

Chapter 17

Towards Social Transformation in Thailand: Orwellian Power Struggles and ‘Digital’ Human Rights Under the Socio-technical Thai Internet Panopticon



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George Orwell writes across many works of an unwavering sense of surveillance that penetrates the deepest thoughts of a citizen, conforming their behaviour. This is a key theme within his seminal novel, *1984*. Published in 1949, it is one-part futurism, one-part sociological discourse and one-part thriller-noir-romance. Orwell's (1949) ideas deconstruct regime surveillance culture, arising from fears felt often in post-war Europe. Published approximately four years after the Second World War, Orwell explored the trepidation of a stormy global society deeply affected by the actions of the Nazi Party, whose totalitarian ideology played out devastatingly in 1930s Germany. To do so, Orwell invented a quasi-British nation-state as the setting of his story, a plot encapsulating a 'what if'. In it, a western and formerly democratic society had fallen to Nazi, or perhaps Communist, styles of governance. As a result of this governance, draconian surveillance, state observation, fear and repression of human rights had followed. Used cleverly, these tactics can promote a sub-consciousness of observation, induce ordering of activity and avoid the need for overt shows of terror. Whilst terror was omnipresent in Orwell's work, it quickly became unnecessary, as his fictional citizens learnt to act as if it were always a possibility. Stirred by how close western powers came to being dominated by the Nazis, Orwell implicitly drew on the school of thought known as *The Sociology of Literature* to explore socio-criticism through writing, discuss social control and play-out structural institutionalism, discussed often in Sociology, in a fictional story; paranoid citizens self-censored themselves often and, in the novel, many did so willingly.

In *1984*, the impact of totalitarian censorship and authoritative control is profound and thought crime against the nation-state, known in the novel as both *the Party* and

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Big Brother, the de facto mysterious leader of *the Party*, is detected by a range of socio-technical mechanisms for observing people; harsh outcomes ensue for human rights, especially for the two main characters, Winston and Julia, as each is captured, tortured and imprisoned, then forced to surrender any loyalty to one another (Orwell 1949). The novel is, then, a benchmark for critical discussion about digital surveillance rights in contemporary society, which Manokha (2018) rightly points out is a vital discussion as we enter the digital age and the level of our surveillance, and surveillance of others, increases, impacting self-discipline. *1984* is a controversial and, at times, uncomfortable text to read, not least for those of us operating on-the-ground in emerging nations where human rights are an idea, not a right. A source of inspiration for this chapter, we use the ideas found in this novel to explore how, and why, some powerful actors in Thailand fear Orwell's *1984*. Moreover, undeniably there are similarities to be found as we examine events in Thailand over the previous decade. Fear underpins Thai society well into 2020. Orwell's *1984* is still a controversial text in Thailand, even now, because it highlights, to a more general body of Thai readers beyond 'erudite' academic settings, sociological narratives regarding how governments can seek to order, control and indoctrinate a given society into a pattern of compliant social psychological behaviour.

Orwell (1949) goes so far to label such terms as '*newspeak*' and '*doublethink*' in his novel to describe what we might alternatively call propaganda and indoctrination, so the process where people are forced to hold two opposing ideas in their minds at once, juxtaposed between free will and adherence to authority that can define their identity. *Doublethink* likewise serves as an intellectual thought experiment to remind us that we disregard the interrelated complexity of human and non-human phenomena, for example when we eat meat at a social dinner, with friends, and ignore the technically automated slaughter of innocent livestock, creatures that are, ultimately, bred for consumption. For those groups with power, enabling a level of curated self-censorship and the optimal conditions for social *doublethink* can often be a desirable outcome; it creates obedience within a given society and a willingness to be led by those atop it, reducing critical thought and expression in a monument to classism, elitism and oligarchy. It's no surprise, then, that in Thailand, following a military *coup d'état* on May 22, 2014 by the Royal Thai Armed Forces and their militaristic commander, General Prayuth Chan-o-cha, who, as of 2019, became the Prime Minister of Thailand after a controversial election, *1984* was banned from public spaces and social discussion; at that time, airlines even opted to place the book on their 'no-carry' lists due to sociopolitical pressures and political uncertainty (Ellis-Petersen 2018; Ellis-Petersen 2019a; Lertchoosakul 2019; Smith 2014).

General Prayuth Chan-o-cha seized power with the claim that the year of unrest, a period of instability between 2013 and 2014, particularly within Bangkok, under then Prime Minister Yingluck Shinawatra, the sister of the former Prime Minister Thaksin Shinawatra, deposed in 2006 and with warrants issued for his arrest still issued in 2020, needed to end (MacKinnon 2008). Still in power upon writing, unsurprisingly, General Prayuth Chan-o-cha has been the target of criticism (Boonbandit 2020a). Despite the questionable legitimacy of military action against a democratically elected government in 2006 and 2014, there were, however, tangible reasons

for the power struggle that ensued; Thaksin Shinawatra is a controversial figure, one forced into exile, with debates raging about the legitimacy of his leadership (*The Business Times* 2017). Criticisms of those in an official position within Thailand could, if we were to be ironic, be seen, by those critical of governance, as a national pastime. Within Thailand, the militaristic elites' power is bestowed institutionally, and in some cases ancestrally. This, then, enables the potential for heavy military spending over various social reforms that might narrow the inequality gap. Such change would impact an elite and powerful set of actors, in Thailand, who are deeply integrated into the military, whilst, undoubtedly, elevating many in the poorer parts of the country to a much higher social status than before. By contrast, as of 2018, the inequality wealth gap has widened, as evidenced in the Credit Suisse (2018) commissioned *Global Wealth Report*; Thailand scored over 90 on the *Gini Coefficient Index*, which places it as one of the most profound in terms of widest income inequality between the rich and poor across all of ASEAN, and in the top five globally (Credit Suisse 2018; Farris 2010).

As noted by Phongpaichit and Baker (2002) the inevitable period of economic growth in Thailand is impacted by particularly polarising characters in the political landscape; it is not uncommon to see replacements of divisions, staff and, even, secretaries, should ministers fall from favour, thus encouraging economic and political instability. With such instability comes the potential for financial nepotism and under-the-table agreements within Thai society. Entire works have been dedicated to discussing the variety of different leadership styles and methods of business found in Thailand (Phisitsethakan 2004). For this reason, it is difficult to judge if Thailand's economy will prosper, as the *Twelfth National Development Plan 2017–2021* comes to a close. This plan claims it would develop a sufficiency economy amongst a people whom, it is clear, as of 2020 aren't sufficed. Especially due to the yet-unforeseen impacts of the 2020 COVID-19 crisis that has laid bare the breadline levels of welfare some Thais exist within. The optimistic claim of the Thai government that Thailand will be a 'developed country' at the end of this plan could not have anticipated a wide-scale pandemic and, helpfully, the Thai government acted efficiently to manage the situation as it unfolded globally, preventing the widespread outbreak of the infection (Office of the National Economic and Social Development Board 2017; Ratcliffe 2020). Yet, in Thailand, some feel inequality widening has occurred since 2014 and human rights have backslidened, as of 2020; Orwell's (1949) fictional landscape shows us some insight as to why this may be the case.

In *Oceania*, the country Orwell invented for his novel, the means of production and decision making were shaped by the state; from ministerial bodies for love, marriage and reproduction, to economic decision-makers that determined occupations, social status and freedoms therein, a corrupted and centralised bureaucracy ruled, backed with military might and reinforced by covert, or overt, applications of power as a punitive tool. Orwell (1949) emphasises these themes often: *Big Brother* was right, always, in his novel. In the view of some critics, this same novel paints a not dissimilar picture of *governmentality* in Thailand; the term describes the rationality of the government, as inseparable from a seldom-clearly-defined mental code, whose rationalities can shift, dependent on the mechanisms of gaining knowledge

and who distributes it, which constructs power between different groups of actors (Niesche 2013). Such actors unified against *1984*, so banned it after the 2014 Thai military coup, due to many political activists reading and then translating it, in an act of social disobedience, seen similarly in the use of the ‘three finger salute’ popular across 2019 and 2020 in Thailand, another idea drawn from popular fiction. The ban of contemporary and classic literature invites questions for those of us concerned with social transformation in a setting where texts about the abuses of power and human rights can be outlawed. After all, activists used *1984* to begin protesting the marginalisation of democratically entitled communication rights; themes in Orwell’s novel include expression of rights, opinions and even intellectual thought.

