to imperialism and colonialism, which was indeed a prominent aspect of his ideology. However, anti-capitalist and socialist ideas also featured in his political thought, particularly during the early 1930s.[28]

Nevertheless, according to Hauswedell (1973), it is interesting how Soekarto's departure blocked the revolutionary process that had begun. The idea of revolution between the PNI (Soekarno) and PKI differed in some respects. In particular, on the agrarian reform that the PKI pressed a lot. However, when the army conducted a coup, first with the extermination of the PKI and then overthrowing Seokarno, giving Seoharto de facto power, it started a counter-revolution, which blocked the Soekarntian revolution in Indonesia. After Soeharto took control of the country, Indonesia was under a repressive regime until 1998.

4.2 The polarization of democracy in Indonesia (2014-2019)

After the fall of Soeharto and his regime, during the 1998 protests, Indonesia started a period called reformasi. After a few transactions where Indonesia saw the government of Habibi, Gus-Dur, and Megawati, Susilo Bambang Yudoyono (SBY) became the president of Indonesia from 2004 until 2014. In 2014, the man of the people, Joko Widodo, won the election. This important event marks a breakthrough change in the Indonesian political hierarchical structure. In particular, the problem of democracy in Indonesia started to be understudies during the second period of SBY.[29][30]

Jokowi was not a member of the oligarchs' Indonesian system or even part of the military. Indeed, the analysis of contemporary Indonesia's policy sees a reinterpretation of Indonesia as dominated by an oligarchic. Soeharto himself was an oligarch. The oligarchy theory in Indonesia sees a different interpretation of how the oligarchy plays a role in Indonesia in the economic and more political approach.[31][32][33][34] Indeed, before Joko Widodo, mostly all the government representatives were part of this oligarch system because of the contro-revolution started by Soeharto after overthrowing Soekarno.

However, a new figure came from the low-level class, or this was the narration. Joko Widodo, ex-Governator of Jakarta, in 2014 become President of Indonesia. The 2014 elections are a wild piece of religious identity politics in Indonesia. When Jokowi left his post as governor in Jakarta to Ahok, an ethnic Chinese Christian, pluralistic politics, which in 2012 seemed to be dominant, given Jokowi-Ahok's victory as governor of Jakarta, collapsed.[35] Even this, according to Power (2018), under Joko Widodo's government, Indonesia sees a detriment to democracy. In particular, towards a more conscientious and anti-pluralistic Islam, an authoritarian use of state institutions and repression of the political opposition.[36] Indeed, the most important events that show the deterioration of the democracy under Jokowi are the massive protests against Ahok with the rise of the 212 movements and how national religiosity overtook Indonesian politics. Fact is tangible in the choice of Ma'ruf Amin, ex-MUI chairmanship and an important figure during the process against Ahok, as a candidate for the vice presidency.[36] According to Warburton (2020), this escalation that has hurt the democracy in Indonesia is a consequence made by Joko Widodo that tries to defuse the polarization it has undermined the institutions and the fundamental norms of democracy. Criminalizing the exponents of religious extremism through the norm and the legal apparatus had given space to create a religious and political identity. Indeed, after the Islam protests against Ahok, Jokowi provided a law to ban radical Islamists because it conflicted with the 1945 Constitution and Pancasila principles.[37][35] According to Mietzner (2018), the government's repressive response to the populist-Islamic wave in the country has created a rift in the role of political institutions, undermining democracy. The government has amplified the wave to marginalize the Islamic populist wave. This finds its conclusion in the 2019 elections. After Jokowi-Amin's victory against Prabowo-Uno, protests are unleashed in Jakarta.

4.3 A new mandate under protests in Indonesia (2019-2022)

The second term of Joko Widodo's presidency in Indonesia commenced amidst protests in Jakarta. These demonstrations, supported by the opposition candidate Prabowo

Subianto, were intense and resulted in the deaths of 20 individuals. The protests alleged electoral fraud in Jokowi's victory. Prabowo utilized social media platforms to address the situation and call for an end to the protests. However, concerns have arisen regarding the state of democracy under the Jokowi administration, evidenced by the diminishing presence of opposition in the government and the implementation of more restrictive laws.

