ARTICLE SYMPOSIUM

BUDDHIST BUREAUCRACY AND RELIGIOUS FREEDOM IN THAILAND

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ABSTRACT

In accordance with Thai conceptions of Buddhist kingship, Thai rulers have felt obliged to devote considerable energies towards the promotion and protection of Buddhism. Over the past century (and more), state laws have been instituted and bureaucratic agencies established to regulate and implement such promotional and protective activities. This article outlines some broad trends and patterns in the bureaucratization of Buddhism in Thailand, and discusses their implications for religious freedom. It argues that although Buddhism has been extensively bureaucratized, the implications for religious freedom have been less severe than one might perhaps expect, owing not least to the fact that Buddhism is a monastic religion. However, recent developments—taking place in the wake of the 2014 military coup and the 2016 royal succession—suggest that the legal environment is changing in ways that may have negative implications for religious freedom in Thailand.

KEYWORDS: Buddhism, bureaucratization, religious freedom, Thailand

INTRODUCTION

In the wake of the 2014 military coup in Thailand, the ruling junta led by General Prayuth Chan-ocha launched a number of initiatives intended to "reform" religion, with a particular emphasis on the strengthening of Thai Buddhism. Such initiatives can be understood, in part, as an authoritarian regime's attempt to win religious legitimacy by doing something "good" for the country's majority religion. But they also reflected a perception, common among conservative state elites and their middle-class supporters, that the political "corruption" and violent turmoil that Thailand has suffered over the past fifteen years have been caused in no small part by a corresponding corruption of the moral base of Thai society. Religious reforms intended to "strengthen" institutional Buddhism are thus seen as providing a means by which Thai society can be inoculated against the dangers of democracy—as personalized in the demonized figure of Thaksin Shinawatra, the exiled former prime minister who had been toppled in a military coup in 2006, but whose allies continued to reap success in parliamentary elections held in 2007 and 2011. "Strengthening" Buddhism in this context was perceived not so much a matter of boosting the Thai people's religiosity in general—Thailand is the most religious country in the world, according to one recent survey²—but rather with ensuring the right

I Thongchai Winichakul, "Toppling Democracy," Journal of Contemporary Asia 38, no. 1 (2008): 11-37.

² Rick Noack, "Map: These Are the World's Least Religious Countries," Washington Post, April 14, 2015.

kind of religiosity, directing the devout away from popular and hybrid forms of religiosity and towards a state-approved form of Buddhism represented by the ecclesiastic hierarchy. To achieve that end, the religious bureaucracy and a religious reform committee have put forward proposals for reform of the governance of religion. The debates and controversies surrounding them shed important light on the ideas that animate Thailand's religious bureaucracies—and their implications for religious freedom.

Grzymala-Busse has recently demonstrated that churches are best able to influence public policy when they enjoy high levels of "moral authority" and are "identified in the public mind as protecting and representing the national interest." Such moral authority is, she argues, founded upon a "fusion of national and religious identities, a specific and historically grounded religious nationalism that identifies the churches with the common good." The political implications of Grzymala-Busse's formulation can also be reversed: while the fusion of national and religious identity may allow churches to play an important role in politics, it may equally provide a rationale for the ostensibly secular state to intervene in "church" affairs—not least through its religious bureaucracy. This is particularly so in countries where the state traditionally has been conceptualized as serving soteriological purposes, and there has been no sharp historical break with such a conception of the state.

This is very much the case in Thailand, where the religiocultural foundations of the state were constructed around a "marriage of monarchy and hegemonic religion" —joining the Chakri dynasty and the Buddhist sangha (order of monks)—that has endured until the present. While Thai constitutions, the first of which was enacted in 1932, have not formally established Buddhism as the state religion, they have decreed that, "the King shall profess the Buddhist faith (phramahākasat tong song pen phutthamāmaka) and is the supreme defender of religion (lae song pen akkharasāsanaūpathamphok)." There is thus good reason to regard Buddhism as the de facto state religion of Thailand, and to conceive of Thailand as a "Buddhist State," defined as a state structured such that the king supports the Sangha, the Sangha supports the Dhamma, and the Dhamma legitimates the monarchy."

As noted by Philip Gorski, "States are not only administrative, policing, and military organizations. They are also pedagogical, corrective, and ideological institutions." Historically, he argues, "confessional identity was a vital state-building tool," with which rulers laid the "micropolitical and religiocultural foundations of the national state." In the case of Thailand, the bureaucratization of Buddhism is an important part of the process by which rulers have sought to shore up the (pre-modern) religiocultural foundations of the kingdom in the face of pressures to meet Western standards of civilization.

The "bureaucratization" of religion can be understood in (at least) three different ways. At the most basic level, bureaucratization refers to the steady growth of resources—money and personnel—allocated to state agencies whose primary responsibilities concern religion (Parkinsonization). This

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³ Anna Grzymala-Busse, "Weapons of the Meek: How Churches Influence Public Policy," World Politics 68, no. 1 (2016): 1-36, at 2.

⁴ Grzymala-Busse, 3.

⁵ Ahmet T. Kuru, "Passive and Assertive Secularism: Historical Conditions, Ideological Struggles, and State Policies toward Religion," World Politics 59, no. 4 (2007): 568–94, at 572.

⁶ Yoneo Ishii, Sangha, State and Society: Thai Buddhism in History (Honolulu: University of Hawaii Press, 1986), 38.

⁷ Ishii, Sangha, State and Society, 46.

⁸ Philip S. Gorski, The Disciplinary Revolution: Calvinism and the State in Early Modern Europe (Chicago: University of Chicago Press, 2010), 165 (emphasis in original).

⁹ Philip S. Gorski, "Calvinism and State Formation in Early Modern Europe," in State/Culture: State Formation after the Cultural Turn, ed. George Steinmetz (Ithaca: Cornell University Press, 1999), 147–81, at 173, 174.

kind of bureaucratization does not necessarily imply that these agencies are becoming more "rational" in the way that they organize government administration (Weberization). Nor does such bureaucratization necessarily constrain or regiment, to any greater degree, popular religious life (Orwellization). All three kinds of bureaucratization are likely to have negative implications for religious freedom to some degree, ranging from possibly very limited (Parkinsonization) to severe (Orwellization). Religious freedom is most circumscribed in states where these three different kinds of bureaucratization coincide to form a well-resourced, effective bureaucracy with high levels of infrastructural power and ambitions to shape the religious landscape as it sees fit.

