

Thai election commission casts doubt over poll outcome

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The outcome of Thailand's election on December 23 was thrown into doubt yesterday when the Election Commission announced that 83 winners were under investigation for vote buying and other electoral irregularities and could be disqualified. The Election Commission had been expected to announce the final result, but formally certified only 397 parliamentarians.

Of those being investigated, 65 are from the Peoples Power Party (PPP), which supports ousted prime minister Thaksin Shinawatra. The PPP won 233 of the 480 parliamentary seats despite the efforts of the country's military junta to favour the party's rivals. The PPP declared last week that it had a parliamentary majority of 254 after forging a coalition with several minor parties. PPP leader Samak Sundaravej had scheduled a press conference for today to announce his government.

If the Election Commission disqualifies a substantial number of the 65, the balance of seats in the parliament could be significantly altered, forcing a reconsideration of alliances. Two other parties—Chat Thai and Pua Pandin—which had been in discussions with the PPP, announced yesterday that they would delay any decision to join a PPP-led government for three days—officially to mourn the death of the king's sister. Chat Thai and Pua Pandin won 37 and 24 seats respectively.

The military, which deposed Thaksin in a coup in September 2006, undoubtedly had a hand in the Election Commission's decision. The PPP was formed after Thaksin's Thai Rak Thai (TRT) party was dissolved and 111 party executives, including the former prime minister, banned from politics for five years. The PPP's better-than-expected showing in last month's poll was a blow to the junta's preferred option of a weak coalition government led by the Democratic Party. With 165 seats, the Democratic Party is well short of a majority.

The large number of PPP seats in question leaves ample room for the political manipulation. The Electoral

Commission has scheduled January 13 for the first of two rounds of voting for seats in which winners have been disqualified. The whole process could delay the convening of parliament due on January 22. Under the election rules, the lower house cannot meet until at least 456 seats have been declared.

The Electoral Commission is no independent arbiter. The *Economist* magazine commented this week: "Early in the campaign the commission announced absurdly stringent regulations, raising fears it might apply them partially, to disqualify PPP candidates, or indeed the entire party, on flimsy grounds." These include a ban of the 111 former TRT members being associated with the election campaign, including the endorsement of any candidate or party.

The Electoral Commission's rules are the basis for a Democratic Party legal challenge that may overturn the election outcome. The Supreme Court yesterday gave the go ahead for a case charging that the PPP was simply a nominee of the dissolved TRT and thus was itself illegal. The Democratic Party petition also calls on the court to rule on the several related issues, including the distribution of videos of Thaksin.

The decision of the Democratic Party to exploit the junta's electoral regulations will only further undermine its credibility. The Democratic Party is Thailand's oldest political party with a reputation for opposing the country's many military dictatorships. The Democrats came to power in the midst of the 1997-98 Asian financial crisis and rapidly lost support as the impact of their IMF-dictated economic restructuring hit the businesses as well as the urban and rural poor.

Thaksin and his TRT initially won office in 2001 by promising to protect Thai business and making populist promises. He built a substantial support base in hard-hit rural areas by pledging funding for village development projects and low-cost health care for all. In government,

however, Thaksin came under pressure to compete for foreign investment and adopted elements of the Democrats' program of free market deregulation and privatisation.

Sections of the political and economic elite who had benefited from his protectionist policies turned on Thaksin last year. These included politicians close to King Bhumibol Adulyadej, such as former premier and army commander Prem Tinsulanonda, and elements of the military hierarchy who were deeply concerned that Thaksin's heavy-handed methods in the Muslim south of the country were provoking a growing separatist insurgency.

Anti-Thaksin rallies in Bangkok grew in size, amid allegations of corruption over the sale of \$1.9 billion of the Shin Corps telecommunications conglomerate by the Thaksin family. The opposition threatened to spiral out of control as the protests became the focus for resentment over the government's privatisation measures and Thaksin's anti-democratic methods of rule. Thaksin called snap elections in a bid to break the deadlock, but a boycott by the Democrats precipitated a drawn-out constitutional crisis.

Amid the deepening political paralysis, the generals seized power in September 2006 with the tacit support of the king. While the coup provoked only limited protests, popular hostility to the regime has grown over the past year. Among the corporate elite, there have been concerns that the junta's protectionist measures have contributed to falling economic growth and foreign investments. Its attempts to impose capital controls provoked dramatic stock market plunges.

The election has resolved none of the underlying economic and political tensions. The electorate remains sharply polarised. Nationally the PPP won 50 percent of the vote but its main bases of support were in the poorer rural north and northeast where it registered 59 percent and 71 percent respectively. In the central rice-growing region, the PPP and Democrats gained roughly equal support. In the capital of Bangkok, the PPP won only nine of the 36 seats, with the remainder going to the Democrats.

The PPP would have won even more seats if the junta had not changed the method of voting to favour smaller parties. The new constitution, which was formally ratified last August, provided for a large number of multi-seat constituencies decided by proportional representation.

The constitution also sought to entrench economic protectionism, by obliging the government to prevent

private monopolies in the utilities sector and actively expand the state ownership and development of economic infrastructure. However, the PPP and the Democrats have both indicated that they will end the junta's remaining capital controls and introduce a more market friendly economic regime.

The military retains considerable power. Two days before the election, the junta's handpicked National Legislative Assembly (NLA) passed a new security law providing the military's Internal Security Operations Command with wide scope to intervene in vaguely-defined national emergencies and override the government of the day.

The NLA will act as the upper house until a new senate is installed and will thus be able to block lower house legislation. The process for appointing the senate is itself anti-democratic. Nearly half of the 150 senators will be selected by a committee comprised of judges, the Election Commission chairman and the heads of several other state agencies. The committee opened the 15-day nomination period yesterday. The remaining 76 senators will be elected on March 2.

The situation remains tense. The military has publicly declared that it will accept the election result and refrain from any involvement in forming the next government, but is undoubtedly involved in trying to block the PPP. At the same time, any overt attempt to nullify the PPP's election victory threatens to trigger protests and ongoing political turmoil.

Thaksin announced this week that he would soon return to Thailand and invite the coup leaders for a round of golf. He also declared that for the sake of national reconciliation he would meet with the king's chief political adviser Prem Tinsulanonda. Far from ending political tensions, such a move could well be the starting point for a fresh political crisis if the junta carries out its threats to prosecute the former prime minister.



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