

Thailand's political crisis continues to fester

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The decision of Thailand's Constitutional Court last month to annul the April 2 general election has failed to settle the country's political crisis. While anti-government protests in Bangkok have ended, temporarily at least, a standoff continues between the judiciary and the National Election Commission (NEC). Fresh elections are now not likely before October.

Political tensions again sharpened after Prime Minister Thaksin Shinawatra returned to his caretaker post on May 23 and hinted that he would fight to retain power. Amid mass protests, Thaksin had promised on April 4 to step aside once a new cabinet was formed. He and his Thai Rak Thai (TRT) party now argue that annulling the April 2 poll ended any obligation to honour that pledge.

Thaksin called the April 2 election in a bid to end months of demonstrations calling for his resignation. The opposition parties, however, boycotted the poll, leaving a number of seats unfilled. A second round of by-elections on April 23 also failed to fill all seats. The result was an impasse, as the Thai constitution requires that all seats to be decided before parliament can be convened and a new government installed.

With the deadline for the finalisation of election results looming, King Bhumibol Adulyadej intervened on April 25. Describing the situation as "a mess," he rejected opposition appeals for him to sack Thaksin and called on the courts to resolve the constitutional crisis. On May 8, the Constitutional Court annulled the election as the opposition parties had called for.

Wrangling continues, however, over the composition of the NEC, which opposition parties allege is biased. Last month a joint meeting of judges of the Supreme Court, Constitutional Court and Administration Court called on all NEC members to resign. When only one did so, the judges voted 72 to 4 not to fill any vacancies. Court president Chanchai Likhitjitta wrote to

Senate speaker Suchon Chaleekrua denouncing the NEC for not being politically neutral.

Chanchai wrote: "If the remaining three people continue to perform their duties as election commissioners, their performance and actions, whose legality remains doubtful, will continue... the Court therefore sees that a nomination of candidates to work with the remaining commissioners won't be able to uphold the constitutional democracy."

On June 2 Senate speaker Suchon withdrew his support for the continuing operation of the NEC's three remaining members. The NEC is also the subject of various legal challenges by opposition parties over its conduct of the April 2 and April 23 elections. Only the TRT continues to support the current NEC.

The courts have already blocked the NEC's attempt to set October 22 as the date for new national elections pending the resolution of legal challenges. The NEC's tenuous position has also brought into doubt the decision of the Thaksin cabinet to announce an election on October 15.

The political and constitutional crisis is a reflection of sharp divisions within the Thai ruling class, particularly over Thaksin's economic policies. Thaksin won the 2001 and 2005 elections by exploiting widespread opposition, including in layers of the business elite, to the market reform policies of the Democratic Party-led government following the 1997-98 Asian financial crisis.

Increasingly, however, Thaksin has come under international pressure to press ahead with economic restructuring, alienating business layers that previously regarded him as their saviour. Publishing tycoon Sondhi Limthongkul, previously an ardent supporter, began organising anti-Thaksin protests last year in Bangkok.

These rallies swelled in size to over 100,000 after the sale in January of the Thaksin family share in the

telecommunication company Shin Corp to the investment arm of the Singapore government for \$US1.9 billion. Sondhi appealed to popular anger, not only over allegations of corrupt practices but the fact that a major Thai asset was being sold to “foreigners”. Others joined because of concerns about the privatisation of the electricity generating authority (EGAT) and plans for a free trade agreement with the US, as well as Thaksin’s anti-democratic methods and suppression of Muslim separatists in the southern provinces.

The protests subsided after Thaksin announced his decision to step aside, but none of the underlying issues have been resolved. The TRT is likely to retain power in any new elections. While he is deeply unpopular in Bangkok and the south, Thaksin has strong support in the rural areas where he has campaigned by making populist pledges and whipping up Thai nationalism.

Moreover, the opposition parties are divided on the key issue of economic strategy. Unlike Sondhi and his allies, the Democratic Party, which felt compelled to join the swelling anti-Thaksin movement, remains an advocate of free market policies.

The political turmoil is compounding the underlying economic downturn. Last month Naris Chaiyasoot, director-general of the Fiscal Policy Office, reported that investment in Thailand would increase in 2006 by just 2 percent compared with 11.3 percent in 2005. The TRT’s five-year infrastructure program for power, water, mass transit and services had been particularly hard hit.

If Thaksin decides to remain as prime minister or the NEC members continue to resist widespread calls for their resignation, mass protests could again erupt after the king’s 60th anniversary celebrations on June 12-13.



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