Following Gill, I define religious freedom (or liberty) as "the degree to which a government regulates the religious marketplace." The advantage of this definition is that it clearly focuses our analytical attention on various aspects of the state, including but not limited to the work of religious bureaucracies, which impinges on religious freedom to the extent that it entails either "negative restrictions" or "positive endorsements of select denominations." 12

The remainder of the essay is organized into two main parts. In the first section I briefly sketch the historical background to the bureaucratization of Buddhism in Thailand. I also discuss the different ways in which Buddhism has been bureaucratized, the ideological purposes such bureaucratization has served, and their implications for religious freedoms. Although I show that institutional Buddhism has been extensively bureaucratized in Thailand, I argue that religious life in the kingdom has remained relatively unconstrained. This is due in part to the nature of the religious bureaucracy, and in part to the nature of Buddhism. As patron and protector of a *monastic* religion, the Thai state's religious energies have focused on establishing authority over and controlling and co-opting the monkhood, while laypersons, though encouraged to be "good" Buddhists, tend to be left to their own religious devices. In the second section, I discuss developments following the 2014 military coup that impinge on the relationship between state and religion, and as such on religious liberties within Thai society. I argue that these developments—as reflected in several reform proposals (yet to be enacted) and in a reformulation of the constitutional position of Buddhism—point towards a future in which the religious bureaucracy becomes increasingly animated by the purpose of imposing "proper" forms of Buddhist religiosity on monks and laypersons.

THE BUREAUCRATIZATION OF THAI BUDDHISM

There are two main ways in which one can speak of religion having been "bureaucratized" in Thailand, or Siam, as it was traditionally called. One is to note that the rather loosely organized sangha since the mid-1830s has been gradually transformed into a hierarchical and territorialized bureaucracy following models pioneered by Western states and Christian state churches. This effort ran in parallel to the bureaucratization of the Siamese state itself, which accelerated in the 1890s as Siam adopted legal forms and administrative structures that mimicked those of its colonized neighbors.¹³ The bureaucratization of Buddhism was driven by monarchical ambitions to ensure that religion served overarching political purposes—royal legitimation, state formation, and nation-building.

¹⁰ I borrow these categories from Hans-Dieter Evers, "The Bureaucratization of Southeast Asia," *Comparative Studies in Society and History* 29, no. 4 (1987): 666–85, at 667–68.

¹¹ Anthony Gill, The Political Origins of Religious Liberty (Cambridge: Cambridge University Press, 2007), 43.

¹² Gill. 12

¹³ Peter Vandergeest and Nancy Lee Peluso, "Territorialization and State Power in Thailand," Theory and Society 24, no. 3 (1995): 385-426.

The story can be summarized as follows: In 1833, and well before he ascended to the throne, King Mongkut founded the Thammayut sect, which his son and successor King Chulalongkorn "rationalised and conflated ... with the modernising state," while his grandson King Vajiravudh "fused it with nationalism."14 The reforms initiated by King Chulalongkorn recast the sangha in a Weberian mold, inspired by European and Japanese models, with salaried monk-officials appointed and promoted on meritocratic basis to ecclesiastic offices, charged with the protection of doctrinal orthodoxy. 15 The legal basis for the modern Thai nation-state's role in governing Buddhism is found in a series of Sangha Acts (1902, 1941, and 1962). The 1962 version enacted by Field Marshal Sarit Thanarat, which with some amendments is still in force, greatly empowered the top echelons of the Sangha bureaucracy.¹⁶ As a consequence, the Thai Sangha is today run along lines reminiscent of Siam's absolute monarchy, with a supreme patriarch ruling, with the aid of a small council of senior hierarchs (Mahatherasamakhom, or the Sangha Supreme Council), over the monastic community. One of the more striking features of this arrangement is that it makes the notion of separation of "church" and state virtually inconceivable in the Thai context, as the Buddhist "church" would not exist if it were not for state law. The hierarchical and nationally integrated Sangha has no basis in Buddhist ecclesiastic law or canonical writings; it was created by the modern nationstate. As a consequence, it is only a slight exaggeration to argue that "Thai Buddhism has not historically had an independent existence apart from the state."17

Another way in which we can speak of the bureaucratization of Buddhism is to observe how the nominally secular state has created bureaucratic agencies that are separate from the Sangha but nevertheless responsible, in various ways, for regulating religious life. Thus, two parallel administrative structures with religious mandates can be said to form the bureaucratic nexus of Thai Buddhism. The first is the Sangha. The second is the nominally secular state agencies whose role it is to implement the royal functions as "patron" and "protector" of religious life in the kingdom. The main agencies with such functions are the Department of Religious Affairs of the Ministry of Culture, and, since 2002, the National Office of Buddhism. The state bureaucracy thus manages Buddhist affairs separately from the affairs of other officially recognized religions (Islam, Christianity, Brahmanism-Hinduism, and Sikhism), an arrangement that is intended to signal Buddhism's superior position within the Thai polity.¹⁸

All in all, there are more than 45,000 religious bureaucrats in the Thai state apparatus broadly conceived. The vast majority is found within the Sangha. According to the national budget for the 2016 fiscal year, the government acted as patron of 44,467 *phra sangkhathikan*.¹⁹ These are the monks that staff the ecclesiastic hierarchy—from the supreme patriarch at the top to temple abbots

¹⁴ Tamara Loos, Subject Siam: Family, Law, and Colonial Modernity in Thailand (Ithaca: Cornell University Press, 2006), 76.

¹⁵ Ishii, Sangha, State and Society, 74-77.

¹⁶ I use Sangha (upper case) to refer to the formal Buddhist hierarchy, and sangha (lower case) for the monkhood at large.

¹⁷ Peter A. Jackson, Buddhism, Legitimation, and Conflict: The Political Functions of Urban Thai Buddhism (Singapore: Institute of Southeast Asian Studies, 1989), 14. It is an exaggeration because "Thai Buddhism" should not be reduced to and conflated with the Thai Sangha, which indeed has not had an independent existence apart from the Thai state.

¹⁸ Katewadee Kulabkaew, "In Defense of Buddhism: Thai Sangha's Social Movement in the Twenty-First Century" (PhD diss., Waseda University, 2013), 140–41.