Meanwhile, within Thailand in 2014, one man was reported by journalists as detained by police whilst holding the book in hand, claiming he was reading it as an act of personal liberty at the start of the military *junta* (AP 2014). By 2017, the military emphasis of the *junta* was conventionalised into Thai life (Thepumpant and Tanakasempipat 2017). The 2019 election, which followed after five years of military influence, did not help matters, as military power over Thailand was ratified electorally by strict and new regulation of rights and freedoms, with everyone from academics to rival politicians prosecuted for speaking out, which in some cases related to commentary on the World Wide Web (the Web), or concerning opinion that expressed critical views of powerful actors within Thailand (Rojanaphruk and Buabmee 2019; Charuvastra 2019; Nanuam 2019). During this period, the popular idea of Thailand as an escapist holiday paradise seemed far from the true story (Dabphet 2007). What travellers often see in Thailand is a work of fiction that tourism groups strive hard to culture, like a mirage; controlling public and global opinion is not a new idea, much like initiatives enacted over the past decade that have sought to rehabilitate the reputation of Thailand away from the view of some who consider it a destination for sex tourism, amongst other hedonistic preferences (Bangkok Post 2018; Nuttavuthisit 2007; Boonchutima 2009; McDowall and Ma 2010; Tempest 2016). However, concerning digital rights, freedoms and a pro-human Web, this goes far beyond rehabilitation and settles into attempts to limit critical ‘online’ discourse, debate and challenge enacted via the Internet, which is still accessed from points of social and technical control found domestically within Thailand (Chachavalpongpun 2014, 2019a).

At the time of the change in governance that occurred in 2014, more authoritarian tactics were limited by the politics of international sanctions related to the export of trade goods, alongside condemnation by the UN, which were levied at Thailand, directly after the coup. This resulted in US financial sanctions, forcing the *junta* government to try to placate communities with lucrative farming deals and fiscal reimbursements, all the whilst affecting everyday Thai people (Chachavalpongpun 2014, 2019b). Yet, like all sanctions by powers outside of Thailand, these gradually became less impactful as time progressed. Some have suggested that after dissolving the elected government in 2014 and limiting those affiliated with the senatorial offices, the new *National Council for Peace and Order* (NCPO) emerged from the *junta* and dramatically began to reform Thailand; between 2014 and 2019

some academics alleged that they declared martial law, curfew, banned political opponents alongside imposing Internet censorship, as well as tried to limit communication whilst intimidating public broadcast media in the country (Chachavalpongpun 2014, 2019b). Notably, these decisions challenged the constitutionally bestowed freedom of expression in Thailand. The NCPO revised the 2007 constitution and, in the period since, reformed this. In particular, they have introduced amendments favouring Internet censorship (Pitaksantayothin 2014).

Orwell's notable novel *1984*, it seemed, did more than describe the disharmony caused by political totalitarianism; it predicted future themes that would emerge in the region. Interestingly, Orwell held a residency as a police officer during the 1920s in what was, then, Burma, and is now Myanmar. Undeniably, Orwell's (1934) novel *Burmese Days* described the sinister impact of colonial imperialism in South-East (SE) Asia and considered the themes of corruption, abuses of power and authoritarianism. Returning to modern Thailand, despite public disharmony and opposition, with protestors engaged in idea exchange via social media movements, and months of journalism mocking the official counting of ballots in secrecy, a traditional, conservative and elitist Thai military-backed government emerged in 2019; despite criticisms, and social unrest, it was one that was successfully elected and went on to levy force against a major reformist political competitor, *The Future Forward Party*, that was, eventually, dissolved in 2020 (Rithdee 2018; Ellis-Petersen 2019c; Gunia 2020). What is surprising, however, is that people remain surprised by such events. After all, the publication of information has been entangled in the operations of power since the Italian Renaissance, when the invention of the printing press introduced social upheaval by enabling the distribution of opinion (Crompton 2004). The Web is much like a printing press, for those with power in Thailand; this same Web is still an emerging tool for young people and, as of 2014, it was far from a well-established one in Thailand, despite it now being increasingly used as a source of hope and liberation for those who feel oppressed concerning their rights to communicate opinions, insights and experiences (Ellis-Petersen 2019b). In contrast to this, older generations, who may be less exposed to such tools, within Thailand, and perhaps have limited exposure to settings beyond the country, draw more heavily from traditional broadcasting, which is, of course, influenced by the government (Wangvivatana 2005).

The Socio-technical Thai Internet Panopticon

This, as of the 2019 election, unfolded into a truly expansive digital divide, not helped by some older citizens in Thailand who defer, habitually, to more nationalist and therefore conservative alignments politically because they recall prior leaders 'protecting' Thailand and ensuring its successfully neutral-role during regional conflicts. Ancestral power, as well as historical events, then, extend some actors control, which originates due to the hierarchical and deeply embedded cultural emphasis of deference to elders, a norm in Thailand. The NCPO, when in power,

recognised that the freedom of the Internet can influence political upheaval amongst young people. However, even before the formation of the NCPO, there was an awareness of the Internet as a political tool that could be used to further particular ideologies or spur advantageous disagreement amongst different Thai groups, not least due to the government overseeing a push towards greater digital infrastructure, which could itself be seen as an attempt to exert control over a supranational system without traditional rules or regulations (Bunyavejchewin 2010). Interestingly, the number of defamation charges, related to online activity, increased dramatically throughout the NCPO's military rule, resulting in imprisonment of some citizens, whose sentences lasted between 3 and 13 years, all the whilst furthering the splintering of the Internet as regions and countries elect their own views of acceptability (Zittrain et al. 2017; Malcomson 2016; Anderson 2012).

There have even been cases extended to sentences of up to 50 years, and beyond, for posting online comments that went against some of the strictest laws within Thailand; this, as a violation, is as much a debate about the relevance of digital literacy and Web education in 2020, as it is the use of strict laws that regulate expression, despite it being often a constitutional right in many places. Put another way, whilst it is a right to have an opinion, not all opinions are protected and enshrined under law in Thailand, and wider understanding of this is needed as the digital age becomes more apparent; the Web is a catalyst for new forms of media, communication and discourse in Thai society. Set in this turbulent landscape, under the motif of 'returning happiness' to Thai people, the NCPO launched an effort to shape public broadcasting, leading to more nationalistic themes and proclamations in schools, supermarkets and even videos on state service websites, as well as social media channels, to direct people towards the NCPOs political camp (Campbell 2014; Saiyasombut 2015). Much like in Orwell's (1949) fictional *Oceania*, the NCPO wanted to be loved post-2014; as used by *Big Brother*, mass surveillance and militarisation of the modes of social communication became helpful tools to this end (Laungaramsri 2016). Framed this way, it's no surprise *1984* was essentially banned from 2014 and, as of 2020, has only recently begun to find its way back into mainstream discussion within Thailand.

French sociologist Michel Foucault (1977, 1980) writes extensively about how the communication of knowledge is inseparable from the operations of power and, as such, the free access to knowledge, which includes that found in novels such as *1984*, helps actors gain the capacity to demonstrate counter-power. Foucault (1977) described this as a form of 'resistant counter-conduct' that influences empowerment through increasing individual knowledge, autonomy and agency against *governmentality*. Any power, then, held by a government is not absolute because, for Foucault (1977), no institution anywhere, or ever, has true security. After all, change is always occurring. Hence, individuals with knowledge can threaten goliaths if they can come together in innovative acts of resistance. To this end, citizens in Thailand, influenced by those in power, are not just points of the application of *governmentality* wielded power. No government is, in the view of Foucault, absolute unless we, as a collective society, let it be; Foucault's work on counter-conduct, which we might more simply call resistance, implies it could be manifested in many ways: to create change, a catalyst for change need not be immediately obvious (Foucault 1980). For Foucault,

social transformation through knowledge accumulation is the key to power. However, it is not easily realised in Asia, for many complicated yet co-constructed social and technical reasons, all linked to the Web. Not least of these, then, is that the historic de-emphasis of critical thinking, in favour of rote learning and a narrow zone of proximal development in classrooms that place great emphasis on a leader, can be found often across South-East (SE) Asian educational systems, and in other settings that seek to condition people towards a certain type of leadership, or thinking (Niesche 2013). We need only look to technical firewall tactics in China to see how authoritarian forces utilise censorship of the Web and educational systems as propaganda machines, to combat rapidly growing mobile connectivity, some 800 million users, 98% of which are mobile as of 2018, which reshapes the effectiveness of such tactics (McCarthy 2018; Ensafi et al. 2015).

