Thailand must steer clear from Burma junta’s way to Democracy

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The military coup in Burma had taken place on March 2, 1962 and its junta is in the seat of power till today, over four decades. The military coup in Thailand took place while the premier was abroad on September 19, 2006 and its junta is in power. The two are neighboring countries and a close study of the two coups is essential to draw lessons. Although they have fundamental differences, there is danger of their congruence. A comparative study of the two will provide guidelines to the democratic activists of respective countries and steer the anti-democratic movements back to the path of democracy.

Similarities and Differences

On January 4, 1948, Burma became independent of the colonial rule and had its Constitution for the first time in its history. The constitution emerged through elected Constituent Assembly and it gave fundamental rights, Freedom of expression and association and it was a parliamentary democracy quasi-federal in character. The Thai Constitution of 1993 emerged after street battles with army ending absolute monarchy. Thailand for the first time was freed from army domination and democracy on constitutional monarchy was established. The Thai constitution was unitary in character. Both the constitutions provided two houses but their respective powers and composition were different. In Burma, the House of Representatives was directly elected on territorial basis and the House of Nationalities was elected on proportional ethnic basis. In Thailand the House of Representatives was directly elected on territorial basis and the Upper House Senate was elected on party list basis; the elected members ceasing to be party members after election. The electoral system was different. In both the majority winning party elected its Prime Minister and he nominated his cabinet. Periodic elections were common features. The status of the President under Burma’1947 constitution was somewhat similar with the King of Thailand. The political parties and civil society under both the constitutions were guaranteed freedom. The Head of the Army under both the constitutions was not the General of the
Army but the President and the King respectively. In case of serious deterioration of law and order situation, there is a provision in both the constitutions for declaration of Emergency. Over ruling and over stepping that, the juntas in both the countries seized power and declared Martial law Coups in both the countries were bloodless and without resistance. This common feature is the manifestation of people's frustration of the governments in power although both were popularly elected. In Burma the democratic government ruled for 12 years and there had been 4 elections In Thailand the democratic government ruled for 12 years and 2 elections has been held under 1993 constitution. In both the countries democracy was fragile, rule of law was given a go-by, rampant corruption became a hallmark and insurgency threatened stability. The excuse for seizing power was identical, threat to the integrity of the State. In Burma the 7 ethnic nationalities and the Communist party of Burma went into armed struggles to achieve their goals of self–determination and peoples’ power. In Thailand the ruling Thaksin Party manipulated the political system to clamp one party rule, corruption became menacing and the ethnic Muslim minority in the South challenged the sovereignty threatening to form a separate state.