Notably, Prabowo's appointment as the Minister of Defense, which led his party, Gerindra, to join the government, has significantly weakened the opposition, resembling the levels seen during the Soeharto era. With limited opposition, legislative oversight of the executive branch will likely be weakened.[35] Consequently, the Joko Widodo administration has introduced or proposed laws with more restrictive provisions. One significant protest that followed the post-election unrest in Jakarta was against the proposed revision of the penal code. The issue of revising the penal code in Indonesia traces back to its historical formation, rooted in the Dutch colonial era and its subsequent development.[38] The draft revision, however, includes provisions that impose greater restrictions. These restrictions primarily pertain to freedom of expression, speech, and gender identity. According to Hartoso, the head of Human Rights Watch Indonesia, the new criminal code reflects the growing influence of Islam. The gender-related aspects of the revised penal code are not new. During Soekarno's era, the Indonesian penal code did not address gender identity matters but rather emphasized the gender roles of men as workers and women as caretakers, reinforcing a gender ideology framework. Following Soeharto's regime downfall and the transition to democracy, one would expect a more liberal approach to gender freedoms. However, Indonesia has faced pressure from Islamic movements seeking to impose more restrictive Islamic-style laws concerning gender identity.[39] Consequently, the revised penal code can potentially undermine sexual and gender freedom.

Furthermore, freedom of speech and expression are also at risk. Concerns have emerged over a proposed law that aims to penalize criticisms of the government and Islam, possibly resulting in discrimination against religious minorities in the country. The prospect of such legislation has sparked protests in Indonesia, particularly in Jakarta, where students and human rights activists have called for the rejection of the draft. The large-scale and violent nature of these protests compelled the government to withdraw the reform for further revision. Another notable protest in Indonesia occurred following the passage of the Omnibus Law, a labor reform legislation. Protests against this law, including Jakarta, took place nationwide and were primarily focused on labor rights and environmental concerns.

Moreover, in April, a protest led by students and citizens erupted in Jakarta due to Jokowi's unconfirmed statement regarding his candidacy in the 2024 election. The announcement triggered demonstrations, which were met with police intervention. Consequently, Indonesia is moving toward an authoritarian legal regime characterized by stringent laws that limit workers' rights in a more capitalist framework and restrict fundamental rights, such as freedom of speech and belief.

5 Thailand

5.1 The end of the absolute monarchy (1932) and the beginning of the Thai-Style Democracy

Unlike many other countries in Southeast Asia, Thailand has never experienced direct colonization by Western powers. Since the end of the absolute monarchy in 1932, Thai politics have been characterized by a complex interplay between the military, the monarchy, and the people.[40]

According to Neher (1992), from the post-absolute monarchy period until 1972, there were efforts to establish a democratic government supported by the student "revolution" movement of 1973-1974.[41][42] However, this movement was brutally suppressed during the violent events of the 6 October massacre at Thammasat University. It is important to note that the ideology of the student movement in 1973 was not aligned with communism or the Communist Party of Thailand (CPT). The core ideology of the student movement was rooted in the principles of liberal democracy. Marxism and communism were illegal in Thailand then and were prohibited from being taught in universities. The CPT was not actively involved in the events of 1973. Nevertheless, there was a convergence between the student movement and the CPT from 1973 to 1975.[43]

In 1976, the military seized power, justifying their coup as a necessary measure to prevent Thailand from succumbing to the wave of communism sweeping the region. The military's concerns were fueled by the developments in Vietnam and Cambodia, where communism had gained significant ground. These events raised apprehensions among the Thai elite and business classes. Additionally, the growing polarization and inequality experienced by the working class raised concerns about the potential for a communist uprising in Thailand. [44] During the 1980s, the Thai economy was dominated by an oligarchy and the military junta led by General Prem Tinsulanonda. However, this alliance between the bureaucratic elite and the military ended when Chatichai Choonhavan assumed the role of prime minister in 1989. [45] The Chatichai government aimed to shift decision-making power from the military and bureaucratic elite to elected politicians. This move alarmed the ruling class, which maintained close ties with the military. Consequently, in 1991, under the leadership of high-ranking military officials, the Chatichai government was overthrown. [46][47]