Here, powerful actors use the ‘splintered’ Web to discredit global insights, whilst causing citizens to defer to Chinese *governmentality* over the Web, which those with power discredit and censor to the point where well-known search engines are limited to inoperability (Kalathil 2018; Nathan 2016; Brady 2016). Individual capacity to build knowledge, then, in such settings is a threat to governing institutions reliant on the monopolisation of knowledge to maintain power; in Thailand for example, citizens lack universal literacy, as well as digital skills, and have a well-known underdeveloped academic educational system shown in globally comparative investigations, forcing many Thai people to essentially rely on the government as their ‘socio-technical interpreter’ of world events (OECD 2019). Foucault (1977) was far from a fan of hero archetypes, unlike the Thai NCPO, whose actors were reported by critics as trying to describe themselves as protectors of the people; figures who led protests that ousted former Prime Minister Yingluck Shinawatra claimed often for the need of a ‘hero to save the country’ and even made effective use of social media in attempts to connect their opinions to wider Thai society in a significant shift towards a more politically minded application of the Internet than seen previously (Skulsuthavong 2014; Sattaburuth 2016). This occurred in parallel to increased applications of laws concerned with defamation and civil disturbance when individual citizens, or groups, within Thailand failed to recognise, did not understand, or were careless as to their expression of opinion online, perhaps disassociating the Web as an all-too-easily misunderstood phenomenon that exists beyond a nation-state, so seen by some citizens as a ‘thing’ not governed by Thailand, or actors found within it (Streckfuss 2011; Laungaramsri 2016).

Of course, this is not the case, regardless of whether it should or should not be. Regional points of access are made possible by Internet Service Providers (ISPs) who tether users, as citizens, to home countries, with an array of laws concerning the communication of opinion specific to the Internet being found globally, not all recognising liberality (ONI 2012; Zittrain et al. 2017). Upon the election of a new government, however, things became calmer, in Thailand, at least for the application of some laws. However, fixation on use of the Web as a tool of alleged defamation and dissent became increasingly common and volatile, in particular towards any expression of views against governance. For example, in 2019, arrest warrants for 12 academics and politicians were issued, which painted the accused as villains set

against the social welfare and security of Thailand (Rojanaphruk and Buabmee 2019; Charuvastra 2019). Moreover, the election that took place on the March 24, 2019, was governed by journalistic accusations of irregularities during the democratic process; this led to Thai *governmentality* targeting any potentially 'counter-conduct minded heroes' in Thailand, by using fake news to publicly discredit them and some felt these kinds of tactics clouded the election (Cook 2019). Intriguingly, the *Thailand 4.0* initiative seeks to promote a digital economy, by nurturing the skills of Thai citizens to operate in the global information society. This was a government move that could increase wealth, stability and investment from overseas businesses, equipping citizens to be more innovative and enterprising (Day and Skulsuthavong 2019).

Undeniably, the direction of Thailand, concerning freedom related to this Web, is a confusing one. What is sure, is that it diverges from the vision of a free system that was first affirmed by Professor Sir Tim Berners-Lee, the creator of the HTTP, HTML and URL protocols that drive the Web, in 1989 (Berners-Lee 2000). However, back then, the Web was a few pages of easily adjusted lines of code. Now, it is an ever-changing phenomenon distributed across the world, which exposes Thais to far more information than in the previous decades of governance, increasingly connected by, paradoxically, a government encouraged digital economy initiative. Yet, this same connectivity is a threatening thing to those blasé about developing a pro-human Web, as is the information, knowledge and power amassed through forging connections within it as a global phenomenon (Day et al. 2015). Digital state surveillance, peer-observation and points-of-access interruptions are, therefore, not, uncommon in Thailand; academics, under the NCPO's state of emergency, found themselves sent for 'attitude adjustment' such as experienced by those who delivered a critique of communication freedoms in Thailand not long after the 2014 coup (Laungaramsri 2016). Unlike citizens snatched in the dark, or via summons, the Web is not as easy to police, or censor; it has no government. Rather, it is constructed at the intersection of law, users, political instability, technical protocols, cleansing of speech, rewards, identities, communities of practice, textual discourses, financial investment in connectivity and, even, personal identity.

These are socio-technical actors, then, to borrow from sociologist Bruno Latour (2005), who developed the school of thought known as *Actor-Network Theory* to explore the importance of social and technical co-construction; acts of socio-technical translation and network reordering inseparably shape one another, like a snake eating its tail and, for this reason, it is difficult for a set of social actors to shape the Web, no matter how hard they try (Latour 2005; Halford et al. 2010). It would be discourteous to ignore that Laungaramsri (2016) noted a 'digital' Panopticon has been unfolding in Thailand since 2014. Yet, as this chapter will show, this doesn't quite do justice to the concept. For Foucault (1977, 1980), one of the seminal authors who developed it as a concept of power theory, it is a much more complex combination of self-surveillance, peer-observation and omnipresent *governmentality* in an architectural design that lends itself to promoting socio-technical ordering. It is likewise a state of identity and mind. Intrinsic to *Panopticism*, discussed at length by Foucault (1977), the Panopticon is a disciplinary model that stresses socio-technical knowledge accumulation; a model for how we build societies and means of communication, power

in it is gained from all surfaces, so can be accumulated, if observed, through what are socio-technical, not just 'digital', mechanisms of surveillance. If citizens feel observed by these, even slightly, they can be taught, through exemplary violence, to behave as if they are being watched, even when they are not and this is something separate, far more lasting than the technical architecture itself (Foucault 1977, 1980).

Consider, then, that a security camera can be an effective deterrent, even when it is not connected to electricity and as long as people believe it is watching. Whilst, in our respectful opinion, not fully explored by Laungaramsri (2016), the idea at the core of this thought was introduced long before Foucault (1977). Philosopher Jeremy Bentham, whose discourses influenced the design of prisons, schools and other organisational structures in the 1800s, first developed the Panopticon to discuss how uniformity and a particular ideological morality could be built into society, often by a governing force (Bentham 1843). The Panopticon creates uniformity, because the prison design operates around a central observation tower, where guards can see out at all within the prison, but not be seen. To help guards observe everything, the prison is built in a circle around the tower and made up of open rows of cells. This means a guard, so a human, can use technical features, such as guide lights, multidirectional cameras or telescopes, to observe all, at all times. Thus, information and acts of communication 'flow' through the tower, which itself constructs the guards into socio-technical actors extended by the design and, in turn, made a feature of it. However, inmates cannot know for sure if they are being observed; the lack of privacy makes them feel as if they are and, after long observation and examples of punishment, they act as if they are at all times: this extends beyond binary deviations like 'digital' and 'physical' or 'social' and 'technical' and whilst engaging, Laungaramsri (2016) only touches upon this idea in painting a grand oppressing of the Thai people in what is described akin to the Thai government's 'militarisation of cyberspace'. Threats of 'attitude adjustment' from powerful, conservative and politically well placed actors are commonplace when critics speak out concerning democratic freedoms and digital human rights (*Washington Post* 2015; *BBC* 2015; Lewis 2016).

Yet, this isn't cyberspace at all, but socially technical spatiality that exists across multiple dimensions and, in itself, is a dimension, or reality, that exists both tangibly and intangibly. Meanwhile, grandiose displays of military power are not, in fact, the point of the Panopticon: covert invisibility is key to it, which is a method of governance that yields conformity far more effectively. Indeed, in his work *Discipline/Punish*, Foucault (1977, p. 201) explored how the Panopticon induces within the imprisoned a state of conscious obedience; lasting and permanent visibility assures a social psychological sense of surveillance that renders actual shows of force 'unnecessary' and instead uses socio-technical 'apparatus' that include design regulations as a 'machine for creating power relations' independent of the original wielder. Put another way, people become both prisoners and guards. Hence, the Panopticon is a socio-technical construct, where humans and non-humans have equal influence over one another (Latour 2005). As Foucault (1977, p. 187) notes, disciplinary power creates a state of 'self-aware' censorship when it is best exercised through invisibility and yet simultaneously 'imposes on subjects' a state of compelled visibility. This is because the idea of an action being potentially seen, or the idea that it might

be reported, maintains a disciplined mindset and thus traps a person ‘in subjection’ that unfolds, for Foucault (1977, pp. 187–188), as an examination, or a mode, as well as method, of power. So, rather than showing a ‘potent grandiose display of force’ the subject is neither marked by a number nor branded by the guard each day (Foucault 1977).

Instead, they are dominated. This domination, which is referred to as ‘examination’ often by Foucault (1977) infers potential for disciplinary might with which to arrange socio-technical objects: be them human, or non-human, the ‘ceremony’ of the Panopticon, so its shape, size and omnipresence extends *governmentality* and, essentially, objectifies people into a hierarchical stratification where only occasional shows of force are needed to ensure that ‘others’ do not want to risk a ‘mechanism of punitive objectification’ because, within the Panopticon, as in society as a whole, for Foucault (1977, p. 27) there is ‘no power without knowledge’ or knowledge that does not come from and is ‘built by power relations’ in what is a subjected, dominated and thus a co-constructed ‘field of visibility’. This is particularly true online, where the individual, or group, observed inherits essential responsibility for creating the knowledge that then later acts as an actor upon themselves; they fire their own smoking gun, as it were. Much akin to a performer responding to an audience, who promptly then heckles in response to their performance, online behaviour, or even social deviance, is designed to be observed. This is true and built into the very nature of the Web. It was made to convey knowledge. So, this inscribes, or perhaps describes, essential digital artefacts in a relationship where a given actor, the focal object of power relations, plays both the guard and the prisoner: a Thai user becomes a subjected principle of their subjection, creating, through activity, the very potential to be subjectivised in the first place (Gutting 2005; Rabinow 1984).

