

Thailand's Hearts and Minds

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Even if the Red Shirts lose the battle, they may be winning the war

When Red Shirt protesters gather to swarm the streets in central Bangkok today, three battles will be fought simultaneously. Each will have different winners and losers.

The first will involve the Red Shirts' stated aims of kicking out Thai Prime Minister Abhisit Vejjajiva's government as well as privy councilors Prem Tinsulanonda, Surayud Chulanont and Charnchai Likhitjitta. On this front, Abhisit and King Bhumibol Adulyadej's advisers will likely prevail for the moment.

With its proximity to the throne, the Privy Council sits at the apex of the Thai power structure. The three in question played essential roles in kicking out former Prime Minister Thaksin Shinawatra three years ago. This was a well-known secret, but until recently it was taboo to publicly call out a privy councilor. Prem is the Privy Council president and the main target of protesters, who plan to gather at his house. Three months prior to the 2006 coup, Prem said the military should be loyal to the king instead of the government. He retains extensive influence over the military and the courts.

Surayud served as the military-appointed prime minister after the coup, providing the most direct link between the palace and the putsch. Charnchai served as Supreme Court president in 2006 and helped orchestrate the nullification of an election won by Thaksin's allies, all in the guise of helping to solve a constitutional crisis.

The Red Shirts look powerless in the face of the institutional power represented by the Privy Council. Attacks on the councilors are seen as attacks on the king himself, a crime involving as many as 15 years in prison. This power is what allowed the Yellow Shirts to occupy the prime minister's office for three months last year and take over Bangkok's airports without any repercussions whatsoever.

Prime Minister Abhisit Vejjajiva, the titular head of the Democrat Party, also looks safe despite the rough handling he got by protesters in Patthaya yesterday, when they smashed the windows of his car. He consolidated his majority in Parliament last month after narrowly winning the premiership in December. Newin Chidchob, who turned on Thaksin to back Abhisit, held a tearful press conference yesterday in which he ripped Thaksin and told him to stop insulting the monarchy. The Democrats and its coalition partners have no incentive to call an election right now.

Street violence could always help take down the government, but both sides are trying to foil their counterparts from last year's protests. Abhisit says he will not use the police to crack down on protesters, as Thaksin's brother-in-law did last year on October 7. This confrontation led to one death and more than 500 injuries.

Likewise, the Red Shirts thus far have fashioned themselves as peaceful alternatives to the Yellows despite the Patthaya violence. They don't wear helmets and carry golf clubs for "protection," as People's Alliance for Democracy protesters did last year. They also say they won't break the law or occupy buildings or airports.

Still, with a large crowd, violence is always a possibility. The Red Shirts do have violent elements that smashed lawmakers' cars after the December vote that made Abhisit prime minister and then attacked his vehicle yesterday in Pattaya.

The biggest worry is if Prem's supporters gather near his house to defend his honor. If they are on the streets, a street battle is likely to ensue. Any group standing up in Prem's name is sure to have military backing and the added adrenaline boost of immunity in the name of defending the throne.

Either way, Songkran, the 5-day Thai New Year festival, starts on Saturday, so the battle won't last long. Abhisit can simply wait them out. Then the protesters will probably head home for a few days and throw water on each other before regrouping later in the month.

Thaksin's fight

The second battle involves Thaksin's fight to get his \$2.2 billion and clear his name of corruption charges. To many people, this is the main reason for the timing of the protests. There is word that a privy councilor not so fond of Prem has been negotiating with Thaksin on a grand deal that would bring his four-year political fight to an end. It would likely involve the dropping of some court cases and possibly a return of the money. The number of Red Shirts who show up today could determine whether such a deal is struck.

Any deal would enrage the anti-Thaksin followers of Sondhi Limthongkul, leader of the yellow-shirted People's Alliance for Democracy, and possibly bring them back on the streets. That is why it must come from the top. It's hard to see how such a deal would emerge, but a compromise makes sense for both sides. Without it, Thailand appears headed on a path to civil war at some stage.

A deal now could save months of heartache and money on both sides and put the monarchy's future on a more stable path. Many Thais don't want to see 81-year-old Bhumibol's son take over the throne, and the republican overtones of the Red Shirts has the royalist elite shaking.