¹⁹ Samnak ngoppraman [Bureau of the Budget], Ngoppraman raichai pracham pi ngoppraman pho so 2559 lem thi 11 [Budget expenditure for fiscal year 2016, volume 11], 20, accessed July 20, 2018, http://www.bb.go.th/topic-detail.php?id=6722&mid=545&catID=866 (in Thai).

at the bottom—who receive monthly government stipends (*nitayaphat*). In addition, the government financially supported 2,010 monks who served as monastic ambassadors of the dhamma (*phra thammathut*) in the majority Muslim areas in the country's southern border provinces that are plagued by separatist violence.²⁰ The considerable size of the Sangha's career bureaucracy gives Thai Buddhism a decidedly top-heavy profile. There were 348,433 monks and novices in the kingdom at the end of December 2014,²¹ so for every administrative monk (*phra sangkhathikan*) there are fewer than eight "ordinary" monks and novices.

On the nominally secular side of the religious bureaucracy, the numbers are deceptively small. In 2015, there were a total of 972 civil servants staffing the religious bureaucracy, with 889 employed by the National Office of Buddhism and 83 by the Department of Religious Affairs. However, these numbers somewhat underestimate the size of the secular religious bureaucracy. Both the National Office of Buddhism and the Department of Religious Affairs often work with and through other parts of the ostensibly secular Thai state—including district-level ministerial and departmental staff, and local government agencies—in order to implement their policies and projects. In addition, government agencies often take their own initiatives in relation to Buddhism. For example, many government agencies—ranging from the Office of the Administrative Courts to the Expressway Authority—lead annual *kathin* ceremonies to temples around the country, at which top bureaucrats on the king's behalf present new robes to the monks.²³ The bureaucratization of Buddhism and the Buddhacization of the bureaucracy are thus closely entwined processes.

Data on government expenditure provides us with one of the more transparent indicators of how the bureaucratization of Buddhism has unfolded over time. Here I note that Thai governments have significantly increased their spending on the religious bureaucracy in recent decades. In the thirty years prior to 2016, government expenditure on the religious bureaucracy rose in absolute terms from 241.6 million Baht to 8543.4 million Baht—a thirty-four-fold increase. In relative terms, expenditure on Thailand's religious bureaucracy rose from a low of 0.08 percent of the national budget for the 1989 fiscal year to a historic high of 0.32 percent in the budget for the 2008 fiscal year—an increase of 300 percent. The early 1990s were a period of particularly rapid growth in expenditure. This reflected, in part, a political desire to strengthen Sangha administration in the wake of a number of scandals involving monastic misbehavior.²⁴

The Buddhist Bureaucracy, Ideology, and Orthodoxy

The religious bureaucracy's function is fundamentally ideological. As part of the religiopolitical marriage between monarchy and Buddhism, the Thai state—the monarch and his bureaucracy—shoulders the ultimate responsibility for "maintaining the religious authority of the *sangha*"

²⁰ Bureau of the Budget, 20.

^{21 &}quot;Chamnuan phiksu-samanen pracham pi 2557" [Number of monks and novices in 2014], accessed June 11, 2017, https://data.go.th/DatasetDetail.aspx?id=a6c4c012-f604-49c4-90da-8b7c94089024&AspxAutoDetect CookieSupport=1 (in Thai).

²² Samnakngan khanakammakan kharatchakan phonlareuan [Office of the Civil Service Commission], Kamlangkhon phakrat nai fai phonlareuan 2558 [Manpower in the civil service 2015] (Nonthaburi: Office of the Civil Service Commission, 2016), 105, 110, accessed July 20, 2018, https://www.ocsc.go.th/sites/default/files/attachment/article/book-isbn-9786165481786-thai-gov-manpower-2558-p.pdf (in Thai).

²³ The Department of Religious Affairs' register of sponsors of such royally sponsored ceremonies can be found online. See http://sys.dra.go.th/dra_katin/. On <a href="http://sys.dra.go.th/dra_

²⁴ Tomas Larsson, "The Political Economy of State Patronage of Religion: Evidence from Thailand," *International Political Science Review*, Online First, June 20, 2018, 11–12, https://doi.org/10.1177/0192512118770178.

(order of monks).²⁵ While the roots of this arrangement are premodern, the forging of an "official" Thai nationalism a century or so ago fused Buddhist kingship and institutional Buddhism with a newly imagined "Thai" nation.²⁶ The religious bureaucracy came to play a central role in the protection and development of this form of nationalism, centered on a particular conception of "Thainess" (*khwam pen thai*), which, as noted by Connors, has come to constitute "the central ideological resource of the ruling elite."²⁷ In Gramscian fashion, the work of the identity-producing religious bureaucracy may be understood as "a kind of insurance in difficult times. It is a low-cost investment to ensure that when storms of political change assault the political establishment, strategic groupings of people who identify themselves as good Thai citizens can be called forth to support and protect dominant power blocs."²⁸

One important role of the religious bureaucracy has been to "protect" the Sangha from politically subversive tendencies and elements, old and new.²⁹ However, the ambition and ability of the religious bureaucracy to impose a statist conception of Buddhism on broader segments of the population should not be exaggerated.³⁰ The religious bureaucracy has never been engaged in "any widespread, systematic campaigns of eradication against unorthodox beliefs and practices."³¹ As a consequence, popular Thai Buddhism continues to incorporate a wide range "of heterogeneous popular beliefs and practices, which were [and still are] understood by the hegemonic center as heterodox, illegitimate, backward, and superstitious."³² The monastic police, established in Bangkok in 1993 to strengthen the enforcement of appropriate standards of behavior on monks, does not, in fact, intervene in cases where monks are engaged in inappropriate superstitious practices, such as sorcery, fortune telling, and amulet making.³³ In effect, the Thai state has been content with defining what is orthodox, legitimate, modern, and rational Buddhism while showing little

²⁵ Jackson, Buddhism, Legitimation, and Conflict, 13.

²⁶ Benedict Anderson, Imagined Communities: Reflections on the Origin and Spread of Nationalism (London: Verso, 1991), 101.

²⁷ Michael Kelly Connors, "Ministering Culture: Hegemony and the Politics of Culture and Identity in Thailand,"

Critical Asian Studies 37, no. 4 (2005): 523-51, at 524. The religious bureaucracy is a key component of larger
assemblage of state agencies whose primary function is to promote officially sanctioned forms of being Thai.