The right-wing forces and the military pressured and caused the collapse of the democratic government in Thailand, which had been established through a student revolution, within three years. Massive anti-military student protests in May 1992 led to the military assuming de facto control of the country again. Under the leadership of Army Commander in Chief Suchinda Kraprayoon, the military junta overthrew the elected government of Chatichai and nullified the constitution. The National Peace Keeping Council (NPKC) subsequently imposed a new military regime. [47] According to Chai-Anan (2002), the protests in 1992 involved different ideologies and actors than those in 1973. While the student movement played a central role in the 1973 revolution for democracy, it did not have the same influence in the 1992 protests. The May protests also saw the participation of military factions that did not support the coup, businesspeople from the middle class, and students.

However, the 1991 coup was a collaborative effort between the military and the economic elite who controlled businesses in Thailand. The Thai upper class, by providing support, played a crucial role in enabling the coup d'état to occur in 1991. During this period, Thailand differed from the student revolution of 1973 in terms of the essential role played by capitalism. In 1973, the democratic movements initially won the "class struggle." However, by 1993, the confrontation was not between the military elite/oligarchs against the lower class/workers and students. Instead, it was a clash between the ruling classes of Thailand competing for dominance in Thai politics. [45] Nevertheless, the Black May Uprising remained one of Thailand's most dramatic and significant protests since 1973. It paved the way for a democratic transition in Thailand, which found concrete expression in the enactment of the 1997 constitution. [48][49][50]

5.2 Clash of movements: yellow against the red (2007-2014)

The emergence of Thaksin Shinawatra as the Thai prime minister heralds a new era in Thai politics. The economic crisis triggered by the 1997-98 Asian financial crisis precipitated a social-economic turmoil in Thailand. In the midst of this predicament, Thaksin Shinawatra secured victory in the election with his party, Thai Rak Thia (TRT). Thaksin garnered support from the Thai business community and the rural segment of Thai society.[51][52][53]

Although the Taksin government can be characterized as autocratic.[54][55] Its impact on Thai politics endures to this day. Throughout Thai history, from 1932 onwards, the country has experienced a delicate and tumultuous power struggle between civilian and military factions. Thaksin's triumph signified a shift in this power dynamic. It created a division between the privileged bureaucratic class and the impoverished working class, which later manifested in sporadically violent clashes between pro-monarchy (and military) factions and those supporting Thaksin, mainly composed of the lower and economically disadvantaged class. Undoubtedly, the rise of the Taksin government was the culmination of a convoluted political history, characterized by the fluctuating roles of the military and civilians, ultimately leading to a surge in rural populism under Thaksin's leadership.

During this period, the upper middle class in Thailand assumed control of the country's politics through populist policies. [56] Unprecedented in Thai history, a single party managed to secure consecutive election victories with a significant majority, allowing the TRT to form a government without a coalition. However, this dominant position in Parliament raised concerns about a potential shift towards authoritarianism, which was already apparent during Thaksin's initial term and intensified after his reelection with an absolute majority. This development could pose challenges, particularly exacerbating human rights issues and the complex situation in the southern region with its Muslim minority. [57][58]

The emergence of cracks in Thai society became evident through the antagonistic contest between the People's Alliance for Democracy (PAD), also known as the Yellow Shirt movement, and the United Front for Democracy Against Dictatorship (UDD) and Democratic Alliance Against Dictatorship (DAAD), collectively referred to as the Red Shirt movement. The ideological context underlying this division holds significant importance as it reflects the rift and representation of the elite and bourgeoisie within

society. The clash between the Yellow and Red shirts can be characterized as a class conflict pitting the military, royalty, and middle-upper class against the rural and lowest classes. It is worth noting that this does not imply that Taksin was a politician with socialist leanings but rather that he recognized the economic disparities within Thai society. The division between the PAD and UDD/DAAD movements is clearly manifested in the Thai political landscape. Prior to the coup against Thaksin, the PAD demonized him as the epitome of the emerging Thai elite, using this portrayal to justify their actions.[59] This sentiment persisted even when Thaksin secured a second term through a resounding majority but was subsequently ousted by the established hegemonic elite in a 2006 coup. The protests between the Yellow and Red shirts, which gained momentum during Thaksin's second term, can be interpreted as class conflicts between the entrenched elite (represented by the PAD and royalists) and a faction of the elite opposed to the new elite, alongside a segment of the rural lower class (represented by the UDD).[60]