The idea of a ‘digital’ Panopticon, we contend in this chapter, fails to describe a heterogeneous phenomenon that occurs in such a status quo, so is of less use to deconstructing the Web and of less relevance to the *Socio-technical Thai Internet Panopticon*, an idea that places equal importance on the symbiotic and thus semiotic relationship between people and things. Put another way, what we might describe as the process of developing *Panopticism* in the Thai nation-state is not created just by *technical or social determinism* expressed by *governmentality*. So, seeing and simplifying things to say a government is shaping technical processes, and imposing them upon users, ignores that the Web is neither social nor just technical. As Halford et al. (2010) express, the Web, like the Panopticon we have described above, does not exist devoid from the world and is ‘not an abstract idea’ or a finished technology, so a static statistical thing. Rather, for Halford et al. (2010), who re-situate ideas by Barad (2003, pp. 816–817), technologies and their uses emerge ‘not from darkness but are, indeed, constructed in the light’ by peculiar and, in fact, precise efforts open to constant renegotiation. Hence, the Web and the Panopticon are both heterogeneous, living things and are, at the same time, inherently technical. Human and non-human, then, constructed in loops of perpetual motion by one another and caught, inherently, in a mutually self-satisfying orbit. For Halford et al. (2010), the Web enables users to exist beyond conventional rules, in an evolving social network that is built moment-by-moment with technology, in heterogeneous networks built upon and in other

networks. This status quo is temporarily contingent, so is open to renegotiation. Thai citizens, therefore, are now implicitly realising that they construct their futures through socio-technical agency. However, an emphasis of open discourse, to borrow from Foucault, discussion and a ‘search for truth’ are not intrinsic to Thai academic, or social, culture (Wongyannava 2010).

Moreover, this agency is not just played out in local, regional or even national communities, but global communities of practices. As such, being a non-user, or a restricted one limited in access to the global stage, reduces a citizen’s power, as well as knowledge, which limits personal outcomes (Baumer et al. 2015). The school of thought known as the *Social Construction of Technology* (SCOT) lends us the perspective that technologies often take shape in embattled practices over what is termed the ‘right’ consensus (Mackenzie and Wajcman 1999; Pinch and Bijker 1989). But, whilst Laungaramsri’s (2016) work is important and moves our understanding forward, it places considerable emphasis on social groups, and actors within these groups, as constructing power over technicality, or technicality as governing people through protocols or processes controlled by the government. Rather, for Foucault (1977), the Panopticon would not just be a ‘digital cell’ built and monitored only ‘online’ but a socio-technical prison of the psyche. One where individuals, even free of a ‘watching camera’ are guiding their ‘offline’ action as if a camera were permanently hanging over them. Or, is in their pockets and can be taken out every time they make a call. So, negative outcomes are born out of effective technically surveyed punishment, true, but for Foucault (1977, p. 184), this punishment is always less immediate, not then by an arrest or imprisonment that inflicts harm, but rather a more secretive and hidden ‘subdued suffering’ as an effect of deeper machinations at work. Visible displays of power, consequently, only go so far in breaking the will of a people.

Panopticism in Thailand: A Socio-technical, Not Digital, Prison for the Self?

Making others fear the possibility of punishment, however, is lasting. The ‘digital’ future, and online freedom of Thailand, therefore, is never inherently ‘just digital’ but constructed in-full by socio-technical activity (Day and Skulsuthavong 2019). Fascinatingly, despite its popularity as a global destination for tourists, Thailand is now ranked alongside some of the most repressive, so authoritarian, when it comes to some sense of ‘digital’ freedom of expression, which we might generalise as the idea of socio-technical human rights (Malcomson 2016; Human Rights Watch 2019). Such rights are just such; they extend across the online and offline simultaneously, blurring this line. So, measures introduced by the military in a state of emergency in 2014 remain as of 2020, when the elected government opted to re-enter the state of emergency to manage COVID-19, despite having some of the lowest infection rates in the world, upon writing. For Foucault (1977, 1980), the attitude of ‘discipline

incurring a state of surveillance' means all inmates have to be periodically rounded up and sequestered, yet free to move around in matters of daily life; it may be a brutal and sadistic cage, but, done right, Foucault (1977) was convinced a Panopticon can create a self-conscious state of submission that fuels power and knowledge, as well as the control of it. This requires constant assimilation and observation of activity, via social and technical actors acting in unison. Knowledge, then, is a form of socio-technical capital, an asset to be watched, accrued, stored and spent, precisely, savouring every drop, or distinction, until the time is right to deploy it.

Foucault's (1977, pp. 184–185) examination of the Panopticon calls for us to weigh the social and technical as co-constructed, rich in a technique built each moment around observation. Likewise, his work urges us to consider observing how hierarchical forces can normalise what would otherwise be fairly abnormal decision making. It is, after all, this 'normalising' gaze of *governmentality* that makes surveillance and discipline a force then seen as a legitimate form of punishment. Central to its success is not just the Web or the limitation of freedom of speech, but the very nature of the dominated bureaucracy that controls the Thai way of life. An examination, then, across every level, built through ritualised permits, hazes in universities, peer approval, voluptuous paperwork and scrutiny of even the smallest detail in requesting assistance from the government; this is the idea of ritualisation of which Foucault writes often, as intrinsic to the idea of examination because it is the display of ceremony, of creating bureaucracy built around the deployment of force, where to be an official is to be 'closer to the heart of the experiment' and examination. Therefore, vital to the operations of the process of discipline. Put another way, the veneration of the official, and all things bureaucratic, in Thailand manifests the idea publicly that those closer to the core of these decisions are above, or beyond, those who are objectified and subjected. Built into Thai existence, from school education to home life and even freedom to travel at times of crisis, is thus a 'superimposition' of panoptic-like power relations that manage the approval of knowledge and brings, then, examination and submission into 'brilliance' as a light to be respected and warmed under, rather than hated.

Thailand has unfolded this way because citizens accept, then, that others have control over their lives and these 'others' are built from human and non-human networks that perpetuate the mythos of control, which then becomes an ancestral idea to be respected (Foucault 1977, pp. 183–186). Yet, this isn't just unique to Thailand. We see it, on the Web, every day in terms, conditions and encapsulated interest that allows data scraping, monitoring and tracking by companies who prey on social media activity and rely on centralisation as the 'guiding light' of activity akin to the Panopticon; a tower directing, as the focal actor, all technical communication and social interaction. Neither can exist without the other on the Web: a socio-technical chicken and egg paradox. Laungaramsri (2016, p. 200), for example, offers considerable insight. However, their work implies that Thai Internet surveillance began from the 'first day' of military control or, at the very least, affixes a lot of social emphasis to it as being linked to the NCPO, and the prior Cold War relationship Thailand had with the United States of America (USA). However, in reality, Thai deference to *governmentality* and surveillance has socio-technical ancestry going

back hundreds of years. We can see the heritage of what is, thus, a *Socio-technical Thai Internet Panopticon* in events stretching as far back as a cultural tradition known as the *sakdina*, a historical system of Thai social ordering that led to lasting ideas of class and status embedded within the ancestral psyche of citizens (Ramasoota 2000).

This, then, develops further tendencies, behaviours and inclinations that add towards a culture of self-surveillance, adherence and a sense of duty to the state, which have continued to the present day. Present in the Ayutthaya period, which ended more than 250 years ago, the *sakdina* imbued a culture of observation and self-driven deference related to power-distance built into the heritage of Thailand, long before broadband infrastructure (Ramasoota 2000; Suksamran 1982; Loos 2006). Indeed, Thailand still relies on traditionalism to define its identity (Anderson 2012a, 2012b). Thus, in the subsequent years Thailand has stayed close to a tradition-driven historical, cultural and spiritual ethos; the concept of the *sin-sod*, understood as ‘bride price’ given in currency and, occasionally, goods for marriage to a Thai woman’s family, echoes this point (Goody and Tambiah 1973; Anderson 2007). So, a bought dowry is still part of Thai heritage culture across all socioeconomic levels, with the cost being relatively consistent, calculation models available online and negotiations happening early in serious relationships between Thai/Thai and Thai/non-Thai couples (Menski 1998). Yet, after a period stressing emancipation for women globally, through agendas like the #MeToo social media movement, this is an intriguing phenomenon, which shows deference to patriarchal cultural heritage. Women of high social class, or success, command a significant sum of money in exchange for familial approval to marry; *sin-sod* is an act widening inequality and furthering a state of mind useful to extending *Panopticism* in Thailand (Laiphrakpam and Aroonsrimorakot 2016; Skulsuthavong 2016).

