

Thai ruling establishment promotes amnesty bills for political offences

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Opposing political parties in Thailand have proposed drafts for a supposedly wide-reaching amnesty bill to pardon those either charged or imprisoned for political reasons. Such a bill would both whitewash the crimes carried out by the Thai military and ruling class over the last 20 years and be aimed at preventing a genuine struggle for democratic rights by workers and youth.

The proposed drafts for an amnesty bill would retroactively pardon or grant amnesty for political crimes beginning from February 2006. This encompasses events such as the military coup that year against then-Prime Minister Thaksin Shinawatra, the 2010 protests during which 91 people were killed, the 2014 coup against Thaksin's sister Yingluck Shinawatra, and the mass demonstrations in 2020?2021 against the military government of coup leader General Prayut Chan-o-cha.

The main opposition Move Forward Party (MFP) first submitted a draft amnesty bill in October and includes those accused under Thailand's infamous *lèse-majesté* law. Also known as Section 112 of the Criminal Code, the law forbids criticism of the royal family. It is regularly used to trample on the rights to free speech and to protest under the claim that demonstrators are "insulting" the monarchy.

Exempt from the MFP's amnesty bill would be state officials who carried out repression against protesters and those charged under the Criminal Code's Section 113, which deals with insurrection and overthrowing the government.

While the MFP is posturing as a defender of protesters and democracy, Section 113 has been used against protesters calling for the reform of the monarchy and the ousting of military figures from government. The MFP is in reality stating that the current government cannot be changed and giving its

approval to the present Thai state, dominated by the military and a conservative bureaucracy.

In response, the pro-military United Thai Nation Party (UTN) is preparing to submit its own draft bill. UTN is affiliated with 2014 coup leader Prayut, who is now a privy councillor to King Maha Vajiralongkorn. The bill will supposedly absolve people in cases of political expression against the state or its representatives. "It's time to call a permanent truce," said UTN deputy leader Witthaya Kaewparadai on December 17. The bill does not cover those accused under the *lèse-majesté* law.

Representatives from the Democrat Party, the Chart Thai Pattana Party, and the Thai Teachers Party have publicly ruled out supporting any bill including Section 112. The government of Prime Minister Srettha Thavisin and his ruling Pheu Thai Party (PT) have not submitted their own bill. Instead, PT is calling for a special house committee with representatives from each party to discuss the matter behind closed doors.

"We don't want to see a new amnesty bill provoke a new wave of social division when it is submitted to the House for deliberation," said PT parliament member Chusak Sirinial, warning: "That kind of division would likely end in a major new political conflict, which is why we need to be extra careful."

Hundreds of protesters face time behind bars including for cases related to *lèse-majesté*. Thai Lawyers for Human Rights has reported that of 100 cases between 30 November 2021 and 30 October 2023, 79 defendants were found guilty for supposedly insulting the monarchy and 21 were acquitted. The longest prison sentence imposed during this period was 28 years.

Political offences by bourgeois politicians on the other hand are being quietly dismissed and settled.

Thaksin Shinawatra, who founded Pheu Thai's predecessor Thai Rak Thai, returned from self-imposed exile in August facing corruption charges as part of a deal hatched between the monarchy and the current Pheu Thai leadership.

Upon his return, Thaksin's sentence was reduced by the king from eight years to one and it may be reduced even further come February. Citing poor health, the 74-year-old Thaksin has avoided a single day in prison and is comfortably serving his time in the Police General Hospital in Bangkok. His sister Yingluck, who is living a privileged existence in exile, had a corruption charge dismissed by the Supreme Court on December 26. She now only faces one arrest warrant on corruption charges from the National Anti-Corruption Commission.

Among the other main beneficiaries of the bill include the United Front for Democracy against Dictatorship (UDD), commonly known as the Red Shirts and which has been allied with Pheu Thai and its previous political incarnations since 2006.

In 2013, then-Prime Minister Yingluck pushed for an amnesty bill in order to clear the record of the UDD and that of her brother, Thaksin. The bill was aborted as a result of the 2014 coup, which kept Prayut in power until Pheu Thai formed a government last year.

These bills have nothing to do with defending the democratic rights of protesters or working people more generally. Instead, the entire political establishment is conscious that it is sitting on a social powder keg. Household debt has reached record levels, totaling 90.7 percent of GDP according to the Bank of Thailand. Nearly one-third of workers and the poor are forced to spend as much as 50 percent of their monthly income on paying off debt.

At the same time, the economy remains sluggish. The World Bank has projected Thailand's growth to be the lowest among the ASEAN countries for the next 20 years at 3.2 percent. The economy grew by only 1.5 percent for the July-September quarter this year, lower than the widely predicted estimate of 2.4 percent.

In order to improve growth, the central bank has recommended reining in public spending particularly in healthcare and education to improve growth. No doubt this is currently being considered by all the parliamentary parties as they deliberate over the next budget for 2024.

The amnesty bills are meant to give the impression that Thailand has entered into a peaceful political period while behind the scenes uniting the different parties to push through attacks on workers' social and economic conditions.

In a December 25 interview with Thailand's *Matichon* newspaper, former UDD leader Worachai Hema stated that it was necessary to "reduce conflict" through an amnesty. Appealing against demonstrations and for all discussions to be conducted "on the platform of parliament," he warned that if this did not take place "then every group of people will come out and take action. This causes the country to have problems and a bad economy."

Alongside the amnesty bills, the Srettha government is also calling for a referendum to initiate discussions on a new constitution. According to Thai law written by Prayut's military government, discussions on a new constitution cannot even begin without a referendum. This is an anti-democratic measure that allows the military to squash any talks of a new constitution that it does not approve of.

From the perspective of Pheu Thai and its supporters in the MFP, a new constitution would play a role similar to that of the amnesty bills. It would give the impression that the government is righting the wrongs of the past while in actuality seeking to prevent an independent movement of workers and the poor from developing outside the confines of bourgeois politics.



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