In Thailand the King is the Head of the State and very revered. Till 1932, Thailand had absolute monarchy. The wave of democratic movement wavered between a Republican State and Constitutional monarchy. The army exploited the situation and wanted to dominate. But the struggle of the people and the students in 1993 sealed the hegemony of the Army. The King intervened and prevented the army from setting up a dictatorship. He opted for constitutional Monarchy and abdicated his power to the people. The Coup of 2006 in Thailand therefore had marked difference from that of Burma. In Thailand, the Head of the state, the cabinet ministers, leaders of political parties were not put behind bar, which was the case in Burma. Under martial law the political parties have been banned but the newspapers have not been gagged. Interim Civilian government has been set up. Judiciary’s power of judicial Review has not been abolished. The Head of the Army after the Coup sought the King’s approval and it looks that the King has not dissented the Coup. The big question that has been thrown up is “What form of government is now in place? Has the King “appointed” Gen-Sonthi the country’s administrator?” Does the Constitutional Monarchy prevail? Or is it a military dictatorship that rules the Country. The Army head has declared that an interim Constitution will be drawn out may be for the “lawful” functioning of the Junta now in power. Election will be held within the end of October 2007 under a new constitution and power returned to the elected body. The question is who will draw up the interim
Constitution, from where it will have its legitimacy? Will the King have mandate to give it legitimacy. Save the abolition of absolute monarchy in 1932, this is the 16th change. The other big question is what will be the Constitution drawing process? The collateral question ato what will be the political solution for the Sonthi, where the Muslims are in majorities and the General himself belongs to Muslim minority. The Constitution-making process, which the Burmese junta has adopted and its approach to the ethnic autonomy are the two issues which have been rudely criticized. The Army in Thailand or its proxy the interim government must come out and pledge accountability and transparency. At no cost, Sonthi should stay in power beyond the timelines with interim government. Under military tutelage, the King can play a vital role as the King is universally revered in Thailand as the ultimate protector of the country’s interests and wellbeing and Army hopefully will listen to him unlike Burma which is in an unfortunate position. The Junta will not listen to anybody, the UN or The ASEAN or the world Community. Thai Army must not follow the path that Burma Army has in its road map of 6 steps to restoration of democracy. The Army Junta flouted the election result of 1990 although it gave tall promise to hand over power. The Thai Army must not defy the result of the election to be held after new Constitution is drawn up. Importantly, the Army must honor its time-bound schedule to restore democracy. The Burma Junta is determined to be in power forever, it has not set any time-frame for bringing the Constitution in force. All that the Junta is doing is violating all human rights, reinforcing the rule under fear and perpetuate its hegemony on the society. The Thai Army Generals hopefully will be sincere, trustworthy and restore constitutional democratic rule in Thailand. It should not feel very encouraged by the blessing of the King, the total absence of any resistance to the Coup at home, by indifference of international community, including Thailand’s neighbors not threatening political and economic sanction. US already have clamped sanction. It should not be under self delusion that the people were not opposing the take-over and they can prolong the rule the self delusion may be natural as when soldiers patrolled the streets, number of residents greeted the soldiers and they offered bouquets and posed for photograph with them.

The King brought Thai judiciary into political equation and the Constitutional Court annulled the April election which the opposition had boycotted. Lightening military Coup d’etat on September 19 was unexpected but not surprising as the political confrontation between pro and anti-Thaksin forces became indefinitely deadlocked. Opposition led by the Public Alliance for Democracy was determined to force Thaksin step down for his corruptions, abuse of power and
lack of legitimacy. The Coup makers thought they would resolve the chronic crisis. But it could only be in short term. In long-term volatility remains. The ousted Prime Minister is a popular figure with rural poor and can plot a come back. The military junta can contain the situation only if it puts in motion a political reform process. The charter of 1993 has been abolished although it’s integral ingredient namely. The Constitutional Monarchy remains. The anomaly has to be removed, otherwise the King will get a bad name that he has become an absolute Monarch. The King has to play his role that his name is not besmeared, that the international community continues its respect for him, the jittery investors and markets both at home and abroad are assured. Recently the The Times Magazine has showered praise on him and expressed the hope that he will stand by the people as he has done before. He has been designated as “Asian Hero”. It wrote “The Thai people will look to King Bumble, trusting him to ensure that the generals keep their promise.”

The contributing factors that led to the military take over

First, Thaksin was at loggerhead with the army chief Gen-Sonthi to wards the issue of Southern insurgency. Thaksin rejected negotiations with the insurgents, the army wanted dialogue. Thaksin also undertook reshuffling of army command with his loyalists at key commands. Secondly, the alleged bomb assassination plots against. Thaksin implicated senior army officers. Army took it as an insult and his maneuver to weed out those not in his favor created disaffection. Thirdly, PAD’s street protests threatened likelihood of violence and provided a pretext to unseat Thaksin. Fourthly, Thaksin’s declaration of a state of emergency and removal of Sothic and his political challenge to palace propelled Gen-Sonthi to take power. Sonthi’s post-coup statement, defense of throne and unaddressed... corruption allegation were the two rationales for the military intervention. Fifthly, Thaksin’s popularity, notwithstanding scandals and power of manipulation in all institutions of the country, was a serious threat to establishment. Last but not the least is the immaturity of political parties and weaknesses of the Civil Society which could not empower the people. The 1993 constitution could not create a new spirit in the new generation of army officers with commitment to democracy. Consequences of the Coup