For Foucault (1977), a Panopticon does not need to be a technically defined, physically dominant institution; a state of mind led by the machinations of *governmentality*, or even ancestral heritage, works just as well (Foucault 1980). Citizens change their psychological tolerances, and views, towards phenomena like free speech and the Web; for some, it would be ‘un-Thai’ to allow themselves to be ‘exposed’ to dissent on the Web or caught up in it. A culture, then, built on negotiation, patriarchy and hierarchy lends itself to control; a feature of the Panopticon (Zuboff 2019). Orwell (1949, pp. 4–5) noted a similar idea and remarked on it when describing his lead character’s experience in a Panopticon. Winston, then, often reflects on his open acceptance of surveillance, describing how the observational cameras built throughout *Oceania* picked up all sound, image and intent. Yet, it was never clear to Winston if he was being watched and, indeed, the ultimate betrayal that brings him low is not just derived from a technical non-human, but additionally the most human of actions: love, desire and lust. Throughout the novel, Winston felt like a sixth sense steered his actions. Therefore, a *Socio-technical Thai Internet Panopticon* is not one we can ‘black box’ into a defined frame as if to say ‘digital’, ‘offline’, ‘online’, ‘Thai’ or even ‘social’ and ‘technical’ anymore we can call the Panopticon ‘just’ a prison. It likewise is the thoughts of the prisoners born equally out of their activity, fetishes, kinks, obedience, dominances, resistances and fleeting rebellions that construct the

existence of the Panopticon and bring into being the moments of surveillance that exist across many different surfaces, actors and the relationships in-between.

Put another way, architectural choices matter, but so do identities. This, as Foucault (1977) notes, is because knowledge extends across all surfaces and, within the Web, we see how even the smallest amount of data, such as clicking a link, sending an email, or liking a tweet, can trigger potentially limitless forms of interaction, all of which can create knowledge not only seen but used to shape, order or restrict activity. In his writings on language and order, Foucault (1970, p. 323) notes such activity changes the way we communicate, unleashing a ‘web of possibilities’ that create a culture of surveillance, both in and of ourselves and others, as new forms of knowledge, modes communication and methods of discourse take shape, often in response to circumvent, oppose or appease the Panopticon. Put another way, to return to Orwell (1949, p. 4), for Winston every announcement was propaganda echoing the fulfilment of another self-justification for governance, referred to in the novel as ‘the Ninth Three-Year Plan’ played across screens that transmitted images back simultaneously, in a two-way socio-technical action. What Orwell here implies is that the technology in *Oceania* means the watcher can be watched, and it is not clear if anyone you meet is themselves someone tasked with watching you. An apt metaphor for social media in this digital, or perhaps socio-technical, age. For this reason, we cannot over-stress social determinism and attribute all the power to just sociality, or a citizen; technical structures are actors with power, who act as guards in the Panopticon as much as the prisoners themselves, creating self-imprisonment (Foucault 1977).

Power Manoeuvres: Thai Governmentality, Counter Conduct and Self-surveillance

Consider the act of taking a social media selfie; it is a purposefully curated image, an ideal photo, yet is both a ritual and a covertly encoded process. The tensions surrounding communication by Web users, on the Web, presents an interesting extension of this relationship; as of 2020, a Thai government barricaded into the metaphorical, or perhaps literal, guard tower seeks, perhaps, a surveillance culture in Thailand and a Panopticon. The *Thai Computer Crime Act (CCA)*, introduced in 2007 and revised by the NCPO between 2014 and 2017, is one such an attempt to not only watch, but punish through developing more precise, yet simultaneously vague, tools of surveillance and legislation for a *Socio-technical Thai Internet Panopticon* (CPMR 2007). The CCA creates legal obscurity, incurring socio-technical reordering of identity. So, it nurtures rules against civil disobedience. Classed within the terminology are phrases akin to communication ‘acts that incite public disorder’ and these extend to online protocols along with social media, which some suggest is intended to draw attention from using better known, harsher legal loopholes. For ‘digital’ freedoms,

which we contend are *just universal socio-technical human rights*, this is problematic; the CCA extends into different laws related to expression, freedom of speech and personal liberty (Kummetha 2015; Kummetha and Kongpob 2015). The CCA, for example, impacts the sale or exchange of sex acts online, or ‘input of pornographic content’ into a system ‘accessible by the public’. Taken one way, this seems fair but there are lots of ways to define what a ‘public system’ means. Likewise, *Thai Penal Code 287* can also be interpreted to prohibit the distribution, production and possession of pornography ‘for trade’ but, of course, ‘trade’ can be used to imply a business transaction or the ‘trading’ of files on a social media pornography website, so between individual people (CPMR 2007). Thus, context is key.

Such ambiguity is deliberate, in the view of Foucault. The punishments, which include prison, are not to be taken lightly. This uncertainty helps to create vagueness to fuel self-surveillance and censorship. Much like a Panopticon, only punishing a few people serves as a reminder to the whole of Thai society: they are watched. Hence, a state of self-paranoia is itself key to the Foucauldian tradition, which explores how *Panopticism* can unfold to form a national identity defined by such paranoid self-surveillance, peer-observation and the trading of information to reduce, offset or avoid reprisal (Foucault 1977, 1980). These are not just ‘digital’ actions. Addendums proposed since the NCPO was in power have furthered socio-technical governance; for example, the morally aligned *Prevention and Suppression of Temptations to Dangerous Behaviours* is an important idea that was envisioned as intended to outlaw child pornography, rape and bestiality, meaning *governmentality* is seeking to prevent harm. However, the wider vagueness found in this revision has been suggested by some journalists to attack legal and consensual sexual practices (Kummetha and Kongpob 2015; Kummetha 2015). For example, under the wording of this legislation, the ‘deviant’ sale of ‘erotic goods, group sex and sex with any sense of violence’ could be classed as dangerous, which may, therefore, imply consensual acts of bondage, domination and sadomasochism (BDSM).

Any subsequent violation of a ‘freedom to kink’ emerges similar to *doublethink*; to teach citizens to self-censor in favour of conservative terms (Kummetha and Kongpob 2015). This resonates in a society concerned with the loss of face, which carries significant social reprisal, and could be said to have influenced Internet legislative reforms that stress conservatism in online social media, which is often available to a ‘public’ or ‘the public’ at large (Shytov 2015). Another feature of the Panopticon, for Foucault (1977), is emphasising peer-observation, so reporting on friends, loved ones and strangers. This is featured in Orwell’s (1949) draconian *Oceania*; everyone, including family, could be ‘an actor’ of the party and so report a dissenter, one who is seditious against the state. In Thailand, we could interpret *Cyber Inspectors & Scouts* and the *Cyber Right-Wing* that various researchers, including Laungaramsri (2016), have discussed as cut from the same conceptual cloth, leading to increased *Panopticism* throughout the country in the last five years, creating a socio-technical peer-driven surveillance culture (Farrelly 2010). The *Ministry of Information and Communications Technology* (MICT) for example, upon writing evolved into the *Ministry of Digital Economy and Society* (MDES), in Thailand was, in 2014, a prominent force, one that pushed for the ‘purifying unit’ *Cyber Inspector* to monitor

the online activity of citizens and make use of specifically tailored laws to prevent online dissent (Gebhart et al. 2017).

Indeed, we could find something eerily close to Orwell's ministries under the NCPO. From 2012 onwards, the MICT focused on pressuring ISPs to comply with *governmentality* regarding moral decency and social acceptability. This, since the Web became increasingly popular in Thailand, has included placing a heavy emphasis on 'compliance' for ISP business licences and seeking power to filter politically unfavourable views, as well as repressive actions against users in Thailand (ONI 2007, 2012). The MICT went so far as to embed teaching about self-surveillance through the *Cyber Scouts* movement for younger generations, to engage them into state loyalty through a quasi-official role that would then continue to shape future generations with ancestral traditions of reporting about digital behaviour as part of a cultural norm (Gebhart et al. 2017). The MICT was, unsurprisingly, crucial in passing the CCA and criticised, by some in the media, for communication censorship regarding the now exiled former Prime Minister Thaksin Shinawatra (O'Brien 2014). As Gebhart et al. (2017), whose second, and presumably Thai, the author had to conceal their identity when writing on this topic under the NCPO, both the MICT and *Cyber Inspector* agenda paved the way for privacy intrusions, traffic fingerprinting and web proxies, which are all complex tools of Web surveillance and gather much data on users, leading to counter-conduct via anonymity tools such as The Onion Router (TOR) that can mask activities online (Shklovski and Kotamraju 2011).

