

In 2012 Lèse Majesté will be the litmus test for Thai Democracy

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In July 2011 millions of Red Shirts turned out to vote for the Peua Thai Party, headed by Yingluk Shinawat. The party won a landslide majority despite various attempts by the military, the media and the elites to place obstacles in the path of the party's election victory. The election result was a slap in the face for the military and the "party of the military" (the miss-named Democrats).

But the signs were bad for the Red Shirts from the beginning. The new government did nothing about the Red Shirt political prisoners and the important issue of bringing ex-Prime Minister Abhisit, his deputy Sutep, and the military generals Prayut and Anupong to justice for their key roles in gunning down nearly 90 pro-democracy civilians in 2010.

As Thailand was inundated by the worst flooding in half a century, Yingluk was seen in friendly poses with general Prayut, touring the flood areas. She also welcomed cooperation with Abhisit. Many naïve Red Shirts said that we should be patient and wait because the flooding was a serious crisis which the new government had to deal with before addressing democracy, freedom of speech and justice, which had all been trampled underfoot by the military ever since the 2006 coup.

The Yingluk government talked constantly about "reconciliation" with the conservatives, but the conservatives never reciprocated. They frustrated the government's flood rescue work and used the floods to accuse the government of "incompetence". The extreme royalists in the Democrat Party, the military and other sections of elite society, also kept up a constant barrage about Peua Thai and Red Shirt "Republicanism".

The Republican mood which has swept through the Red Shirts, but not through the Peua Thai Party, was created by the royalists themselves, ever since the 2006 coup. Every repressive act was justified on the grounds that it was "for the King". As a result, millions of Red Shirts even came to believe that the King had engineered the floods to punish Peua Thai and the Red Shirts. The enfeebled King, sitting in his hospital apartment for the last few years, was never strong-willed enough to organise any political action. Now he can hardly talk or stand up. But the military and the conservatives are happy to use him as a puppet.

The reality of Peua Thai's talk of reconciliation is that the government, and Taksin himself, have done a deal with the military and the conservatives. So reconciliation means capitulation to the conditions laid down by the military. The Government has no intention of bringing the state murderers of 2010 to justice. They could easily start prosecutions inside Thailand or at the very least pass a cabinet resolution asking the International Criminal Court to step in and take action. This they will not do. They will also not release Red Shirt political prisoners.

One of the most disgusting actions taken by the new government is to increase political repression against dissidents and any unfortunate people who fall foul of the Lèse Majesté law and the Computer Crimes law. More and more people are being prosecuted and jailed. A 60 year old man was recently imprisoned for 20 years for supposedly sending text messages. The evidence was extremely questionable. Many other individuals are refused bail while awaiting trial and made to

appear in a number of different courts throughout the country in chains. This is now causing outrage among progressive Thais, some of whom are not Red Shirts.

The two odious politicians who are most responsible for pushing for more Lèse Majesté repression are ICT Minister Anudit and Deputy Prime Minister Chalerm. Chalerm is a known gangster politician who made sure his gangster son avoided prosecution for shooting a policeman in a pub brawl. Meanwhile, the generals and Democrat Party politicians are braying for more blood. All those progressive Thai citizens who propose legal reforms are told to “leave Thailand” because they don’t conform to conservative culture. The irony is that all this “verbal fascism” was going on during the ridiculous funeral ceremony for North Korea’s Kim Jong Il. Maybe the conservative Thais should move to North Korea.

The Chairman of the Democrat Party appointed “Truth and Reconciliation Committee”, the conservative lawyer Kanit Na Nakorn, has suggested that Lèse Majesté should be “reformed” so that the maximum punishment would be 7 years in jail and Lèse Majesté could only be used on the say so of the Palace Secretary. But Kanit Na Nakorn deliberately misses the point. Lèse Majesté is an authoritarian law which tramples on the freedom of speech. It protects public figures like the King from any accountability or transparency and more importantly it protects the military because they always hide behind the King. It is a law which is fundamentally against democracy.

There are also some small details about Lèse Majesté sentencing. Many people have been sentenced to more than one charge and the sentences are added together. So someone could still go to jail for 30 years! There is also the question of the Palace Secretary who is bound to be an army appointee.

Kanit justifies this maintenance of Lèse Majesté with the usual rubbish about the need to conform to “Thai Culture”. Yet no society has a single culture. The Thai culture of the conservatives involves grovelling on the floor to royalty and severe repression and exploitation of the population by the elites. It also involves the elites “divine right” to murder pro-democracy citizens. Opposed to this is the democratic culture of most Red Shirt citizens, which has been growing over the last few years and developed out of a long Thai tradition of resistance to the elites since the 1930s.

Even these weak reforms proposed by Kanit are vigorously opposed by Deputy Prime Minister Chalerm, who is eager to please his military masters.

The problem is that many weak-willed, well-meaning Thai reformers also miss the point about the fundamentally authoritarian nature of Lèse Majesté. They fall for the “Thai Culture” nonsense and are fearful of calling for the total abolition of the law. But without abolishing Lèse Majesté there can be no democracy. Thai citizens cannot even ask whether the Constitutional Monarchy should protect the Constitution and an elected government from a military coup!

At the start of 2012, it is clear that Peua Thai has stabbed the Red Shirts in the back and is attempting an elite agreement in order to protect the old order. The use of elections in order to create the image of democratic change, while maintaining the old order is also an Egyptian phenomenon. Both Peua Thai and the Muslim Brotherhood are expected to police the democracy movement.

What is perhaps more worrying is that the UDD leadership of the Red Shirt movement has decided to do nothing and let the movement die. All they talk about is protecting the government from a “coup”. But the military do not need to stage a coup. The new government is a more efficient tool to stop change than the Democrat Party!

So it will be up to rank and file Red Shirts to push the democratic agenda forward. Political progress

in Thailand will be measured by whether we can get Lèse Majesté abolished, punish those who shot down unarmed protestors, and whether we can achieve the release all political prisoners. We must never forget this.

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