However, the conflict between the PAD (or PDCR) and UDD concluded after a period of violent and tense confrontations, particularly between 2007 and 2014, culminating in the military coup of 2014 (Sinpeng, 2021). Following Thaksin's removal from power, the imposition of martial law, the abrogation of the 1997 constitution.[61] The establishment of a military regime, and the clashes between the Yellow and Red shirts, the post-coup elections resulted in the triumph of the People's Power Party (PPP), which closely aligned with Thaksin's policies. Subsequently, under the leadership of Samak Sundaravej and later Somchai Wongsawat, two interim governments, violent protests by the PAD and UDD ensued, leading to the loss of 87 lives and injuries to thousands, prompting the demand for new elections. In 2011, Yingluck Shinawatra, Thaksin's sister, secured victory with the Pheu Thai Party, the successor to the TRT.[61] The election and Yingluck's success reignited protests by the PAD, now rebranded as the PDCR (People's Democratic Reform Committee). The social issues and the government protest provided a pretext for the military to stage a coup. Consequently 2014, General Prayuth Chan-o-Cha declared martial law and established a military regime under the junta known as the National Council for Peace and Order (NCPO).

5.3 The (2021) post-coup authoritarian period and the desire for democracy in Thailand

Protests in Thailand have played a crucial role in the country's democratic transition. For instance, the 1973 student revolution and the sacrifices made by students during the Thammasat massacre were pivotal in fostering a critical and democratic sentiment. These events paved the way for the 1992 protests and the subsequent enactment of the 1997 constitution. The 1997 constitution expanded the power of elected representatives at both the local and national levels, creating opportunities for a new political class that aimed to garner broader support, exemplified by figures like Thaksin.[62]

However, the pursuit of democracy in Thailand encountered significant challenges due to political polarisation. A notable fracture in Thai society emerged during Taksin's leadership, as Taksin and his sister, despite not representing the Thai labor class, was regarded as part of the bourgeoisie. Their notable achievement was giving voice, through populist policies, to segments of society that had previously been unheard, particularly those outside the monarchist class.

The coup in 2014, which lasted until 2019, brought forth another dimension of Thailand's political landscape. From 2014, the year of the coup d'état, to 2019, Thai society experienced significant economic and social transformations due to the implementation of martial law. The authoritarian shift, which persisted for nearly six years under the military regime, reshaped the power dynamics and control structures through constitutional reforms and the consolidation of power. The death of Rama X in 2016 raised concerns for the Junta, as it anticipated that most Thais would have voted for Thaksin or a party embodying Thaksin's ideology, posing a challenge to the elite.[63]

By employing autocratic-constitutional reform in 2016, the Junta established democratic rule by exploiting constitutional mechanisms.[63] The positive outcome of the 2016 referendum, which approved the 2017 constitutional reforms, reflected the military's reluctance to undergo a natural process of democratization in the country.

Furthermore, the Junta resorted to various means, including violence against the opposition, to ensure victory in the referendum. This victory had far-reaching consequences as it solidified the Junta's de facto power and lent it a certain degree of credibility, as evidenced by their subsequent participation in general elections and the appointment of Prayuth Chan-o-cha as the prime minister. The Junta's primary strategy to curtail and neutralize the political progress of anti-establishment and anti-Junta parties involved an illiberal revision of the electoral system. This included diminishing the executive power conferred by the 1997 constitution and weakening major parties. [64]