In 2014, for example, the Thai Royal Police linked a data phishing application to a government blocked page to track invasive details about Facebook logins; all to profile dissenting citizens who might speak out against the then newly risen military *junta*, leading Sinpeng (2014) to claim that a 'cyber coup' began from 2014 onwards in Thailand where, as Laungaramsri (2016) likewise describes, 'cyber warfare' against Thai citizens became the norm. This has continued well into 2020. Farrelly (2010) explores how even in rural communities before the 2014 coup, the MICT was seeking to convert citizens to become 'scouts' capable of informing on dissenters in the disconnected and difficult to monitor countryside, suggesting more than something just 'digital' and, in fact, not just a post-coup phenomenon. Likewise, the NCPO heavily influenced education, research and reporting in Thailand, ensuring citizens are disadvantaged when it comes to gaining the knowledge needed to empower any ability to critically question, then challenge, the lack of 'pro-human' socio-technical rights (Day and Skulsuthavong 2019). Meanwhile, new governmental rules are often published only in Thai. Yet, in Thailand, many immigrants do not even read Thai, given wide immigration from neighbouring nation-states, so they may not know that even reposting the 'wrong' thing can lead to imprisonment, arrest and charge by the government, for inciting alleged disharmony due to what is, essentially, a lack of Web education due to poor opportunities for self-development and educational access (Day 2019).

Castells (1996, 1997) establishes that the rise of the globally networked information society is too deeply embedded to be controlled effectively by one set of actors, in one part of the world; the omnipresence of the Internet reshapes even the most resistant culture and so challenges the *Socio-technical Thai Internet Panopticon*. For

Foucault (1977), power within such a system is never absolute and circumvention is always possible; even tiny acts of resistance count towards amassing knowledge of what resistances work or can add to counter-conduct for a whole group of the oppressed, so need not be individually successful. Hence, we know that the Thai government cannot censor the entire Web; it grows far too fast, as a socio-technical network of heterogeneous networks (Hall and Tiropanis 2012). Gebhart et al. (2017) point out Thai *governmentality* is not fully technically efficient, or socially effective, in Thailand and some actors have more knowhow than those policing them. For this reason, data ‘leakage’ occurs often, as users resistant to self-censorship techniques ‘slip past the guard tower’ and begin to use technical knowhow to circumvent it. Consider, for example, the rise of Virtual Private Networks (VPNs) and TOR to avoid detection. For Castells (2007), such actions of counter-power are locked in a struggle between those who have power and others who want it, or to be free of it, which itself is still wanting it, at least for Foucault. As of 2020, the country has emerged into a ‘Thai Digital Renaissance’ despite, or even thanks to, *governmentality*; growth of mobile connectivity and social media has resulted in a desire for greater Web education and this unsettles the status quo, as well as governmental actors (Day and Skulsuthavong 2019).

Castells (2007) draws on a Foucauldian perspective, and others, to suggest that in our increasingly networked society the use, or misuse, of socio-technical media, communicated in the spaces between these technologies and human interactions, means that much knowledge and power is up for grabs. This competition influences politics, people and critical thinking. Castells’ (1996, 1997) argument is, in part, that the dynamic fluidity of the Web grants conditions that give space for resistant movements and decisive, dynamic responses. For Castells (2007), as technological freedom has risen to enable everyday citizens to interact on a global stage, so have mass media corruptions led by politicised forces who seek to defend their legitimacy, in acts countering counter-power. According to *We Are Social: Global Digital Report 2019*, concerning Thailand there has been a surge in usage, with the average Thai spending over nine hours engaging, in some way, with the Web, per day. Whilst statistics differ, around one-third of this time is spent by Thais on social media. The act of sharing information, it seems, is a popular phenomenon for many. The development of Internet connectivity in Thailand has made it possible for more Thais, including those rurally located, to be a part of radical social transformation (Boakye 2012). This upsets *governmentality* seeking a *Socio-technical Thai Internet Panopticon*, as seen in 2020 in clashes between the liberal reformist, and pro-human rights, *Future Forward Party* and the Thai government. Counter-power flows both ways; Thai *governmentality* offers a hero/villain rhetoric to describe any rival with criticisms against the government agenda. Some are painted as unpatriotic, or cast via the influenced mainstream broadcast media, so newspapers, television channels, radio and news reports, as seditiously sinister characters who should be, or have been, banned from contact with Thai citizens to protect peace and welfare within Thailand (Oliver 2017).

This seeks to renegotiate, and so reduce, the amount of knowledge fuelling the power of such dissenting actors. Often, throughout 2014–2019, the term *nation haters*

arose as a stock phrase for those critical of the military, painting them as being ‘un-Thai’. Here, *governmentality* connects the idea of Web usage, a tool for self-expression, as contradicting Thai heritage, so seeks to use counter-power to reduce engagement of this type of conduct in society (Reuters 2019; Wongcha-um and Thepgumpanat 2020). According to Rojanaphruk (2019a) the branding of those who speak out is an attempt to ‘monopolise patriotism’ and build upon heritage nationalism by ‘guards who have lost the plot’. Yet, we can frame such efforts rather as part of the *Panopticism* driving the *governmentality* at work in Thailand. To borrow from a Foucauldian perspective, those guards demonstrating counter-power are seen as knowledgeable by one part of society, yet absurd by other actors who seek to disrupt the control of the institution. Both sides, then, think the other must be stopped, by controlling knowledge. #AttitudeAdjusted? quickly became trended by Thai’s engaged in counter-conduct; a battle of wills in Thailand. Similarly shared online, often between 2014 and 2019, as well as detailed by iLaw (2018) in a rich ethnography, when summoned by the NCPO, journalists, cartoonists, academics and even students suggested a *Big Brother* culture was in force. From stories of military cars circling houses to police disguised as a pizza delivery service, a disturbingly comical series of accounts by iLaw (2018) detail efforts to create a culture of surveillance. Less amusing is the consensus that when taken inside a military camp, those detained are often subject to a process of re-education on how their political ideologies were detrimental to Thai society (Bangkok Post 2016).

According to the NCPO, as detailed by iLaw (2018), the intention of the summons was ‘to create understanding’ between those of different alignment to the NCPO political attitude. Yet a senior journalist, Pravit Rojanaphruk was, in his account, summoned twice and blindfolded, then driven out of Bangkok in a nondescript van with four masked men. He was then purportedly detained from September 13 to 15 2015 in a 4 × 4 cell and interrogated (Rojanaphruk 2015a). Rojanaphruk (2015b) was released, charged and warned by military officers not to continue criticism. In a subsequent interview, the journalist expressed his concern that Thai society will be ‘condemned’ if people do not have the freedom to object (Wongsamuth 2015). Two years after the coup, in 2016, it was estimated nearly 1000 citizens had been required to attend for ‘attitude adjustment’ and focused socio-technical conditioning, whilst others have been forced to escape and seek refugee status (AFP 2015, Phasuk 2019; Tempest 2016). Pavin Chachavalongpun is one such academic, who was critical of the coup and elite actors in Thailand; he rejected his charge summons by the courts, which led the NCPO to issue a warrant for his arrest. Chachavalongpun now holds refugee status in Japan (Chachavalongpun 2019b). Yet, with counter-conduct, it is to be expected, for Foucault, that punitive response comes; the guards will fight back and seek to discredit others (Foucault 1977).

Conclusion: Towards Social Transformation, Social Division and Web Education in Thailand

One such ‘reply’ involved a hospital owner who, in January 2020, was suggested by journalists to have requested all applicants at their hospital provide access to their social media profiles with their job application form, to enable vetting (Thairakulpanich 2020). Naturally, this received criticisms of discrimination, yet the action was suggested as a pledge to stop threats against the ‘high institution’ and thus protect actors in power from harm (Achakulwisut 2019). This implies a clear social divide between different generations that is problematic for ensuring social transformation; all the while the idea of being in favour with the party creates a much better state of mind for those in Thailand. Similarly, ‘party zealots’ or those ‘keeping their heads down’ are found throughout *1984* (Orwell 1949) and, in *Oceania*, the closer you are to the party, the more ‘just’ your behavioural actions and social attitudes are. For those ultra-nationalist Thais strongly aligned to conservative values, being close to the elite, or one of them, informally sanctions carte blanche freedoms. A few years prior, the same individual was suggested, by some media critics, to have used Facebook to organise the *Rubbish Collection Organization* group with more than 150,000 followers, whose objective was to hunt, using socio-technical methods drawn from the Web, but extending beyond it, for information on those opposed to Thai *governmentality* (Draper 2014). For traditional, conservative and deeply religious Thais, socially repressing behaviours and going along with the Panopticon, whilst forcing a *yim* smile of tolerance in Thailand, is compounded by fears of being labelled disrespectful or ‘un-Thai’ in a country where many still live on the economic breadline, so are vulnerable to exploitation or influenced by materialism (Van Esterik 2000).