Thaksin’s future hangs in the balance. As head of the Thai Rak Thai party, he remains in exile. The Army has declared that he would not be allowed to return. He faces a wide variety of charges of corruption. But the Army head has stated no clinching evidence has yet been unearthed. The question therefore is what role Thai Rak Thai party, now banned, will play in the emerging political process? Thaksin can
return on electoral mandate. In April 2 election he did win a 57% majority of popular votes. Opposition is weak and splintered. The Thai intelligentsia cannot alone lead the country’s politics.

Second, what will be Thailand’s political future? The Coup has clearly set the clock back on Thailand’s democratic evolution... 15 years back the Army putsch ended in disgrace in a bloody confrontation in May 1992. Thailand has returned to a vicious cycle of Constitution – Election – Corruption – Coup. The new constitution by itself cannot strengthen democratic forces and weaken the intervention of military forces in Civilian governance of the Country.

In Burma during the democratic regime, General NeWin of Burma Army was invited by the Prime Minister U Nu to head a caretaker government formed by the General himself, General Ne Win at that point of time showed reluctance but eventually agreed to take power, held General election and subsequently handed over power to the winning party. Later, the same General overthrew the Prime Minister and seized power. Thailand Army’s Gen. Sonthi, who is now in power, for weeks prior to the denouncement, answered the people through media statements that he was not plotting a takeover and that coup were things of the past in the S.E. Asian nations... Unfortunately, things happened contrary to these statements. Thai General has to understand that credibility is a very important factor with people. He must stay clean and committed to the promise he made after the Coup. Although it was bloodless, it was made against a man who was elected by the people more than once and he has to convinces the international Community about the “legitimacy” of his power grab on September 20, two days after the Coup, Gen. Sonthi assumed himself as the head of the Council for Democratic Reform under Constitutional Monarchy (C.D.R.M.) A military official read out the monarchy decree and Gen. Sonthi bowed before the portrait of the King (the King did not preside over the Ceremony). The Junta proclaimed establishing its defector status as the new power and the royal decree was projected as Gen. Sonthi’s empowerment as de jure ruler.

Retired army Commander Gen. Surayuad Chulanont became Thailand’s interim Prime Minister with endorsement by King. The 63 years old had spent 40years in the military. He has earned some reputation specially by keeping officers out of politics. He declared that he wanted to solve the insurgency by peaceful means, different approach to the hard-line stance of ousted Thaksin; Speaking is easy. Even after he took power there was uprising in violence in Thailand’s Muslim majority Southern, where a two years rebellion has left more than 1,700 dead. Another key point he said was that “I will focus on self-sufficiency, more than focusing on the G.D.P. numbers.” He would bring a shift in Thaksin’s economic policy but how has not be spelled
out. Open market economy in all probability will continue.

The interim Charter guarantees basic human rights, installed a 36 members Cabinet, The legislative body is to pass laws and check the administration and an assembly of 242 representatives is to select a panel to write a new Constitution. The Article of Charter transformed the CDR into the Council for National Security. It will make appointments including national legislative body and other key positions. He started with reshuffle and removed from commands in military rank Thaksin appointed personnel... He sidelined Thaksin's key supporters and put their in positions outside the chain of command. ; There is apparent division in the army.

Challenges to Gen. Sonthi

Thaksin has been accused of widespread corruption and abuse of power. He is widely detested among Muslims in the South where bloody insurgency has flared up. One rebel group leader stated to bring Thaksin and some generals to the Court of Justice in The Hague. Another urged authorities to investigate Thaksin for alleged crimes against humanity, saying that this ousted leader should be tried at the International Court of Justice for alleged murders and disappearances of suspected insurgents. Sonthi faces many challenges. Being one of the few Muslims in the country to rise to such a prominent position is a healing force for the conflict. But if he goes the way Burmese military leaders have gone in solving the ethnic crisis, he will end up in the way Gen. Than Shwe of Burma has.....

