

“Political Developments of Thailand in the Last 7 Years”

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by

**Assistant Professor Surat Horachaikul
(Department of International Relations, Faculty of Political Science,
Chulalongkorn University, Bangkok)**

I. Introduction

First of all, on behalf of everyone on the panel here, I would like to thank the Thai Studies Centre for allowing us to express our views on political developments in Thailand during the Thaksin and post-Thaksin era. Our mission here is to provide factual information and draw the conclusion from it. Particularly, we are also here for those who are interested in learning more about the ongoing democratization of the country. Also, it is noteworthy to inform you that when Thaksin, Thaksin's cronies and/or supporters and the international media continue to mislead people, it is necessary that we need to correct the misled information. We are here for our country and we are here to seek justice for our country.

II. The international community's and 'the 19th September Coup'

Let me start with a few examples of unfair criticisms and misinformation. Immediately after the coup on 19th September 2006, Australia's foreign minister Alexander Downer stated "... it is of concern to us that the military appear to have simply seized power." Look, "the military appear to have simply seized the power." How could it be "appear to have simply seized the power"? Definitely there are causes behind the coup. Kevin Rudd, the then Australian Labor Party's foreign affairs spokesman also said: the coup "... needs to be condemned and condemned unequivocally. A coup is a direct assault on democracy itself."

When the government of General Surayud Chulanont became reluctant with the FTAs and would be FTAs, there came more and more criticisms based on false information. And when the government decided to go for compulsory licensing, the mainstream international media became verbally berserk. One columnist from a US newspaper said the reason behind Thai government's decision to undertake compulsory licensing was that the junta is benefiting \$9 million, while reducing the budget for public health. Ideas like this are nothing but absurdity. This is because the health budget has increased not reduced. And as recent as yesterday, *The Australian* newspaper has a small article on the national referendum on the draft constitution in Thailand. A part of the article says that opponents of Thaksin had accused him "of corruption and abuse of power". Believe it or not, there is not even a phrase on extrajudicial killings of more than 2,500 people under Thaksin's regime.

Believe it or not, a part of the article says that the new constitution of Thailand, "the 186-page constitution, which will be the country's 18th since 1932 curbs the role of politicians, gives more power to unelected bodies such as the courts and could perpetuate the behind-the-scenes power the military has wielded in Thailand for decades."

Believe it or not, even though the article is about the referendum which Thais voted on Sunday, the title of the article is "Thailand votes for general election". Why? It is simple, that is, the hidden agenda is that people voted 'yes' just because they want election and nothing else. This is a joke, a serious one. Sadly, this article is a mere disrespect for 'yes' votes from the relatives of those who died under Thaksin's so-called extrajudicial killings. This article has no respect at all for 'yes' votes from the relatives of those who lost their lives at Tak Bai district where the start of mass killing took place and eventually many people who protested in front of the Tak Bai Police Station were piled up on top of one another like fish and vegetables in a truck in order to be transported to a military camp. And the majority died because of suffocation, while Thaksin was there in the province giving the commands. Let me stress one more time that he was there issuing the commands.

Ladies and gentlemen, believe it or not, this article on Thailand appears next to the report on the news about the BOEING 737-800 of Taiwanese Airline which burst into flames in Japan. I wonder how many Australian newspaper readers who are nice and friendly in nature can really make out that the BOEING story is purely objective, while the article on Thailand next to it is purely subjective. This article on Thailand is one-sided-opinion based article not a factual report. The powerful media's ability to convert subjectivity into objectivity reminds me that when I go back to Thailand, I desperately need to assign *Covering Islam* by Edward Said for a reading to my students in the coming semester, so that my students comprehend the enigma and power of international media as a tool of the powerful to dictate what is and what is not democracy.

Let me now briefly remind all of you what happened during the Thaksin regime, so that we all can draw the conclusion whether or not "the military appear to have simply seized the power" and "the coup needs to be condemned".

III. Thaksinism

Starting from 2000 when his purchase of iTV (independent television) became his tool to help him get elected. The then Constitutional Court acquitted him of concealing stocks (assets), bearing in mind that the figures shown as evidence which Thaksin accepted before the court was that about 2 billion baht worth of stocks was (temporarily) owned by his maid and driver. All we heard from Thaksin was nothing but an "honest mistake".

After election he started to coerce leaders of the medium size parties to merge with his TRT (Thais Rak Thais --- Thais love Thais) party. The merge was done at all costs including extortions of some members of Chart Thai Party (The family of Khunpluem) and Chart Pattana Party led by Suwat Lippattapanlop (because of the corruption of Klongdan Water Treatment Plant). With the use of bureaucrats and particularly the police, in a short time, the Thaksin's led government began to show its true color of its parliamentary authoritarianism with the use of police in running the state. A good colleague of mine calls 'Populist Logic, Policist Practice'.