Connors describes the role that the National Identity Board and similar state agencies have played in this endeavor,
and notes the importance of religion (Buddhism) in the fashioning of Thai national identity, but he does not discuss the role of the religious bureaucracy as such.

²⁸ Connors, 525.

See, for instance, Somboon Suksamran, Buddhism and Politics in Thailand: A Study of Socio-Political Change and Political Activism of the Thai Sangha (Singapore: Institute of Southeast Asian Studies, 1982), 24-25; Patrick Jory, "Thai and Western Buddhist Scholarship in the Age of Colonialism: King Chulalongkorn Redefines the Jatakas," Journal of Asian Studies 61, no. 3 (2002): 891-918; Katherine Bowie, "The Saint with Indra's Sword: Khruubaa Srivichai and Buddhist Millenarianism in Northern Thailand," Comparative Studies in Society and History 56, no. 3 (2014): 681-713.

³⁰ See Justin Thomas McDaniel, "Kings and Universities," in Gathering Leaves and Lifting Words: Histories of Buddhist Monastic Education in Laos and Thailand (Seattle: University of Washington Press, 2008), 92–116.

³¹ Erick White, "The Cultural Politics of the Supernatural in Theravada Buddhist Thailand," *Anthropological Forum* 13, no. 2 (2003): 205-12, at 208.

³² White, 208. On Thailand's riotous religious cacophony, see Peter A. Jackson, "Royal Spirits, Chinese Gods, and Magic Monks: Thailand's Boom-Time Religions of Prosperity," South East Asia Research 7, no. 3 (1999): 245–320; Pattana Kitiarsa, "Buddha Phanit: Thailand's Prosperity Religion and Its Commodifying Tactics," in Religious Commodifications in Asia: Marketing Gods, ed. Pattana Kitiarsa (Abingdon: Routledge, 2007): 120–144; Justin Thomas McDaniel, The Lovelorn Ghost and the Magical Monk: Practicing Buddhism in Modern Thailand (New York: Columbia University Press, 2011).

Julian Kusa, "Crisis Discourse, Response, and Structural Contradictions in Thai Buddhism, 1990–2003" (PhD diss., Australian National University, 2007), 224–25.

inclination to make the population conform to its conception of "proper" Buddhism. In governing religious affairs, the Thai state's behavior has arguably been that of a "standoffish state," which seeks to minimize political challenges by seeking to avoid "costly entanglements with, and unnecessary provocations toward, populations and territories it considers too risky or unimportant to govern." Thailand's religious bureaucracy is thus not to be confused with Scott's high-modernist standardizer of populations. The work of the Buddhist bureaucracy is perhaps best understood as part of a ritual spectacle of religious "purification" that is designed to "pull" subjects and citizens—and especially those with aspirations for upward social mobility—towards the "sacred centre" of the sovereign Thai state: the righteous Buddhist monarch in the capital Bangkok. The sacred centre is the source of the sovereign that is designed to "pull" subjects and citizens—and especially those with aspirations for upward social mobility—towards the "sacred centre" of the sovereign Thai state: the righteous Buddhist monarch in the capital Bangkok.

For comparative purposes, it may be useful to highlight here that laypersons (*kharawat*) are not considered members of the sangha, and because of that are less likely to be directly affected by the bureaucratization of religion than they would be in many other religious contexts. Furthermore, there is no real Buddhist equivalent to the category "Islamic law." The Vinaya applies, of course, only to Buddhist monks and novices, who account for just 0.5 percent of the country's population of 67 million. The nonexistence of "Buddhist law" as a separate judicial process impacting the faithful at large, limits the extent to which the bureaucratization of religion directly affects the lives of broader segments of the population.

The "objectification" of religion highlighted in some Islamic contexts also appears much less pronounced within Thai Buddhism.³⁷ For scholars of Thai religious life, state-sponsored Buddhism has generally been understood as an institutional umbrella in the shadow of which a plethora of syncretic and hybrid religious and supernatural practices flourish.³⁸ For the majority of Thais their "Buddhist" identity is entirely unproblematic, a component of "Thainess" that is simply taken for granted. For example, laypersons tend to pay very little attention, if any at all, to sectarian divisions within Buddhism, such as that between the Mahanikai and Thammayut orders. Nevertheless, there are some segments of the Thai population for whom questions of religious identity have become more salient. Since the 1980s, parts of the educated urban middle class in particular have become disenchanted with "traditional" as well as "folk" Buddhism, and instead put their hopes on new reformist Buddhist movements, including but not limited to the "fundamentalist" Santi Asoke sect.³⁹

Dan Slater and Diana Kim, "Standoffish States: Nonliterate Leviathans in Southeast Asia," in "Governing Southeast Asia," special issue, *TRaNS: Trans-Regional and -National Studies of Southeast Asia* 3, no. 1 (2015): 25–44, at 27.

³⁵ James C. Scott, Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed (New Haven: Yale University Press, 1998).

On the conceptualization of the Thai state as a Theravada Buddhist "ritual purification state," see David Streckfuss, Truth on Trial in Thailand: Defamation, Treason, and Lèse-Majesté (London: Routledge, 2010), 58, 77–80. See generally Clifford Geertz, "Centers, Kings, and Charisma: Reflections on the Symbolics of Power," in Culture and Its Creators: Essays in Honor of Edward Shils, ed. Joseph Ben-David and Terry Nichols Clarke (Chicago: University of Chicago Press, 1977), 150–71; Richard F. Bensel, "Valor and Valkyries: Why the State Needs Valhalla," Polity 40, no. 3 (2008): 386–93.

³⁷ Dale F. Eickelman, "Mass Higher Education and the Religious Imagination in Contemporary Arab Societies," American Ethnologist 19, no. 4 (1992): 643-55, at 643.

³⁸ Pattana Kitiarsa, "Beyond Syncretism: Hybridization of Popular Religion in Contemporary Thailand," Journal of Southeast Asian Studies 36, no. 3 (2005): 461-87.

See Jackson, Buddhism, Legitimation, and Conflict; Donald K. Swearer, "Fundamentalistic Movements in Theravada Buddhism," in Fundamentalisms Observed, ed. Martin E. Marty and R. Scott Appleby (Chicago: University of Chicago Press, 1991), 628–690; Juliane Schober, "The Theravada Buddhist Engagement with Modernity in Southeast Asia: Wither the Social Paradigm of the Galactic Polity," Journal of Southeast Asian Studies 26, no. 2 (1995): 307–25.