It is estimated that, despite economic growth in Thailand, 36% of the nation’s corporate equity is still only held by approximately 500 people, emphasising successful individuals as elite actors of admiration, in a society where wealth is idolised and hard to come by for many (Thanthong-Knight 2019b; Khidhir 2019). This is particularly true as of 2020, Thailand’s economy has been hit hard by decisions to limit tourism in an attempt to prevent COVID-19. Despite mounting *Panopticism*, however, many Thai citizens in 2020 have been seen to protest publicly, even under the emergency act that prohibits social disturbance. Meanwhile, these counter-actors increasingly devise new forms of counter-power and knowledge accumulation when using the Web; from hiding behind dummy accounts with fake names and photos to new forms of language, communication and culture on social media, ‘hiding in plain sight’ is becoming an approach (Chia 2015). An aspect of Thai culture, however, is to act out by saying one thing, but meaning another; be it through memes, literature quotes, ‘pseudo descriptors’ that criticise government actors via made-up names, or even emoticons, it is difficult to judge the true temperature of counter-conduct due to the inherent anonymous distancing the Web allows, which forces us to question if all Thai people are as concerned as the wider-scale protests across 2019 and 2020 would suggest (Ellis-Petersen 2019a).

For liberal Thai citizens, a policy of ‘socio-technical plausible deniability’ is still necessary as of 2020, and several high-profile arrests for overseeing the public gathering of protests have been noted throughout what is, upon writing, the fourth state of emergency to be extended within Thailand. This is because, to borrow from Maida (2019), when everything is seditious and a successor government has inherited the same attitude, speaking out is no longer a citizen’s human right, especially during periods of crisis. Even the authors of this chapter hesitated when first invited to contribute on this topic and the delicacy of our position is deliberate, an outcome of *Panopticism*. Thus, citizens and academics alike resort to self-censorship because sharing intellectual opinion makes them vulnerable; socio-technical ‘codification’ of the Web has begun in Thailand as a way to challenge this. Yet, whilst saying anything critical and finding new ways to do so is an act of counter-conduct, it can likewise be seen as a show of the efficiency of the Panopticon. Resistance, such as using a fake name on social media, shows us that actors self-censor because, to borrow from Foucault (1977, 1980), unwavering observation can create, even within a prisoner on the run, so to speak, a level of order etched into their core decision making. Put another way, if we were truly free of the Thai Panopticon, all our responses would be as well. Hence, counter-conduct can become obscurification of the self, or true resistance. An example came in late October 2018, in a social media music video, entitled *Prathet Ku Mee*, or *Rap Against Dictatorship*, which went viral on YouTube.

It reached millions in the first week of release (Beech 2019). More than 85 million views have been accrued, upon writing, and clear outrage was expressed through its lyrics, subtext laden images, viewer comments, and plot focused on the Thammasat Massacre that occurred on October 6, 1976. This event is a dark moment in Thai history and governance; pro-democracy student activists were killed on the lawn of Thammasat University, for demonstrating their opposition towards dictatorship (Solomon 2016; Mitchell 2018). The scene, in the viral video, which was shot in black and white, is an example of the ‘codification of Internet counter-conduct’ and an implied suggestion of the ‘absolutist’ right/wrong attitude of *governmentality* in the country (Buchanan 2018). The lyrics and popularity of *Rap Against Dictatorship* can likewise be considered an indicator of discontent amongst citizens, and the rap’s timing related to state elections delayed for nearly five years post the 2014 coup (Board 2019). With translated verses suggesting that ‘the country that points a gun at your throat, claims to have freedom but people have no right to choose’ and ‘the country that makes fake promises with bullets, creates a regime and told us to love it’ we see a growing marker of civil dissatisfaction, which fuelled protests throughout 2020. Naturally, the CCA was used to attempt to repress the video; criminal charges were considered against supporters who identified themselves online within YouTube, or as re-distributors of the rap on Twitter (Mitchell 2018). Meanwhile, pro-military voices responded to suggest the video was a threat to the homeland of Thais, and an act of disrespect to those older, which demonstrates the division between different generations concerning online freedoms, ‘digital’ human rights and social deference to *governmentality* (Mitchell 2018; Beech 2019). Where 2018 as Thanathorn Juangroongruangkit, a businessman turned leader of the politically reformist *Future Forward Party*, since dissolved by court order, expressed

that the movement demonstrates ‘Thai resilience’ against oppression (Hookway 2018).

However, such political actors are well-connected, perhaps even well-protected; cases brought against Thais, be them academics or otherwise, are often aimed at those who are far more isolated, less resourceful and, ultimately, alone. General Prayuth Chan-o-cha was later reported by some Thai media outlets as vaguely suggesting that following the song ‘could cause trouble’ for families, children and grandchildren if they engaged with it (Hookway 2018). Subsequently, the government responded in an act countering counter-power, with another rap song: *Thailand 4.0 Rap*, named after the very same initiative intended to promote a free, open and developing digital economy that necessitates communication of information (Thaitrakulpanich 2018). With lyrics like ‘if we work together, we’d be stronger’ yielding an unamused response, the ‘counter-rap’ has, upon writing, just under five million views, which critics have pointed out shows the difference in support for regime politics when expressed in a potentially anonymous space (Boyle 2018). It could be argued, therefore, that the five years of *Panopticism* furthered under elected military rule and a transient state of emergency now becomes less effective, forcing more urgent responses and displays of power. So, a direct mockery of citizens’ frustrations; western media felt the popularity of the ‘*Rap Against Dictatorship*’ over ‘*Thailand 4.0 Rap*’ reflects the reality of Thai society and efforts by its citizens to make use of the anonymity and global connectivity on the Web to innovate against state surveillance imposed by *governmentality*, which is unconcerned with human rights.

Perhaps Thai citizens were inspired by other timely counter-conduct efforts globally, which included an *Anti-Extradition Bill* protested on, and through, social media websites, such as Twitter, in Hong Kong throughout 2019, and social media movements such as *#OccupyWallStreet*, *#BlackLivesMatter* and *#MeToo* that all connected users across the world, in an unprecedented unison against inequality. Helpfully, the *Socio-technical Thai Internet Panopticon* focuses so closely on ‘installing an operating system for a surveillance culture’ fixated on dissent located domestically, a by-product of nationalist tendency related to any sense of Thai *governmentality*, that it misses, or cares less about, at least in terms of the ‘guards’ outlook from the central tower, other nations and their movements. This, however, neglects or fails to understand, that such movements, connected through the Web to younger Thais, serve as a global emancipation model, thereby encouraging protest within Thailand (Anderson et al. 2018). Whilst young people in many countries may be turning away from traditional politics, they are not politically disengaged because many are starting to see themselves as global citizens and this empowers social transformation, which calls for new forms of educational literacy regarding the Web (Day 2019; Fieldhouse et al. 2007).

Thai citizens are increasingly active participants on social media, in movements replacing traditional models of political engagement offline, as the ‘offline line’ becomes blurred into the socio-technical that invites us to begin to reshape our understanding of what a Thai ‘citizen’ really means (Loader et al. 2014). Social transformation in Thailand, therefore, requires principles for Web education to empower future generations of Thai citizens to know their rights, act on them and comply with

domestic law (Day 2019). Anderson et al. (2018) highlight that social media creates awareness, sheds light on underrepresented groups and helps hold powerful people accountable. However, Chu and Yeo (2019) point out that the discussion of power built into the knowledge found within such social media has been disproportionately focused on the advantages without enough attention on how to offset future disadvantages for citizens. For Loader et al. (2014, p. 148), when people, especially younger generations engaged with social media, express negativity towards those with power, it *should* be seen as a valid action of socially aware citizens. Yet, it *could* likewise be seen as a trend. For this same reason, mechanisms are needed to sufficiently educate the critical thinking skills necessary to inform all sides of debates and discussions in the first place; Web education means understanding rights and entitlements underpinning all opinions, be them pro-human, digital or simply socio-technical (Day 2019). Some journalists and media critics have argued Thai *governmentality*, however, has chosen to ignore the rights of citizens and generally dismiss them, in government influenced broadcast media, as unpatriotic or, for those who advocate publicly for rights, *nation haters* (Achakulwisut 2019; Rojanaphruk 2019b; Reuters 2019).