Furthermore, the process of authoritarianism was facilitated through illiberal measures and the concentration of power in the hands of the military Junta even before the elections, carried out through a juridical-authoritarian approach. Initially, the military assumed positions of influence in critical ministries and drafted bills to legitimize the appointments of generals to constitutional bodies like the National Anti-Corruption Commission. Additionally, there was an increased collaboration between the monarchy and the Junta, reminiscent of the power consolidation in 1960 when the monarchy allied with the military. [65] According to McCargo and Alexander (2019), the 2017 constitution introduced a unique voting system known as mixed member apportionment (MMA), which curtailed the ability of significant parties to attain a parliamentary majority. [65][66] The constitution also granted the elected Senate a role in selecting the Prime Minister, deviating from the provisions of the 1991 constitution. This Senate, however, was under the control of the Junta. [67][63] It is important to note that the developments in 2019 did not signify a return to democratic transition. Instead, they marked the proclamation of elite hegemony with the support of the military against the pro-Thaksin and democratic elite. According to Ricks (2019), the new constitution calculates party lists based on the Junta-appointed Election Commission (EC), which has faced allegations of negligence and favoritism toward the Junta.

Hence, the 2019 election highlighted two crucial factors reflecting Thai society's evolving dynamics, particularly during the junta regime. Firstly, the emergence of the Future Forward Party (FFP) as a pro-democratic anti-establishment party signifies a progressive shift in Thai politics. This party garnered attention from various minority groups, including Muslims and the LGBTQ community, as it openly criticized the lesè majeste law, which played a role in the 2019 protests that thrust Thailand into the international spotlight. Additionally, young Thais did not align themselves with the

traditional yellow-and-red political dichotomy and showed significant support for the FFP.[68]

During the election, as noted by McCargo (2021), the FFP represented the most recent unsuccessful attempt at political transformation in Thailand. The party effectively utilized mass communication tools and social media platforms to campaign with democratic objectives, targeting the young demographic living under the regime. This new generation perceived the FFP as a novel alternative that stood apart from the red-yellow political confrontation.[69][70] Nonetheless, Thanathor Juangroongrungkit, the leader of the FFP, had to rely on social media channels to engage with the populace.

However, despite the active involvement of these new political actors and the aforementioned developments, they could not overcome the autocratic military coup in the 2019 election. The leader of the FFP, Thanathor, faced allegations of violating election laws, resulting in his suspension by the Election Commission.[65] Under immense pressure, the pro-junta Palang Pracharat Party emerged victorious, leading to Prayuth's subsequent appointment as prime minister.

6 Philippines

6.1 Pillars of Complexity: the Intricate Colonial Tapestry of the Philippines

Like other former colonial countries in Southeast Asia, the Philippines experienced prolonged occupation by Western and other nations. Notably, the Spanish crown controlled the islands for several decades, from 1521 to 1896. Following the end of Spanish rule, the Philippines witnessed subsequent occupations by the United States and the Japanese during the Second World War, eventually leading to the "liberation" of the United States.[71] Throughout the history of the Philippines, protests have played a significant role, with one of the most pivotal being the revolution against Spain in 1896. This revolution was spearheaded by the Katipunan movement, which was established in 1892 by Andres Bonifacio as a secret revolutionary society opposing colonial rule.[72]

The term "Katipunan" derives from the Tagalog phrase "Ang Kataastaasang Kagalagalangan Katipunan ng mga Anak ng Bayan" (Highest, Most Honorable Society of the Country's Sons and Daughters). The history of this military movement is characterized by its romantic and dramatic nature, born out of a fervent desire for liberty against colonial occupation. Tragically, the movement witnessed the execution of Bonifacio, who faced internal conflict with Emilio Aguinaldo, the subsequent leader of the Katipunan after Bonifacio's demise. Various scholarly perspectives have analyzed the differences between Bonifacio and Aguinaldo within the revolution. However, it is also possible to interpret the dissimilarities between these two leaders of the Katipunan as a conflict between charismatic authority (Bonifacio) and bureaucratic authority (Aguinaldo), employing a Weberian framework.[73]

Indeed, the revolutionary movement Bonifacio and his comrades led in the Katipunan was driven by a strong aspiration for freedom, democracy, and nationalism.[71] However, following the revolution against Spain, the Philippines faced new conflicts with the United States. The United States had a dual presence in the Philippines, initially during the aftermath of the revolution against Spain in the event known as the U.S.-Philippine War, which officially ended in 1902. This war was

a bid by the United States to establish its empire in the Philippines.[72] It was a bloody conflict that claimed the lives of many Filipinos, numbering in the millions during that period. Paradoxically, this war further intensified and strengthened the nationalistic sentiments that had emerged during the Spanish occupation.