With the Democrat and Chart Thai (Thaksin II) parties' being the opposition parties with number of seats not enough for 'no confidence' debate directly on the prime minister and ministers in the parliament, the parliament became absolutely dominated by TRT. On top of that, the senate, which was supposed to function independently in accordance with the 1997 constitution, there were fewer than 50 senators out of 200 who dared to obstruct his regime. His monetary and political power loomed everywhere as most independent organizations were bought under his control or else emasculated. The election commission was b(r)ought under his control. Broadcasting media were curbed. Various important issues that were legally equivalent to treaties or laws, which had to pass before the parliament became Thaksin's personal agendas, mostly enacted through PM's decree.

Consequently, we saw all kinds of abuses whether the abuse of public spending, corruption, cronyism and above anything else the human rights violations under his regime. The corruptions and practices of cronyism ranged from the leak of examination questions of the national university entrance examination to mega project corruptions, mounting to 200 billion baht (estimated). Thaksin's hands are soaked with blood of about 2,500 lives in the name of war on drugs in the format of extrajudicial killings, let alone the Krue Sae and Tak Bai Massacre. The abduction of human rights lawyer and social activist Somchai Neelapaichit and the killing of Charoen Wataksorn are now believed to be connected to the regime. His mentality regarding human rights is reflected through his statement: 'The United Nations is not my father.'

At last when most mechanisms fail to do duties of checks and balances, people's sovereignty was the only way necessary to topple him. But instead of allowing people to protest peacefully, Thaksin employed every single tactic to control them, including his government's members who began to mobilize people to clash with protesters who were simply exercising their rights. In February 2006, Thaksin dissolved the parliament to whitewash himself. The

reason for the dissolution was because he did not pay tax for the takeover of Shin Corp by Temasek, arguing tautologically that capital gain allows him to do so even though the negotiation was done outside the stock market in January 2006.

The election was held on April 2007, but major parties decided to boycott the election. Eventually the frauds took place and the election commissioners were imprisoned.

Ladies and gentlemen, Thaksin tore not only the constitution but also the country. The conflict in the south exacerbated until this very day. The country was divided and there was no rule of law essential for any country to live peacefully. What he did in the last 5 years was dedemocratization just simply by equating democracy to ballot and economic euphoria of GDP growth.

IV. What can we learn from the political developments in Thailand in the last 7 years?

A. The coup and democracy

For the coup, it is mythological to say that the coup toppled the democratically elected regime. This is because, according to the 1997 constitution, Thaksin could only be caretaker prime minister for only 90 days after the election. And he was no longer caretaker prime minister after 2nd July 2006. Please also remember that the 2nd April election was not complete and the election commissioners were imprisoned for election fraud. Thaksin was no longer the prime minister after 2nd July 2006. So, if a part of definition of a coup means toppling or seizing the power of a democratically elected government or body, then the full definition of coup cannot be applied here. Importantly, we also need to ask who would save us from the bloody division that was on the verge of happening. Would it be the international community? No way!

For political scientists and experts on Asian Studies, it is essential that we ask the question whether all coups are the same. It was not in the case of Portugal in 1974 and 4 times (if I am correct) in the case of Turkey. And it needs not to be so in the Thai case. This coup in Thailand needs not be the same like others in the past given the contextual differences of the Cold War in the past and the neo-liberal one today. Is it democratic to employ undemocratic means to rejuvenate democracy or redemocratize?

Whether the coup is ethically justifiable or not depends on the extent it is able to deliver tangible democratic promises and the duration it takes to achieve them. The more the promises are unmet and the farther it recedes into future, the less the coup will be unjustifiable.

Democracy is unquestionably desirable but we should not ignore that people can be brutally killed and their rights can be abused under democratic system as well. At least, under this militarily installed government of Surayud Chulanont we saw some achievements that the elected regime of popular democracy failed to do so. These are, for instance, the apology made by the prime minister to the south for state's insensitivity to local culture and human rights abuses. And related to this, he is also committed to nothing else except peaceful solutions to the problem, though it is still not reachable yet. One remarkable feature with this government is that even the appointed legislature, National Legislature Assembly, is allowed to exercise freedom to debate with the executive branch and to scrutinize it. The government of Surayud could not achieve to get its many bills through. This was not evident under Thaksinian democracy.

Ladies and gentlemen, democracy is not only about election. Being elected does not make Thaksin a democrat. Indeed, Thailand under Thaksin was a democracy without democrats. Thaksin wants until this very day to eclipse the public on *demos* by single handedly focusing on the *cracy* which does not simply mean government but also "the forces of the great number". No wonder why Thaksin always candidly boasted about winning millions of votes in order to silence his critics.

He believes that having the force of greatest number in his pocket gives him absolute mandate to rule without impunity. And the example of this was clear, that is, rather than letting the judiciary interpret his action of not paying tax, he instead dissolved the parliament to whitewash him. A simple analogy would be a murderer avoiding the court and instead asked for votes to overrule the law.

In populist parlance, all Thaksin is saying is “you are either with us or against us”, that is, friend or enemy. But ladies and gentlemen, democracy shuns absolutes because democracy values debates, persuasion, and agonistic respect for political adversaries, not enemies.

