Thai military junta suffers setback at national referendum

John Roberts
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The result of a national referendum held on August 19 on Thailand's new constitution was far from a resounding vote of confidence in the country's military leaders. While the constitution was formally passed, the turnout was low and the vote inconclusive, despite aggressive campaigning by the junta and threats to postpone new elections if the referendum were rejected.

Only 57.6 percent of enrolled voters cast a vote, compared with 70 percent in the past two national elections. The vote in favour was just 58 percent, as against 42 percent who voted no. In other words, less than one third of those eligible voted for the new constitution.

The vote was sharply polarised. In the capital Bangkok, the central plains and the southern provinces, where opposition to Thaksin was strong in 2006, the "yes" vote was as high as 88 percent. In the northern rural areas where ousted prime minister Thaksin Shinawatra and his Thai Rak Thai (TRT) had a strong base of support, the vote went the other way. In the north east, the "no" vote was 62 percent. In the north as a whole, the vote was evenly split.

An editorial in the *Japan Times* commented: "Critics are right to charge that Thai democracy is being managed. In fact, it is fair to say Sunday's vote was not so much a referendum on the proposed constitution as a plea for a return to democratic politics." Had the referendum been rejected the junta would have been able to choose one of the previous 17 constitutions with amendments at its discretion.

The Election Commission has scheduled a national poll for December 23, but major constraints remain. After seizing power last September, coup leader General Sonthi Boonyaratglin and the generals controlling the Council for National Security (CNS) imposed martial rule and cracked down on any political opposition. A military-appointed tribunal formally abolished the TRT, and Thaksin and 110 of his senior TRT officials have been banned from any political activity for five years. An arrest warrant has been issued for Thaksin who is currently living in London.

The new constitution is aimed at entrenching the role of the military in political life. The upper house Senate will be cut from 200 to 150 members, of whom 74 will be appointed by a panel selected from the Constitution Court, the Supreme Court, the Administration Court, the Election Commission, the Parliamentary Ombudsman and other government-appointed officials.

The outcome will be an upper house with extensive powers of review that is heavily stacked with the military and its proxies. The upper house will have the power to impeach any member of parliament, including the prime minister, with a three-fifths majority. The constitution also gives full immunity from prosecution to the military leaders who took part in last September's coup and subsequent rule.

Following widespread objections, the junta had to remove two elements of its draft constitution—the establishment of a military-dominated emergency council with the power to sack the prime minister and a provision allowing for an appointed, rather than elected, prime minister.

However, the plan for an emergency council has been effectively incorporated into a new internal security law (NSA). The legislation, which will be rubberstamped by the military-appointed National Legislative Assembly prior to the December election, provides sweeping powers to the army in any loosely-defined period of "national crisis". The bill would give the Internal Security Command the right to act independently of the civilian cabinet, making the army commander more powerful than the prime minister.

There are no fundamental political differences between the military leaders and the man whom they ousted. Thaksin, a former police officer, had longstanding connections with the military—the source of lucrative contracts on which he built his multi-billion dollar business empire. Thaksin and his TRT initially won office in 2001 by exploiting the widespread opposition to the IMF restructuring program being implemented by the Democratic Party-led government in the wake of 1997-98 Asian financial crisis. He gained the backing of sections of business and the conservative elites, including the military, by promising to protect Thai companies from foreign competition.

Having won office, however, Thaksin came under growing

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pressure to accommodate to the demands of international capital in order to attract foreign investment and shore up the flagging Thai economy. Disenchanted with the government's policies, his former business backers initiated a protest movement that drew in layers of workers and farmers opposed to Thaksin's anti-democratic methods and restructuring plans. The protests expanded significantly following allegations of corruption against Thaksin over the $US1.9 billion sale of his family-owned Shin Corp telecommunications conglomerate in January 2006.

The clash between the TRT and its opponents led to a protracted political and constitutional deadlock. Thaksin retained the loyalty of the rural masses as a result of his government's economic concessions on health care and rural development. The TRT won an overwhelming majority in a snap election in April 2006, but an opposition boycott prevented a number of seats in Bangkok from being filled and blocked the convening of parliament. The army, backed by King Bhumibol Adulyadej, intervened to try to end the deepening political crisis.

The new constitution reflects the concerns of Thaksin's opponents. It entrenches national economic regulation by requiring the legislature to pay attention to the king's ideas of a "self-sufficiency" economy. One clause obliges the state to provide economic infrastructure and prevent private sector monopolies, thus attempting to limit the privatisation of state assets planned by Thaksin. Other provisions call for legislative supervision of international treaty negotiations—a reaction against Thaksin's efforts to sign a free trade deal with the US.

However, none of the issues that provoked the coup have been resolved. The military-appointed government of Prime Minister Surayud Chulanont made heavy-handed attempts to impose capital and currency controls, provoking turmoil on the financial markets. Growth estimates for this year are only 4 percent, far lower than most other Asian countries. Like Thaksin, the regime has proven completely incapable of resolving the social crisis facing the country's working people.

In the south of the country, the military promised to put an end to Thaksin's brutal regime of repression aimed at stamping out Muslim separatists, but its pledges have come to nothing. In July the junta launched a crackdown in the provinces of Yala, Pattani and Narathiwat that has seen hundreds of suspects rounded up. It has also authorised the formation of pro-government militia groups whose activities are exacerbating tensions that have has spiralled out of Bangkok's control.

All the parties are now manoeuvring prior to the December election. Even though the TRT has been banned and its senior leaders barred from politics, some 200 former TRT parliamentarians have joined the obscure Peoples Power Party (PPP) and invited the right-wing former Bangkok governor Samak Sundaravej to head the party. Samak is a political enemy of Prem Tinsulanonda, an ex-general who is a close adviser to the king. Prem is widely accused by the pro-Thaksin camp of being one of the coup's main instigators.

Other major parties, including the Democratic Party and Chat Thai, supported the referendum and are clearly hoping to gain from the TRT's abolition. The stance of the Democrats, the country's oldest party, is particularly significant. In the past, the Democratic Party has opposed the interference of the military in political life. It came to office after the army was forced to end its dictatorship in 1992 following widespread street protests and clashes in Bangkok. The Democrats tacitly accepted last September's coup and have now embraced the military's anti-democratic constitution.

Other smaller parties may also gain a foothold. The new constitution has merged single seat constituencies into larger ones in which second- or third-placed candidates could win parliamentary seats. The military has obviously made the change in an attempt to create a divided lower house in which no party has an outright majority. A weak coalition government in the lower house would strengthen the hand of the military faction that would dominate the upper house.

Coup leader General Sonthi has also hinted that he may form his own party to contest the elections. Even with a stranglehold on the state apparatus and a monopoly of the media coverage, an open party of the military is unlikely to win widespread backing. Obviously concerned at the outcome of the referendum, Sonthi declared that the result in the north east was "a lesson for the government to study". Nearly a year after seizing power, the junta has no significant base of popular support and continues to rely on its control of the state apparatus to suppress political opposition.

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