In light of this it is not entirely surprising that the bureaucratization of Thai Buddhism has progressed in a remarkably "smooth" manner. The Thai state has not faced much resistance to its ambitions to control and co-opt the Buddhist monkhood or the "Buddhist" religious field more broadly. Adopting an ideology of Buddhist kingship, the Thai monarchy has successfully engaged in the "primitive accumulation of symbolic power" with regards to religion. 40 Nevertheless, the literature has highlighted a few prominent instances of how the legitimacy of the central state's claim to regulate and administer Buddhism has been contested by independent-minded clerics. Such episodes highlight how the relatively benign Parkinsonian dimensions of the religious bureaucratization process are accompanied by Weberian and Orwellian tendencies, with inevitably negative implications for religious freedom.

Resistance and Compromise

The most famous instance of such resistance occurred in response to the Bangkok court's extension of infrastructural power into the periphery of the premodern Siamese empire, a necessary part of the polity's transformation into a nation-state.⁴¹ The most prominent of these was the Buddhist "saint" Khruba Sriwichai who in the 1920s and 1930s developed a prominent following in northern Thailand, among monks and laypersons alike. Indeed, Bowie argues that, "no other person symbolized northern resistance [to Siamese administrative centralization] more completely."42 The Bangkok authorities put the northern monk in temple arrest on several occasions, stripped him of his ecclesiastical titles, and twice sent him to Bangkok for investigation by the supreme patriarch. What is of particular relevance in this context is that Sriwichai was refusing to follow the dictates emanating from the authorities in Bangkok. Particularly troubling, from a Bangkok perspective, was that "he had ordained monks and novices without having been officially recognized as a 'preceptor' by the Thai hierarchy."43 This obviously undermined the central state's ability to establish central control over the monkhood and its ability to decide who is (or is not) a Buddhist monk. In the end, a compromise was reached, whereby Sriwichai and other northern monks agreed to allow themselves to be incorporated into the national "church," while the Sangha hierarchs in turn recognized that it would not be possible to impose a standardized form of Buddhist practice, based on a Bangkok model, on the northern monkhood.44

As a consequence of such compromises, the Sangha as a national "church" encompasses considerable Buddhist diversity. Not just in terms of different ordination lineages and regionally distinct approaches (such as the forest tradition in the Northeast). The Sangha also incorporates four different sects. There are two Theravada Buddhist sects: the politically powerful, but numerically small, royal Thammayut reform sect, and the larger but politically more marginal Mahanikai sect. In addition, the Sangha also incorporates Mahayana Buddhists who are organized into two different sects: the Chinese and the Annamite.

There are, however, limits to the concessions that the religious bureaucracy has been willing to make in order to control and co-opt Buddhist actors and movements. Most importantly, there is

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⁴⁰ Mara Loveman, "The Modern State and the Primitive Accumulation of Symbolic Power," American Journal of Sociology 110, no. 6 (2005): 1651-83, at 1651.

⁴¹ See Thongchai Winichakul, Siam Mapped: A History of the Geo-Body of a Nation (Honolulu: University of Hawaii Press, 1994), 97–112.

Bowie, "The Saint with Indra's Sword," 683.

⁴³ Charles F. Keyes, "Buddhism and National Integration in Thailand," *Journal of Asian Studies* 30, no. 3 (1971): 551-67, at 557.

⁴⁴ Keyes, 558.

a gendered line that the state has not wished to cross, and as a consequence the Sangha is an all-male affair. Occasionally, the state has perceived a threat from novel forms of female religiosity. In 1928, an attempt to establish a female lineage of ordained nuns (bhikkhuni) was met with a coercive response, and the supreme patriarch explicitly banned Buddhist monks from ordaining women.⁴⁵ Today, the Sangha remains opposed to female ordination, on the grounds that monastic law does not provide for any mechanism for the re-establishment of the extinguished Theravada order of nuns.46 However, recent efforts to establish a Thai bhikkhuni order without Sangha sanction have been met with relatively benign neglect. While the country's nascent community of bhikkhuni has received no official or legal recognition from the ecclesiastic hierarchy, the Buddhist bureaucracy at large has done little to stop or interfere with their religious practices. The same can be said for the far less controversial but ambiguous category of female ascetics, mae chi; women who dress in white robes, shave their heads and eyebrows, and observe eight or ten precepts.⁴⁷ As is the case for bhikkhuni, mae chi are neither given full legal recognition as religious persons nor are they admitted to the Sangha.⁴⁸ Beginning in the 1990s there have, however, been serious but hitherto failed attempts by prominent mae chi in cooperation with the Department of Religious Affairs to "legalize" and "bureaucratize" the mae chi in ways which would entail imposing state-mandated regulations and hierarchies very similar to those that apply to the all-male Sangha.⁴⁹

The Buddhist bureaucracy's capacity for benign neglect towards what it considers "deviant" practices does, however, have limits. Beginning in the 1970s, a number of rapidly expanding new Buddhist religious movements arose. By 1982 there were an estimated 3,500 unauthorized monasteries and religious centers in the country, and three years later the number had increased to 4,900.50 The religious bureaucracy found it difficult to rein in these groups, and one of them appeared particularly problematic from the bureaucracy's perspective: the Santi Asoke movement, led by a charismatic monk, Phra Phothirak, who in 1975 had declared his "independence" from the Sangha hierarchy. In 1989 Phra Phothirak and the followers he had ordained were defrocked and charged with religious offenses covered by criminal law. While the inquisitorial charges were many, the one that really stuck in the courts was that Santi Asoke monastics had impersonated Buddhist monks: they dressed and behaved like "real" monks even though they had not been ordained by a Sangha-authorized preceptor. Today, Santi Asoke continues to operate, but the group's monastics dress in such a way that it is easy to distinguish them from "proper," Sangha-certified monks.

In comparison with Santi Asoke, other new Buddhist movements that arose in the 1970s and 1980s have enjoyed a comparatively less fraught relationship with the religious bureaucracy. The

⁴⁵ Monica Lindberg Falk, Making Fields of Merit: Buddhist Female Ascetics and Gendered Orders in Thailand (Copenhagen: NIAS Press, 2007), 237.

⁴⁶ See Martin Seeger, "The Bhikkhunī-Ordination Controversy in Thailand," *Journal of the International Association of Buddhist Studies* 29, no.1 (2008): 155–83.