The “insurgency” in South gained momentum since early 2004, and Thaksin had used the very same armed forces, which have now turned against him, to try and quell the “Muslim rebellions” by strong-arm tactics. There was large scale human rights violation of suspected separatists and persons involved in drug trafficking. Gen.Sonthi has to shed light on the internal dynamics of the decision making process under Thaksin that caused death of innocent person. And human rights abuses

Month old – political crisis against Thaksin a billionaire business magnate politician was brewing because of alleged corruption and electoral fraud although he managed a landslide victory in 2005. Political uncertainty and Southern insurgency had come to paralyze the country beginning this year. The polls were reset for Oct: 15, under King’s decree after the King counseled the political leaders to “put the Country back on Course”. The question is why Gen.Sonthi imposed the martial law at a time when general elections were actually round the corner? Kings Council and the related poll-setting decree were two significant aspects to predict that Thai law would emerge unscathered from the crisis that triggered the protest rallies against Thaksin. Thaksin's
frozen main protector of the fiscal laws in order to amass nearly $2 billion on tax-free gains on the extended sale of shares in his family brought his condemnation to climax.

Thaksin remained immensely popular among the people who have seemed sound welfare schemes for them, including health care facilities. The intelligentsia turned against him. He ordered polls to gain a fresh mandate. Always he won a landslide victory. April 2. Poll was annulled on grounds of electoral fraud. It was at this time Gen. Sonthi struck “Thaksinasation” of Thai politics... was a key challenge during the time that led to the Coup. No doubt this was uncertainly in Thai politics but that could not justify blowing up of the Constitution. The need of the hour however is to accelerate the process of return of democracy to Thailand.

Conclusion

The question of legitimacy of the Coup and other related matters have become academic. Unlike Burma, Thailand has to take a positive step. The new Constitution will suffer from many shortcomings. But that should not be bone of contention. The political wheel has to move towards holding election and by political process get rid of the military control. A Civilian representative government under a popularly approved Constitution whatever shortcomings it may have is the immediate goal. If Thailand succeeds where Burma failed, it will provide new incentive to the Burmese democratic activists and also it will be bacon light for democracy and warning to all self-motivated Coup makers.

The Thai Army must look at the record of Burma Army. After Coup, it continued with martial law, and then brought a sham Constitution of 1972, keeping its control. The 1988 uprising brought down the ‘72 government. Army again seized power after killing hundreds of students. It promised election... and transfer of power, Election was held in 1990 and power was never transferred. It has launched into an exercise of National Convention drawing new Constitution.

Thai National Convention was convened in 1993 and deliberating body was picked with its yes men. No debate or discussion is permitted. The National League for democracy. The winning party in 1990 elections had a few representatives only but they had to leave as there was no freedom of speech. The UN, Asian and Nobel laurels tried to nudge the Junta to expedite the political process. Talks was started with Daw Aung San Suu Kyi but subsequently she is in house arrest for long 16 years. All dissidents are arrested and detained. The political prisoners are not released although their term of sentences has been served. The Army leaders from time to time had given assurances for reforms but every one has been dishonored. Army has
lost its credibility and has made the Country a pariah State. The Thai Army leaders have to draw lessons from this tragic experiment and honor promises made. The Country is in real crisis and Army leaders can play a positive role to give back power to the people. Thailand will be a Country based on Rule of Law and democracy. The role of monarchy in the context of history must also not be overlooked. Given the time table for transition, broad debate and participation, Thailand unlike Burma will definitely move forward. Burma’s junta will be utterly exposed and its days.