The American colonial period they have left a lasting impact on the political structure of the Philippines. According to Villacorta (2002), it contributed to the development of democratic institutions in the country. However, these democratic ideals were not imposed but instead arose from the struggles and sacrifices of the Filipino people.[74][71] The American colonial period they have also led to a devolution of power within the Filipino elite, resulting in increased provincial and elective offices due to the absence of a strong bureaucracy.[74][75] Undoubtedly, the experiences of both Spanish and American occupation profoundly impacted the political culture of the Philippines. The United States played a crucial role in shaping the country's political system, civil rights, presidential form of government, and constitutional supremacy.[74] As exemplified by the 1935 constitution.[76]

Throughout history, the Philippines has demonstrated a firm commitment to human and civil rights. Although the country attempted to depart from the U.S. model with the introduction of a parliamentary system in the 1973 constitution, this move was exploited by the Marcos regime to establish an authoritarian rule. Before that, the Philippines had drawn inspiration from the U.S. Constitution for its constitutional framework

6.2 Ferdinand Marcos and the role of the protests in defeating the regime

The political landscape following World War II witnessed a growing disparity and poverty in the Philippines. One of the most pressing issues was related to agrarian and land reform. Indeed, between 1946 and 1956, the Philippines experienced significant protests and rebellions, primarily concentrated in the Luzon region. These protests were initiated by the Hukbong Laban sa Hapon (Huk) rebellion movement, which initially emerged in opposition to the Japanese occupation but also played a crucial role in advocating for agrarian and land reform. The rebellion eventually subsided during the presidency of Magsaysay, primarily due to the strategic limitations of the movement and the policies implemented by the Lulu administration, with the financial backing of the United States.[77][78][79]

In subsequent years he witnessed shifts in political leadership through regular elections in the Philippines. However 1965, Ferdinand Marcos emerged victorious in the presidential election, defeating Macapagal and Roxas. Marcos, who had played an active role in World War II in the Philippines and initially aligned himself with the Liberal Party during the post-war period, changed his affiliation to the Nacionalista Party in 1965.

According to Overholt (1986), Marcos assumed the presidency during relative economic and democratic prosperity. However, the high levels of corruption witnessed during the Macapagal presidency fueled critical sentiments among student, labor, and religious movements regarding the U.S. interests in the Philippines, which Marcos strategically exploited for his political gain in the election.[80] At the time, the Philippines was seen as an example of democratization in Southeast Asia. However, the increasing inequality, concentration of wealth in the hands of a few, rising poverty,

and urban population growths contributed to the victory of the Nacionalista Party and Marcos in the Philippines.[80][81]. Hidalgo (2002) noted that the Philippine economy was heavily reliant on exporting goods to the U.S. market, and any ideas of developing a more self-reliant national economy were often dismissed as communist or anti-American.

Indeed, the political-economic arrangements imposed by Filipino bourgeois capitalists and the American class, who profited from U.S. exports, perpetuated inequality and poverty in the Philippines. This class vehemently opposed President Carlos P. Garcia's proposal to adopt a Filipino-centric (Filipino-First) economic policy in 1958, resulting in the effective marginalization of the proposal and Garcia himself and Macapagal's assumption of the presidency. During this period, which coincided with the Cold War and the Vietnam conflict, the United States maintained its presence in the Philippines. Marcos took advantage of this situation to consolidate his power, benefiting from substantial financial support from the U.S., which required a military base in the Philippines for strategic purposes against the Communists in Vietnam.[80] In 1969, Marcos won re-election due to the term limit specified in the 1935 Constitution. Subsequently, Marcos called for a constitutional reform to extend his presidential term indefinitely, leading to the replacement of the 1935 constitution, which was based on the U.S. Commonwealth.[82]

