

Thai junta rejects draft constitution, delays election

Tom Peters
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Thailand's National Reform Council voted on Sunday to reject a draft constitution drawn up by the Constitution Drafting Committee. Both bodies were appointed by the military junta, known as the National Council for Peace and Order (NCPO), which seized power in a coup in May 2014.

The rejection of the draft charter appears to have been a deliberate ploy by the NCPO to indefinitely postpone a return to civilian rule. On Monday, Deputy Prime Minister Wissanu Krea-ngam announced that the constitution would be re-drafted and a referendum on it would be delayed until late 2016.

After seizing power last year, the military promised to hold elections in late 2015, but this date has been repeatedly pushed back. Elections will now be delayed until June 2017 or later. There is increasing nervousness among the ruling elites, who fear that holding an election amid a deteriorating economy and sharpening social tensions could have unpredictable consequences.

As reported by the *New York Times*, Sangsit Phiriyarangsarn, a National Reform Council (NRC) member who voted for the draft, explained why the majority rejected it. "They are afraid that if an election takes place, it may lead to indefinite chaos. They are in agreement that we should extend the junta's rule to govern the country," he said. Other NRC members expressed concern that the draft would have failed to pass a referendum.

The rejected charter included an article, inserted late in the drafting process on August 12, outlining the creation of a 23-member "crisis committee," known as the National Strategic Reform and Reconciliation Commission. This body, dominated by senior members of the police and military, would be able to usurp power from parliament during a time of "crisis" or

heightened political "conflict."

The provision was blatantly anti-democratic, aimed at enshrining the military dictatorship even after elections were held. Ousted Prime Minister Yingluck Shinawatra and her Pheu Thai Party, along with Democrat Party leader Abhisit Vejjajiva—who supported last year's coup—criticised the inclusion of the "crisis committee" and welcomed the rejection of the draft.

The NCPO, however, has no intention of giving up its hold on power. Dictator and former general Prayuth Chan-ocha made clear on Tuesday that the new draft would not be substantially different. "[T]he country faces a major threat and this needs to be handled, so those concerned must find ways to tackle it," he declared.

The US government, which considers the Thai junta a crucial military ally in Asia, has made no comment on the rejection of the draft constitution or the decision to delay elections.

The military seized power last year with the support of the monarchy, the judiciary and much of the state bureaucracy. In 2006, the armed forces also led a coup against former Prime Minister Thaksin Shinawatra, Yingluck's billionaire brother. While Thaksin represented sections of big business, his moves to open up the economy to greater foreign investment alienated him from Thailand's traditional elites.

The military-royalist establishment was particularly hostile to the "populist" policies which won the Shinawatras a base of support among the rural and urban poor. The NCPO has vowed to roll back these limited reforms, including Yingluck's subsidies for rice farmers, and impose other pro-business measures.

The junta confronts an increasingly severe economic slowdown, exacerbated by a drought and a drop in exports to China. The baht recently sank to its lowest

level against the US dollar since 2009. Last year, the economy expanded just 0.9 percent, and the NCPO last month cut its forecast growth from the range 3 to 4 percent to 2.7 to 3.2 percent. In the 2000s, growth peaked at over 7 percent.

The number of people employed in the agriculture sector has fallen 5.8 percent in the past year, according to the *Bangkok Post*. Farmers have been hit hard by the drought and the removal of subsidies.

While official unemployment remains low, Reuters reported that output in “the autos and electronics-led manufacturing sector has fallen on an annual basis in 27 of the past 28 months, while exports, equivalent to 60 percent of Thailand’s \$US374 billion economy, have fallen for seven straight months after two years of annual contraction.”

The tourism sector is also under pressure. In a drastic bid to cut costs, the state-owned Thai Airways announced in July that it would cut 1,401 jobs and suspend loss-making flights to Rome and Los Angeles.

While the NCPO has denied that the country faces an economic crisis, this month it announced a 206 billion baht (\$5.7 billion) stimulus package, including assistance for village enterprises and loans for small to medium-sized businesses. In a sign of divisions within the ruling elites, an editorial in the *Nation* newspaper on September 5 criticised the policies as a partial return to “Thaksinomics” that was unlikely to boost consumption because heavily indebted households could not take on more debt.

Fearing a popular backlash against its austerity measures and dictatorial rule, the junta is continuing to clamp down harshly on dissent. A small student-led protest against the draft constitution in Bangkok on Sunday was reportedly surrounded by 100 police officers.

When the military appointed a panel to rewrite the constitution following the 2006 coup it allowed open campaigning ahead of a referendum in 2007. This time, all campaigning has been banned. Public discussion of the referendum can only take place through officially-sanctioned media channels.

According to the *Khaosod* news web site, Deputy Prime Minister Wissanu announced last month that the use of mobile phone messages and social media to call for people to accept or reject the constitution was outlawed. “If we catch you doing it, we will arrest you.

The principle is that: you cannot mobilise or incite [or] cause divisions,” he said. The restrictions are so sweeping that they could be applied even to discussions involving two people.

More than 750 people have been arrested or temporarily detained since the coup, including journalists, academics, students and political figures linked to the overthrown Pheu Thai government and its protest arm, the Red Shirts.

People are being thrown in jail for *lèse majesté* (insulting the monarchy). Reuters reported on September 3 that on “online platforms such as Facebook, multiple postings deemed critical of the monarchy can earn someone 10 years for each comment, served consecutively. That has led to record-breaking sentences.”

David Streckfuss, an academic based in Khon Kaen, said the targets in such cases are “increasingly ordinary people, many of them red-shirt supporters of Thaksin, rather than prominent individuals.” Last month a 29-year-old hotel worker in Chiang Mai was sentenced to 28 years in prison, while in Bangkok Pongsak Sriboonpeng, who is HIV-positive, was sentenced to 30 years, both for comments they made online.



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