The problem is that in reality such a deal would be difficult, if not impossible, to pull off. Hatred in this polarized country runs very deep. Too many people have too much at stake for a deal to quickly end all discord. Thailand's entire judicial system might be undermined if Thaksin were allowed to come back from exile without serving any time in jail. The Yellow Shirts and Thaksin haters would be livid. Moreover, it would undermine Thaksin's own message about bringing "True Democracy" to Thailand.

"True Democracy"

Which brings us to the third battle: The battle for "true democracy." The Red Shirt movement has broadened from Thaksin supporters to include democracy lovers who see the Yellow Shirts, conservative establishment and monarchy institution as detrimental to basic freedom and one man, one vote democracy.

These people are taking on Prem because they don't like powerful non-elected actors meddling in politics and subverting the will of the people. They want to see Thailand's monarchy stripped of its mythical status and leashed like those in Japan and England.

They are happy to embrace Thaksin for now and overlook his authoritarian track record because of his wallet and his multiple election victories. They will use him now but will be able to move on without him if he cuts a deal and runs.

On this front, arguably the most important, the Red Shirts appear to be winning. Of the three institutions that protected the elite grip on power - the military, courts and palace - two were shielded by strict laws. Therefore, the Red Shirts protests attacked the military as a proxy for these

other institutions.

Now the protests have evolved and created a space to attack the courts and monarchy. The court cases that dissolved the pro-Thaksin parties were so obviously political that even the court would find it hard to keep a lid on criticism. As for the Privy Council, the Red Shirts have begun a frontal assault on the man who is closest to the royal family and not protected by its draconian lese majeste laws.

Through these attacks, the Red Shirts have prompted a generation of Thais to start questioning institutions that were once beyond reproach: the Privy Council and the courts. This could have profound implications for the ability of power players to manipulate things behind the scenes in the future.

The conservative forces have tried to fight back, by banning websites with lese majeste content and throwing bloggers in jail for insulting the king. But their attempts to crack down only appear to push more people into the Red camp. In a bizarre twist of fate, the liberal elements that drew tens of thousands to protest Thaksin's rule in 2006 are being drawn to the pro-Thaksin movement by the overreach of the conservative elite.

Sondhi, deemed a free-speech hero four years ago for taking on Thaksin through a state-run television show, is now imploring the government to pull the plug on his phone-ins. The Yellow Shirts are strong advocates of using the lese majeste law to silence discussion. And still none of the Yellows have been held accountable for occupying the prime minister's office and the airports last year, undermining their arguments that they simply want justice.

Abhisit

Even stranger, Prime Minister Abhisit may hold the key to bridging the gap between the Reds and the Yellows. For good reason, the Red Shirts see him as a mere stooge of the military and royalist elites. Abhisit rode the Yellow wave to victory, with an adept knack for saying he condemned the PAD's actions while still giving them tacit support.

Even so, while in power the 44-year-old Oxford University graduate has stood up to their more extreme impulses. He resisted pressure to block Thaksin's phone-ins and said he wants to reform the lese majeste law. He also intervened quickly when police charged the director of online newspaper Prachatai under the Computer Crimes Act for failing to quickly remove comments deemed insulting to the military. He strongly opposed the PAD's New Politics, a call for a new political system stacked with appointees.

Abhisit also says he's going to bring the Yellow Shirts to justice for last year's airport seizure. Many doubt he can do this in Thailand's current system. Indeed, the cases are moving extremely slowly despite the plethora of video evidence that exists.

If there were ever a time for Abhisit to emerge from the shadow of the elite, the time is now. He needs to make constitutional reform a priority and start standing up for his stated principles instead of saying "it's not the right time" to make changes. He can start by quickly changing Article 237, a coup remnant that led to the dissolution of the pro-Thaksin People Power Party last year and propelled Abhisit to power. Abhisit says he opposes this article, but hasn't had the guts to change it.

For too long, Abhisit's Democrat party has legitimized the non-elected institutions that meddle in Thai politics by refusing to stand firmly in defense of parliamentary democracy. Abhisit has an opportunity to rectify this. Indeed, it makes sense for him to do so. Until the Democrats make bold steps to improve democracy, the battles will rage on. And they are unlikely to end peacefully.

P.S.

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