⁴⁷ Lindberg Falk, Making Fields of Merit, 3-6.

⁴⁸ Mae chi are not explicitly recognized in any Thai law. However, signaling the deep ambivalence with which these women are viewed by the Thai state, mae chi are considered religious persons for the purposes of voting, and as such denied the right to formally participate in electoral politics. See Tomas Larsson, "Monkish Politics in Southeast Asia: Religious Disenfranchisement in Comparative and Theoretical Perspective," Modern Asian Studies 49, no. 1 (2015): 40–82; Tomas Larsson, "Buddha or the Ballot: The Buddhist Exception to Universal Suffrage in Contemporary Asia," in Buddhism and the Political Process, ed. Hiroko Kawanami (New York: Palgrave Macmillan, 2016), 78–96.

⁴⁹ Lindberg Falk, Making Fields of Merit, 228-36.

⁵⁰ Jackson, Buddhism, Legitimation, and Conflict, 178, 180.

⁵¹ See Marja-Leena Heikkilä-Horn, Santi Asoke Buddhism and Thai State Response (Åbo: Åbo Akademis Förlag, 1996).

reasons for this are complex, but it is worth noting that Santi Asoke, like Sriwichai in an earlier era, had challenged the Sangha's exclusive right to regulate entry into the monkhood and thus to guard the Thai Theravada tradition's institutional integrity. In contrast, other new Buddhist movements—such as Hupphasawan, Suan Mokh, and Wat Phra Dhammakaya—have submitted to the Sangha's authority in this respect, while offering alternative interpretations of the Buddha's teachings.⁵² However, the Thai Sangha has shown itself extremely reluctant to get embroiled in conflicts over such hermeneutic matters—even in the face of significant social pressures to "do something" about the flourishing of new Buddhist movements that from a mainstream point of view appear beyond the pale.⁵³

While one might celebrate the apparent inefficiency and laxity of Thailand's religious bureaucracy as a precondition for religious freedom and pluralism, some Thais regard the "weakness" of the Buddhist bureaucracy as an existential threat to Thai Buddhism, and as such to the Thai state and nation. Such religious nationalists have sought to influence the political agenda in recent decades, and they have met with some success. As mentioned earlier, government spending on the religious bureaucracy has risen dramatically since the early 1990s, and this constitutes, at least in part, a political response to perceived "threats" to Thai Buddhism and the Sangha. This expansion of the religious bureaucracy has been accompanied by numerous efforts to equip the religious bureaucracy with bigger sticks and carrots. Most prominently, Thailand has seen a number of (hitherto unsuccessful) campaigns to make Buddhism the official state religion. One of the goals of such efforts has been to make monastic law enforceable by the secular arm of the state. Another legislative initiative to pass a law on the patronage and protection of Buddhism (hitherto similarly unsuccessful) sought to achieve the same goal. The 2016 constitution has, however, tied the state ever tighter to Theravada Buddhism. It is to these recent developments we now turn.

RELIGIOUS REFORM AFTER THE 2014 MILITARY COUP

In the wake of the 2014 coup, a draft law on the patronage and protection of Buddhism was put forward by the National Office of Buddhism. It received an initial stamp of approval from the ruling junta. The draft sought to strengthen the ecclesiastical hierarchy's capacity to enforce religious orthodoxy and orthopraxy. The most controversial part of the draft effectively sought to criminalize transgressions of *religious* laws and regulations. The proposed new punishments would apply mainly to members of the Sangha (that is, monks and novices), but occasionally also to persons who aid these religious persons in their transgressions. Crimes thus defined included sexual intercourse; falsely claiming to have magic powers; deviating from the Tripitaka; possessing pornography; consuming alcohol or illicit drugs; engaging in inappropriate commerce involving Buddhist

⁵² On this point, see Frank E. Reynolds, "Dhamma in Dispute: The Interactions of Religion and Law in Thailand," Law and Society Review 28, no.3 (1994): 433-52, at 446-47.

⁵³ See Pagorn Singsuriya, "Boonnoon's Critique of Thai Sangha," Chulalongkorn Journal of Buddhist Studies 3, no. 2 (2004): 261-69.

⁵⁴ See Kusa, "Crisis Discourse," 43.

Important aspects of the logic behind such efforts are discussed in Tomas Larsson, "Keeping Monks in Their Place?" Asian Journal of Law and Society 3, no. 1 (2016): 17–28.

Soraj Hongladarom and Krisadawan Hongladarom, "Cyber-Buddhism: Fundamentalism, the Internet and the Public Sphere in Thailand," in Fundamentalism in the Modern World, vol. 2, Fundamentalism and Communication: Culture, Media and the Public Sphere, ed. Ulrika Mårtensson et al. (London: I. B. Tauris, 2011), 216–36, at 226.

symbols, amulets, and the like; sexual deviancy; and ignoring an order from Sangha authorities. The stipulated punishments for these crimes ranged from small fines up to imprisonment for seven years. For crimes that are already covered in the Penal Code and associated criminal laws (such as illegal gambling, soliciting donations without permission), the draft stipulated that the punishment for monks and novices committing such offences should be three times that stipulated in the existing criminal law. Punishments were also defined for poor governance and management of the Sangha. Thus, monks in authority positions in the ecclesiastic hierarchy would be punished if they proved lax in their governance of the monkhood, such that damage was caused to Buddhism. In addition, senior monks were to be criminally liable if they ordained a person who ought not to be ordained. A separate clause stipulated that a preceptor who ordains a person with "deviant" sexual behavior should face imprisonment up to one month.

If this draft were to be enacted into Thai law, it would have significant implications for religious freedom in Thailand. While the Sangha Supreme Council agreed with provisions in the draft that were favorable to it—such as those that sought to channel more funds to the Sangha and to create a number of new bureaucratic agencies—the Sangha Supreme Council opposed the section on punishments, proposing that it be removed.⁵⁷ While the Sangha's thinking in this regard is not entirely transparent, one may suspect that the country's chief monks were (and remain) wary of further strengthening the secular state's legal powers to intervene in ecclesiastical affairs. Subsequently, Thailand's Council of State produced a revised draft of the law on patronage and protection of Buddhism that took the Sangha Supreme Council's wishes into account, removing the section on punishment, and with it much of that which might be considered objectionable from a religious freedom point of view.