For some Thai citizens, this fuels more dissatisfaction regarding the legitimacy of their democratic government. This likewise raises important questions for those concerned with developing a pro-human Web in Thailand, and we must begin to ask if it is even possible under the current status quo. The counter-power actions and actors against such a 'pro-human Thai Web' are not inconsiderable. For example, a key actor within the Thai military was reported by the media on October 11, 2019 as giving a 90-minute speech expressing their displeasure over online anti-military political dissent by citizens (Thanthong-Knight 2019a; Rojanaphruk 2019a). Within this, political movements on social media were described as a form of 'hybrid warfare' where media-savvy Web citizens used 'online propaganda' to rally against the army to 'destroy' their nation rather than, for example, express a constitutional right to free speech (Sivasomboon and Vejpongsa 2019; Tanakasempipat and Tostevin 2019). Once social media was considered in Thailand, and wider Asia, as a platform for 'fans and stans' to gush over their favourite Korean pop-idols (Messerlin and Shin 2017). Upon writing, Twitter has become a tool for emancipation for those dissatisfied with political issues, whilst likewise furthering the spread of the popularity of different forms of new media, all the whilst challenging those in Thailand with power; not bad, for a platform that allows only 280 characters a post. For Berners-Lee (2000), the protocols created to fuel the Web were meant to enable a safe space for people to interact across and within, a point he still argued alongside the election of a new Thai government in 2019 (Sample 2019). However, in Thailand, as discussed throughout this chapter, it is now one shaped by *Panopticism*, with citizens previously encouraged to report online dissenting views to the Thai government (Gebhart et al. 2017).

Since Thailand's general election in 2019, Twitter has been regularly trending with hashtags about the ineffectiveness of the Thai government. This activity is not just bold, but relatively unprecedented, especially when compared to 2014 and given the cultural, historical and sociopolitical considerations discussed in this chapter; another expression-limiting state of emergency has been in effect in 2020, which grants legally valid influence over communication and expression. For some, it is

clear Twitter has rattled the previous traditions and power structures favouring silent deference and a return to the more traditional Thai way of stratification within the governance of society. However, the outbreak of COVID-19, otherwise known as Coronavirus, and the response on Twitter by Thais, for example, has had an impact on the erosion of *Panopticism*. In 2020, *#CrappyGovernment* periodically trends on Twitter; whilst the Coronavirus was on the verge of becoming a pandemic, General Prayuth Chan-o-cha was suggested by some critics to value economic profit over citizens' health, when he declined to close Thailand's border to Chinese tourists. Then, others criticised a shift to the opposite extreme when his government locked down the country to such an extent that it impacted the tourism-dependent economy, yielding repercussions that will be lasting and far-reaching (Crispin 2020; Setboonsarng 2020).

A no-win scenario? However, some would equally contend that such a difficult decision saved countless Thais from the impact of the pandemic, which has promoted the country as a success case. On the flip side, journalists reported a xenophobic outburst from Thailand's Minister of Health in the same period; it was directed at tourists trapped in Thailand not wearing a mask, who were suggested as needing forceful deportation from Thailand (Boonbandit 2020c). Similarly, *#PrayForPrayuth* was trending, after the Prime Minister was reported to come down with a cold and, as a result, had to cancel all of his public outreach. This sarcastic hashtag illustrated a playful side of Thai citizens through a veiled act of counter-conduct, hidden underneath a surface of encoded-yet-faux-concerned memes. So, we can begin to trace witty, rebellious emoticons and emotions, a turning point or, perhaps, catalyst for future transformation in Thailand. The Thai language is rich in subtext and it is interesting to see this subtext increasingly manifesting as a tool of such counter-conduct online, as of 2020. Regardless of countless hashtags directed at those in power, citizens do still fear for their safety; the 'codification' of the hashtag, or emoticon, has become a powerful way for Thais to use social media, an idea not fully covered by the rules of the CCA. Yet, it is not an absolute shield. There is no doubt that, even for the authors of this chapter, each sentence was chosen carefully, a reminder that surveillance culture affects decision making across political, academic, social and technical forums in Thailand.

However, upon writing in 2020, *#RunAgainstDictatorship* is an often-trending event organised throughout Thailand, mainly via social media. More than 13,000 people registered for the 'Run Against Dictatorship' event in Bangkok on January 12, 2020 (Boonbandit 2020a, b). Many drew on the hit novel-turned-movie *The Hunger Games*, itself inspired by Orwellian fiction, as runners emulated the character Katniss Everdeen; a 'three finger salute' was used in the novel to protest totalitarian mistreatment and during the run (Collins 2008). Much like Orwell's *1984* was in 2014, the salute is a Thai visual representation of uniformity across Thailand, for those protesting in 2019 and 2020 against the military-backed government (Harmer 2020). Runners at the event were observed by journalists Wongcha-um and Thepgumpanat (2020) shouting 'Prayuth, get out!' and 'Long live democracy!' or giving the salute as a sign of counter-conduct. Thus, they utilised it as a sign of their discontent, a not insignificant change when compared to 2014, when *1984* was used

as a more passive tool of resistance (Quinley 2020). Harmer (2020) interviewed a broad demographic of participants and reported commonality between most runners who often pointed out that the event showed how social media was being engaged with across all Thai generations, and even internationally in Thai expatriate locations (Nostitz 2020). For Thananithichot (2011, 2012), using military action against public opinion is not only out-of-date, it also contradicts the Thai constitution, so hurts the political, social, and economic welfare of the country. Media critics noted, however, that *#RunAgainstDictatorship* events in outer provinces were cancelled by police, intimidated or obstructed, with many against them claiming ‘public disturbance’ to prevent civil assembly.

This reminds us a counter to counter-conduct can occur and, importantly, that power extends in all directions. Although, if knowledge is power, the *#WalktoCheerUncle* in favour of the Prime Minister had a much lower turnout, so probably failed to inspire the self-reflection and restriction of public opinion that its organisers intended (Boonbandit 2020b; BBC 2020). So, is it better to be loved, or feared? Advocates of the academic discipline known as Web Science love the Web and some call for principles for teaching the ‘pro-human Web’ to be embedded throughout global society to stop the formation of an Internet Panopticon (Day et al. 2015; Day 2019). As Hall et al. (2016) recognise, the Web has transformed in the last ten years; we need to adapt to it. Yet, if left unchecked, Thai *governmentality* will seek to splinter the Web and further divide Thai society, limiting human rights within the country and the future of Thai citizens. Such citizens’ expression of socio-technical opinion on the Web should liberate their society, influence politics and better lives (Hall et al. 2016). Consequently, when human rights, which exist across all surfaces and in every socio-technical state of being, have been silenced or condemned as an act of hatred by authorities, we must question the true motivations of those actors shaping such *governmentality*. After all, *Matichon Online* (2020) reported in 2020 that a senior Thai military figure described Thai citizens using social media to protest against the government as akin to ‘dogs’: ungrateful, thus ‘barking’ messages of ‘nation hatred’ and this is not the first time such an event has occurred over social media from powerful actors seeking more conservative philosophies in Thai society (Thanthong-Knight 2019a).

This, of course, returns us to Foucault (1977, p. 201), for whom a state of surveillance is omnipotent and lasting in influence, even if not consistent in an application. For Foucault, a ‘true despot’ seeks chains, but a wily politician binds people to their way of thinking and corrupts them through such an action, gathering momentum through ensuring division (1977 p. 102). Consequently, to borrow from Hall et al. (2016), concerning moving towards social transformation in Thailand, we now, more than ever, must ask how the Web can serve humanity, and not let it fall prey to the worst. However, the effect of Thai *Panopticism* may not last; whilst across 2019 ‘attitude adjustment’ returned as a silent movement against activists, in August 2020, a wave of anti-government socio-technical protests, fuelled by students in Thailand, have called for socio-political transformations (Massola 2019; *Matichon Online* 2020). Many such protests drew upon pop culture, contemporary novels that included Harry Potter and others discussed in this chapter, alongside anime, to

codify, conceal, express and obscure acts of counter-conduct. Some protestors even dressed as the fictional characters J.K. Rowling uses to infer a battle of ideologies in her various novels (Beech 2020). These protests and resistances orientated around various agendas, yet each had commonality with respect to wanting an end to surveillance culture and intimidation of critics of the government, often through censorship or arrest (AFP 2020a, b; Beech 2020).

Following the protest at Thammasat University on August 10, 2020, many government officials, including the Prime Minister General Prayuth Chan-o-cha, expressed their concerns over the students' demands, which may have overstepped boundaries built by a delicate balance of socio-technical issues, laws and historic cultural practices explored in this chapter (Chetchotiros et al. 2020). Student protesters are inherently 'digitally native' and globally connected; they believe in their rights to speak freely. Reassuringly, Thailand's Minister of Digital Economy and Society expressed his acceptance of different political opinions, as long as they are within the boundary of the law (O'Connor 2020). Indeed, throughout 2020 Thai actors aligned towards MDES have called upon social media companies to remove insensitive content, which, in their domestically situated legislative position, breaches the CCA and, indeed, clashes with the state of emergency Thailand was placed into during the COVID-19 crisis (Tortermvasana 2020). For many, however, the Thammasat University protests of August 2020, which were filled with thousands of students, reflect uncomfortably 1976 and an all-too-dark moment in Thai history, when events located at the same university and of a similar nature, civil assembly, led to terror; a reminder to us all that, as Thailand moves moment-by-moment towards social transformation, the Panopticon is always watching.

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