Following the passage of the reform in 1971, Marcos declared martial law in 1972, thereby consolidating his power indefinitely and employing repression and violence against political opponents, including members of the police and the military.[83] Marcos justified this action by claiming to prevent the communist threat in the Philippines, citing instances of bomb attacks, However, documented evidence reveals that some of these attacks attributed to the government's communist adversaries were orchestrated by Marcos himself to instill fear of communism and justify martial law.[80][84][85] Moreover, the United States played a crucial role in supporting the Marcos regime for economic and strategic-military reasons, which should not be overlooked.[82][71] According to Nowak (1977), the regime employed a plebiscite to legitimize its actions, capitalizing on the growing anti-political sentiment during the Marcos administration. This sentiment was further reinforced by the dismantling of the old oligarchic system, replaced by a new oligarchic system that emerged in the early politics economics 1980s and dominated and in the post-Marcos period.[86][75][87][88]

The Marcos regime and its vision for a new Philippine society collapsed in 1986. According to Overholt (1986), the Marcos regime was a complete failure, both organizationally and economically. Marcos lacked the political support necessary to enforce his authoritarian rule, and the country's economic problems in the early 1980s further weakened the regime. Ultimately, the regime's downfall occurred in a politically polarized Philippines marked by social and economic divisions.

The collapse of the regime, facilitated by the "People Power" revolution, was primarily driven by fear among the Philippines' elite class, who perceived their safety at risk following the assassination of Senator Aquino. Despite some support from segments of the elite and the military, the Marcos regime threatened the security of the bourgeois elite class, which was already strained by the country's economic crisis. Consequently, the regime faced opposition from the elite and the middle and working classes, who joined forces to overthrow Marcos.[86]

The Marcos regime met its demise in 1986 during the Epifanio de Los Santos Avenue revolution. The critical situation created by Marcos through the imposition of Martial Law in 1972 mobilized Filipinos across various sectors, including the Catholic Church. In the regime's final years, the Catholic Church emerged as a political actor playing a pivotal role in driving the revolution against Marcos.[80][89]

However, Litonjua (2001) argues that the People Power Revolution had a significant, even decisive, impact on the end of the Marcos regime. It brought about a transformation in the political system that had enabled Marcos's victory in 1965. The aftermath of Marcos's departure saw the restoration of a bourgeois-capitalist regime, which had been under threat during the regime's final years.

6.3 The end of the Duterte administration and the legal authoritarian style

During the post-regime period in the Philippines, he witnessed the resurgence of the democratic elite to power. However, the political landscape regarding human rights and economics could have been more transformative. The restoration of democracy before the imposition of martial law resulted in the re-establishment of the country's old elite and dynastic structures. Arugay (2016) asserts that electoral politics in the Philippines primarily revolve around the political and economic elite class. Similar to Marcos in 1969, the election of Duterte in 2016 was another manifestation of the elite, or capitalist bourgeoisie, in Marxist terms, combining strong nationalist rhetoric directly targeted at the country's lower class and impoverished sectors. Duterte's rise to power resulted from a complex political stagnation in the Philippines, and his rhetoric and communication was characterized by aggression and cruelty, particularly concerning the war on drugs, national anti-colonial sentiment, and anti-establishment stance.

According to Mendoza and Jaminola (2020), Duterte employed anti-oligarchy rhetoric to gain popularity, yet the concentration of wealth remained high among a few. Duterte utilized the country's high poverty rate to bolster his support among the impoverished segments of the population.[90] From an economic growth perspective, the Philippines experienced positive performance, with a 6.1% growth rate during the Aquino III administration. However, the political establishment did not adequately address the issue of poverty. This, coupled with the nationalist discourse and the antidrug solid stance, played a crucial role in the election, where Duterte garnered 16 million votes out of the 44 million cast.[91][92]

The propaganda surrounding the war on drugs under Duterte's leadership resulted in numerous protests in the Philippines since 2016. Duterte's approach of employing an "iron fist" policy against drugs had been ingrained in his political career. As Jun You (2018) suggests, during his tenure as mayor of Davao, Duterte implemented repressive punitive measures, violating human rights, against individuals involved in drug use or trade. However, these policies disproportionately targeted the lower-poor class. Although drug use cuts across all social classes, the majority of victims killed were from the lower and lower-middle classes, while individuals from higher classes involved in drug-related offenses were treated with less violence, garnering support for Duterte's approach.[91][92]