The religious anxieties that underpinned the National Office of Buddhism's more draconian version of the draft law have not, however, dissipated. They have found expression also in other ways. For example, in the recommendations for religious reform proposed by the military-installed National Reform Council's Committee for Reform of Guidelines and Measures for the Protection of Buddhist Affairs. In a report submitted to the council in March 2015, the committee put forward its analysis of what ails Thai Buddhism as well as several proposals on how Buddhism might be supported, purified, and protected. Here I highlight three areas of reform that are intended to strengthen the Weberian and Orwellian dimensions of the Buddhist bureaucracy, with negative implications for religious freedom.

The first concerns the "corruption" of Buddhism that is deemed to have occurred as a result of members of the sangha being excessively focused on money-making activities, at the expense of serious study of Buddhist doctrine and practice. In order to address this problem, the Committee highlighted the urgent need for the enactment of laws and other measures governing the financial affairs of monks, temples, and the sangha as a whole. These would be intended to ensure that all temples conform to modern financial reporting standards for the sake of transparency and accountability, and that all assets and incomes that result from temple-related activities become "Buddhist" property rather than, as the committee alleges happens all too often, the private property of individual monks and/or their close associates. This critique of the sangha's financial management practices echoes the debates about "crony capitalism" that followed in the wake of the Asian financial crisis, which began in Thailand in 1997.

⁵⁷ Mahatherasamakhom [Sangha Supreme Council], "Sarup kanprachum mahatherasamakhom khrang thi 27/2557 wan phareuhatsabodi thi 11 thanwakhom 2557" [Minutes of the 27/2014 meeting of the Sangha Supreme Council, Thursday, December 11, 2014], accessed June 12, 2017, http://mahathera.onab.go.th/index.php?url=matireport&id=144.

The second concerns the "corruption" of Buddhism that is deemed to have occurred as a consequence of the flourishing of "deviant" sects. The committee therefore recommended that a mechanism be put in place to ensure that the Buddha's teachings are not corrupted in any way and to make sure that only correct doctrine is taught. This proposal seems to be aimed at Wat Phra Dhammakaya in the first instance⁵⁸ (and to a lesser extent at Santi Asoke, which had allied with the supporters of the 2006 and 2014 military coups).

The third area of reform concerns the perceived woeful state of monastic education. The Committee argued that reforming the education of monks in Pali and Buddhist doctrine could no longer be left to the Sangha, which it perceived to have made a dismal job of it, urging the (nominally) secular arm of the state to ensure that "proper" standards in the education of monks and novices are maintained.

These recommendations reflected a deep unease with the perceived decline of Buddhism, and the perceived inability or unwillingness of the Sangha to govern itself in ways that meet contemporary standards and expectations. With their focus on a clearer separation between different kinds of property (public/private, sangha/private), improved accounting and financial reporting standards, doctrinal purity, and better monastic education, these proposals reflected a strong desire—among prominent laypersons—for further Weberization as well as Orwellization of Thailand's religious bureaucracy.

While some of these proposals have more self-evidently negative implications for religious freedom (the insistence on doctrinal purity) they would all equip the religious bureaucracy (and other organs of state) with legal instruments that could be used in ways that restrict religious liberties. As for the latter, selective enforcement—targeting religious leaders and groups that are out of political favor—would be a particular concern.

While these proposals have not (yet) been enacted, the sentiments underpinning them have found expression in the constitution that was approved in a (far from democratic) referendum in August 2016 and subsequently enacted in April 2017. It introduced a novel formulation with regards to religion:

The state shall patronize and protect Buddhism and other religions. With a view to patronizing and protecting the Buddhism that has long been professed by the majority of the Thai people, the state shall promote and support education in and propagation of the principles of *Theravada* Buddhism for the purpose of mental and intellectual development, must establish measures and mechanisms to prevent the desecration of Buddhism in any form. The state shall also encourage the participation of all Buddhists in the application of such measures and mechanisms.⁵⁹

Previous Thai constitutions (of which there have been very many) have not made reference to specific religious denominations. Indeed, I believe it is the first time that Buddhism has been defined in narrow denominational terms in Thai law. It is not entirely clear what the constitution drafters had in mind when putting special emphasis on the Theravada tradition. The constitution drafting process was a closed affair, discussion of the draft discouraged, and criticism illegal in the run-up to the referendum. In political terms, however, it seems reasonable to view the new formulation as a concession to the religious nationalist forces that in recent years have been pressing for a

⁵⁸ For a background on this long-standing controversy, see Rachelle M. Scott, *Nirvana for Sale? Buddhism, Wealth, and the Dhammakaya Temple in Contemporary Thailand* (Albany: State University of New York Press, 2009).

⁵⁹ Section 67 of the Constitution of the Kingdom of Thailand (2017). Author's translation from Thai; emphasis added.

more muscular approach to the "protection" of Buddhism. As much was also suggested by a decree issued by junta leader Prayuth Chan-ocha shortly after the referendum. It elaborated on the meaning of the new constitution with regards to state patronage and protection of religion. While emphasizing that the state shall provide patronage to all recognized religions, including the two recognized Mahayana Buddhist sects, the decree put great stress on the symbolic centrality of Theravada Buddhism within the polity, and it ordered concerned state agencies to ensure that only "correct" interpretations of religious doctrine are disseminated. How this will be implemented remains to be seen. But it is certainly possible that the junta signaled that the state from now on should be less "standoffish" when it comes to enforcing Theravada Buddhist orthodoxy and orthopraxy, as defined by the religious bureaucracy.

In light of the earlier discussion, it is perhaps not entirely surprising that these reform proposals have been met with some resistance. It is instructive that the report and recommendations issued by the Committee for Reform of Guidelines and Measures for the Protection of Buddhist Affairs triggered, upon their publication, an immediate backlash from powerful sections of the Sangha, who warned of an uprising by monks if the committee were allowed to continue its work.⁶¹ Shortly thereafter, the committee was disbanded.⁶² Thus, at the earliest signs of public opposition, the military-appointed religious reformers were forced to retreat. Such indecisiveness is grounded, at least in part, in the fact that the military regime is facing conflicting pressures. On the one hand, it has to accommodate powerful vested interests in the Sangha who are loath to see any significant changes in existing governance arrangements. On the other hand, it must please its own urban upper- and middle-class supporters who have put their hope in the generals' ability to reform the Sangha and revitalize "proper" forms of Thai Buddhism. In response to such crosscurrents, and lacking a clear religious vision of its own and fearful of getting embroiled in combustible religious controversies, the military junta created the appearance of religious reform as a work in progress, without actually making any more meaningful legal and administrative changes that would reshape the relations between state, sangha, and society.