A legitimately elected government like Thaksin’s may act in democratically unjustifiable ways. The examples are corruption, extrajudicial killings, violations of human rights, denying citizens basic freedom, intimidating and silencing the press and etc. These are all aspects of non-democracies during the Thaksin regime.

If for awhile let’s ignore the 1997 constitution which allowed Thaksin to be caretaker prime minister for 90 days, another major concern especially for Western pundits is the toppling of “a democratically elected prime minister.” Here the assumption is that since Thaksin was democratically elected prime minister and hence a legitimate leader, the coup was therefore unjustifiable. We know that this is not the case either. Why? This is because the assertion confuses between “choice” and “freedom”. Elections are necessary but not sufficient for democracy. Or else we would be concentrating on form only, not substance. To have political freedom, public deliberations, an open mass media, for example, are also required. All these were found seriously wanting in the Thaksin regime. Market values like competitiveness, efficiency, productivity etc. displaced other values in Thaksinian democracy. The legitimacy of the government was evaluated by the health of the economy (GDP) than by the magnitude of its corruption and the non-vibrancy of political freedom.

Ladies and gentlemen, if routes towards modernity are not the same, routes towards democracy cannot be the same either. I need to stress that not only Thailand can learn from other countries but also others can learn from Thailand. That is, how the non-democracies in Thailand, whether it is neo-liberalism, cronyism, executive power on the loose, extrajudicial killings, corruptions, and other violations of human rights, contributed to the downfall of a “democratically elected government”.

Democratization means net movement towards broader, more equal, more protected, and more binding consultation. Dedemocratization, on the other continuum, means the movement towards narrower, more unequal, less protected, and less binding consultations. Examples of democratization, dedemocratization, and redemocratization are in Germany. We can reasonably say that the formation of the Weimar Republic in the German Empire’s ruins after WWI introduced measures of democratization, whereas Hitler’s seizure of power in 1933 pushed the country brutally back to dedemocratization. And after WWII, redemocratization took place. The same can be said of Japan and Thailand.

B. The neo-liberal international community

It would be illusionary to contemplate that international community’s perception towards the coup was based on its naiveté and that it has a binary perception, seeing the coups a binary opposition to the democratically elected governments.

Where was the international community at that time of the extrajudicial killings? Where was the international community during the Krue Sae and Tak Bai Massacre? Where was the Kantian European Union, which upholds human rights as its key identity? Wasn’t the EC delegate in Thailand aware of the human rights violations under the Thaksin regime?

Ladies and gentlemen, the British ambassador to Thailand eventually came to Faculty of Political Science, Chulalongkorn University to deliver a talk. All he was talking about was (1) the justifications behind the Downing Street’s decision to invade Iraq and (2) the financial performance of Tesco supermarket.

To see the true color of the international community, let also ask the following questions to ensure that the international community is not naïve as such. Why until today haven't the EU and many of its member states, the US, and Australia accepted the Palestinian government led by Hamas? Wasn't the government led by Hamas elected? How come some countries that act as human rights preachers condemning Myanmar still allow their TNCs to operate in Myanmar? How come these countries are trading and investing in China enormously? Is the Chinese government elected?

All in all, one can safely jump to the conclusion that the international community which could have stopped Thaksinism instead facilitated Thaksinism. And now the international community is demanding its version of democracy from Thailand. This is a serious joke. When the international community, which could have functioned to be a leaning pillar for us to use its economic and political might to stop human rights abuses and/or dedemocratization in accordance with the desirable universal norms, acted hypocritically to serve its commercial purposes, then it is understandable why the coup was needed.

Ladies and gentlemen, it is heartbreaking to see Thaksin, a mass murderer having a luxurious lifestyle owning a football club in England, watching Manchester City beat Manchester United by one goal. It is heartbreaking to see the mass murderer being rewarded an honorary degree from Russia. It is even more heartbreaking to see the mass murderer being appointed professor in a university in Japan. One question that comes to my mind: what is going on in the world?

Let me now move to the last part of my talk, the recent achievements to for redemocratization.

V. What have been done so far better democracy?

So far, we have at least achieved a new constitution. This constitution will empower citizens, civil society, and community. Strengthening independent organizations is also another prominent characteristic of this new constitution. Making the media more open and freer and in particular not allowing politicians to own media, I believe, the society is looking for the betterment of Thai society. I shall not elaborate more on this matter because my colleague Professor Charas Suwannamala, a member of the Constitution Drafting Assembly, will tell us more on that. But all in all, the new constitution means strengthening the mechanisms of checks and balances.

For those who wish to see justice be brought upon Thaksin for the corruptions under his regime, please let me briefly inform you that the investigation committee is working very hard and now there has been more clarity in many cases including the 'Ratchada Land Deal' case where the involved authorities have begun the process to extradite Thaksin from England. The ex-senator Kraissak Choonahavan can provide further details. Last but not least, we have also worked with difficulty to bring Thaksin for crime against humanity. Acharn Kraissak who is a member of the committee investigating the extrajudicial killing and Somchai Homlaor, a prominent human rights activist can provide us more details on the investigation.

If you have any questions or comments, we will be giving responses after everyone is finished with his talk. Thank you!