

An update on Thailand's political situation



By **Kraisorn Rueangkul**

Recent political turmoil in Thailand has been alleviated, at least for the time being, after the Constitutional Court handed down the decision dissolving 3 government-coalition parties, namely, the ruling People Power Party (PPP), and its two coalition partners Chart Thai and Matchimathipataya, on December 2, 2008. In consequence, all 109 executive board members of the three parties were banned from pursuing political activities for 5 years as from the date of issuance of the party dissolution order. Not long after the decision, the anti-government protesters publicly announced an end to their 192-day protest, leaving the country the room to recover from the most significant rift in decades.

The ruling was made amid a zero-sum confrontation between the side of the then prime minister, Somchai Wongsawat – the brother-in-law of the ousted former premier, Thaksin Shinawatra, and anti-government protesters then occupying Suvarnabhumi and Don Mueang airports, which severely affected the country and brought the political tension to a peak.

The court dissolved the 3 parties by virtue of Section 237 of Constitution BE 2550 (2007) which provides for the dissolution of a party if an executive member is found guilty of violating the election law and the party is found to be complicit in the offence. Hence, the 'honest and fair election' principle is deemed crucial under the Thai Constitution. If a political party fails to ensure this principle the only result is to have their mandate annulled.

The Constitutional Court has been attacked by many public law experts who feel that this ruling weakens the political party system in Thailand. Another strong opposition view is that the present Constitution is a military and bureaucrat-guided constitution, given that it was drafted after the 2006 coup. At the time, the military junta's purpose of drafting a new constitution was allegedly to get rid of Thaksin and his legacy out of the politics. Also, the ruling leads to the

question of whether this decision marks an onset of an era of 'judicialisation of politics', whereby the judicial system might have an active role in solving the political conflicts of the country. Judicial involvement in political affairs has been an issue since the dissolution order of Thai Rak Thai Party (a former party of many of PPP members), and the Administrative Court's interim measures that held off the joint Communiqué made between the Thai and Cambodia governments in their effort to list the Prae Vihear Temple as a world heritage site.

As a result of the PPP dissolution, Somchai's administration was immediately dethroned en masse. However, outgoing ministers are not banned from politics, and may continue to serve as caretaker ministers until the newly-appointed administration takes office.

Before the dissolution order, PPP leaders created a party called Puea Thai (For Thais), said to be a new ship in the case that their party were dissolved. All MPs are able to register themselves to be a member of a new party within 60 days after the ruling.

A new prime minister would be selected by the lower house (House of Representatives) by a vote of not less than one-half of the total number of the existing members of the house within 30 days after the court decision. At the time of writing, it seems that public political support in Thailand is about to shift from pro-Thaksin to the opposition party, the Democrat Party, led by Abhisit Vejjajiva, their candidate for the post of Prime Minister for years.

The next steps forward in Thailand will present great challenges for everyone in the country, not only for the new prime minister. There is a dire need to unite the country, to cope with the global financial crisis, and to regain the trust of the international community. This will be a defining moment for the people of Thailand, 'the land of smiles'.

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