There are, however, some signs that the recent royal succession has provided the government with a greater sense of religious direction. The sudden and unexpected resolution of the drawn out imbroglio over the appointment of a supreme patriarch is a striking illustration of this. In 2013, Supreme Patriarch Nyanasamvara (Charoen Suvaddhano) passed away at the age of 100, following a long period of ill health that prevented him from participating in the management of the Sangha. However, it was only in February 2017 that a successor, Somdet Phra Ariyavongsagatanana (Amborn Ambaro) of the royalist Thammayut sect, was appointed. The delay was caused by the fact that the Sangha Act's rules of succession allowed only for the most senior monk to rise to the post. Unfortunately, the most senior monk, the then acting supreme patriarch, popularly known as Somdet Chuang and belonging to the Mahanikai sect, was intensely

^{60 &}quot;Khamsang huana khanakammakan raksa khwam sangop haeng chat thi 49/2559 reuang matrakan kanupatham lae khumkhrong satsana tang tang nai prathet thai" [Order by the head of the National Council for Peace and Order No. 49/2016 on measures for the patronage and protection of different religions in Thailand], Ratchakitchanubeksa [Royal Gazette], August 22, 2016, http://www.ratchakitcha.soc.go.th/DATA/PDF/2559/E/184/17.PDF.

⁶¹ Jeerapong Prasertponkrung and Praphasri Osathanon, "Uproar Over NRC Panel and Buddhist Reform," Nation, February 25, 2015.

^{62 &}quot;NRC Axes Buddhism Panel," Bangkok Post, March 6, 2015.

⁶³ This highlights the geriatric character of the Sangha. For a fuller discussion of Sangha politics, see Duncan McCargo, "The Changing Politics of Thailand's Buddhist Order," Critical Asian Studies 44, no. 4 (2012): 627–42.

unpopular in important quarters, where he was perceived as closely associated with Wat Phra Dhammakaya and with pro-Thaksin forces.⁶⁴ Thus, in July 2016, junta leader Prayuth refused to submit the nomination of Somdet Chuang put forward by the Supreme Sangha Council and the National Office of Buddhism for royal endorsement, because he feared a "problematic" appointment might cause conflict in society. The impasse was overcome only after the passing of King Bhumibol in October 2016. Shortly after the ascension of his son Vajiralongkorn to the throne in December 2016, the junta-appointed legislature passed an amendment to the Sangha Act's rules of succession to make possible the appointment of a politically palatable head of the Sangha. The "shock passage" of the amendment restored the king's power to exercise discretion in the appointment of the supreme patriarch, paving the way for King Vajiralongkorn to pick the next supreme patriarch from among the most senior monks on the Sangha Supreme Council.⁶⁵

While the even more drawn out imbroglio over Wat Phra Dhammakaya has not been entirely resolved, the Thai state has likewise demonstrated suddenly discovered firmness in its dealings with the temple—as manifested in the removal of its charismatic leader Phra Dhammachayo as abbot of the temple in December 2016, and a subsequent series of raids on the temple compound by military and police seeking (but failing) to arrest him on criminal charges that include money laundering. The new king also stripped Dhammachayo of his ecclesiastic rank.

While Thai governments in the last few years of King Bhumibol's reign generally appeared to favor a strategy of "muddling through," in which they paid lip-service to processes of religious reform, while in the end making at most symbolic concessions, these early indications suggest that the new reign might bring a less laissez-faire approach to Buddhist affairs. If that is indeed the case, the Buddhist bureaucracy would be expected to assert itself in ways that have a negative impact on religious freedom.

CONCLUSION

In this essay, I have outlined the main features of the process of bureaucratization of Buddhism in Thailand, and shown that it has been an important aspect of state- and nation-formation. And the evidence presented has indicated that the bureaucratization of religion is an ongoing process that continues to challenge Thai state- and nation-builders. As a historical process, bureaucratization has been driven primarily by secular authorities seeking to harness Buddhist symbols and sentiments for their own political projects, while minimizing the threat of religiously inspired opposition. I have also highlighted the limits of religious bureaucratization in the Thai experience in different ways. The bureaucratization of Buddhism in Thailand appears more Parkinsonian than Weberian or Orwellian; that is to say, the bureaucracy has expanded greatly without necessarily becoming more "rational" or more controlling of people's religious lives. As a consequence of the inherent character of Thai Buddhism as a monastic religion, laypersons, constituting the vast majority of the population, only rarely see their religious lives constrained or regimented by the religious bureaucracy. And even monks are largely left to their own devices, as long as they show deference to the Sangha's authority over ordination lineages. The religious bureaucracy has also been constrained in its ability to regulate the religious practices of monastics and laypersons because of the popular resistance such efforts tend to awaken. It has therefore more often chosen to co-opt

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⁶⁴ Anapat Deechuay and Sakda Samerpop, "Prayut Refuses to Submit Nomination of Somdet Chuang as Supreme Patriarch," *Nation*, July 12, 2016.

⁶⁵ Mongkol Bangprapa, "NLA Passes Bill to Tweak Sangha Act," Bangkok Post, December 20, 2016.

religious leaders and their followers, or to treat them with benign neglect. These features serve to protect an important sphere of religious liberty. However, the perception that Buddhism is facing an existential crisis in Thailand could lead to a shrinking of that sphere, should it result in the Sangha and the religious bureaucracy being subjected to substantive reforms along Weberian rational-legal lines, and animated by Orwellian impulses. In the wake of the 2014 military coup and the 2016 royal succession, a number of initiatives have clearly pointed in that direction. Indeed, the new constitution contains language that suggests that the Thai state will be more ambitious than ever with regards to its declared duty to protect Theravada Buddhist orthodoxy and orthopraxy. Precisely what consequences that will have on the religious liberties of monks and laypersons remains to be seen. But the recent fate of career monks associated with Wat Phra Dhammakaya shows how the Thai state's moral purpose of "purifying" Buddhism—the urgency of which was heightened in the wake of the passing of King Bhumibol—favors some religious groups over others.

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