Nonetheless, the Duterte administration resorted to a brutal war on drugs, employing both police forces and extrajudicial "vigilante" groups to eliminate perceived political enemies as well.[93] Furthermore, the controversial anti-terrorism bill and the

suppression of freedom of speech became prominent issues under the Duterte administration. Indeed, human rights abuses escalated significantly during this period. However, the significance of this phase in the Philippines' political history lies in the Duterte administration's utilization of legal or extra-legal measures as tools to suppress potential political threats to their regime, often justified through high nationalist rhetoric. Legislative authority served as a primary mechanism employed by Duterte. For instance, amid the dire health crisis caused by the COVID-19 pandemic, Duterte enacted and signed the Anti-Terrorism Act.[94] Which amended the Human Security Act of 2007.

The Philippines faces challenges related to terrorist groups, particularly Islamic-secessionist and communist factions concentrated in the Mindanao province[95][96] However, the Anti-Terrorism Act received severe criticism from civil society. According to human rights activists, protests erupted, emphasizing the reform's potential threat to civilian freedoms and human rights abuses.[97] The law raised suspicions as it was enacted hastily during a genuine health crisis. Human rights activists condemn the anti-terrorism act as a tool for repression, enabling the government to label opponents as terrorists, exploiting both religious and nationalist justifications, a practice known as "red-tagging".[98]

Another approach adopted by the Duterte administration, through the implementation of draconian laws, is restricting freedom of expression.[94] The Duterte administration targeted independent news outlet Rappler by revoking its Securities and Exchange Commission (SEC) license. Rappler had been known for its critical coverage of the Duterte administration and its CEO, Maria Ressa, faced prolonged periods of arrest. The Duterte era raised concerns about democracy and the rule of law in the Philippines. However, following the end of the Duterte administration, the Philippines witnessed the resurgence of established figures. Ferdinand Marcos Jr. won the election, serving as vice president alongside Sara Duterte. Protests emerged on the streets of Manila, likely due to echoes of Marcos' victory evoking memories of the darkest period of Philippine democracy during martial law. Nevertheless, Marcos Jr.'s election may also be attributed to the continued negative perception among young people, particularly prior to Duterte's victory, regarding a corrupt and oligarchic government.[99][100] A rhetoric Duterte himself employed in an ultra-populist fashion to secure electoral success in the post-Marcos democratic development of the Philippines.[101]

7 Conclusion

The primary objective of this research was to comprehend the authoritarian practices adopted by the governments of Indonesia, Thailand, and the Philippines. By referring to "legal," this study pertains to the employment of governmental institutions to establish regulations or norms that, within the context of these countries, serve to consolidate power in the hands of capitalist elites while simultaneously curbing civil rights and fundamental freedoms as a means of maintaining their dominance. Therefore, the concise historical overview presented for these nations has demonstrated the pivotal role played by protests in post-colonial and contemporary political history, as they have facilitated the transition towards democracy and the protection of civil

rights. These countries continue to experience ongoing protests in response to the government's attempts, through legal means, to suppress civil rights and employ regulations against political and civil opposition.

The protests predominantly emerge as a reaction to the establishment's utilization of legal mechanisms for their benefit. The repressive norms implemented through legislation align with the vision and ideology of the ruling class while oppressing the subjugated class. Protests have been central to the struggle for democracy and civil rights. In Indonesia, protests have arisen against the reform of the penal code and the Electronic Information and Transactions Law (ITE Law) due to the potential repression of fundamental civil rights, including freedom of gender and belief, workers' rights, and freedom of expression. In Thailand, the 2017 constitutional reform, which de facto legitimized the junta and transformed it into a parliamentary-military regime, exemplifies the elite-military class's desire to retain power by suppressing fundamental rights that Thailand has strived to attain in recent years. In the Philippines, the new government led by Marcos Jr., in addition to evoking memories of a dark period in the country's history, follows in the footsteps of the populist Dutertian government, which will be remembered for suppressing freedom of expression and persecuting political opponents.

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