

# Thai court to hear petition to dismiss prime minister

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Thailand's Constitutional Court last Thursday accepted a petition from 40 members of the National Assembly's military-appointed Senate, accusing Prime Minister Srettha Thavasin of ethics violations and seeking his removal from office. The case demonstrates the fragility of the unstable coalition government between the Pheu Thai party and military-backed parties and the fraud of Thailand's "return to democracy."

The ostensible reason for the petition is Srettha's appointment last month of Pichit Chueban as the prime minister's Office Minister, a cabinet-level position responsible for managing and coordinating the government's work. Pichit, an advisor to Srettha, had previously served six months in prison for attempting to bribe the Supreme Court in 2008 while working as a lawyer.

At that time, Pichit represented former Prime Minister Thaksin Shinawatra, accused of abusing his power to purchase land for his then-wife, Potjaman a Pombejra. Thaksin was toppled in a military coup in 2006 and went into self-imposed exile in 2008 before being sentenced to two years in prison in the case.

The senators who submitted the petition argued that Srettha violated ethics standards and therefore sections 160 and 170 of the constitution, which state that a minister must "be of evident integrity" and not be guilty of "behavior which is a serious violation of or a failure to comply with ethical standards." The Constitutional Court voted to accept the petition by a 6-3 margin though they voted 5-4 against suspending Srettha from his position while the case is heard.

In response, the prime minister stated, "I respect the court's decision. When I entered politics, I was ready to be scrutinized." He has 15 days to submit evidence in his defense.

That Pichit is connected to Thaksin Shinawatra is not unimportant nor coincidental. The reshuffle of Srettha's cabinet last month that led to Pichit's appointment also included other key officials close to Thaksin. Maris Sangiampongsa, who previously served as a secretary to Thaksin while prime minister, is now the foreign minister. The new finance minister, Pichai Chunhavajira, has been described as Thaksin's former lieutenant.

Thaksin is the de facto head of Pheu Thai, the party he founded in 1998 as Thai Rak Thai. From 2001 to 2006, he served as prime minister and through populist measures and limited handouts, gained a following among Thailand's poor. This cut across the interests of the country's traditional elites in the military, bureaucracy, and monarchy.

The military overthrew Thaksin in 2006 and banned his party, which first regrouped in the People's Power Party and then in Pheu Thai in 2008. The military overthrew the Pheu Thai government of Thaksin's sister Yingluck in 2014, rewrote the constitution and stacked the Senate and the Constitutional Court with its own appointments.

One of the senators involved in the petition against Srettha, Direkrit Janekrongtham, claimed the case was not directed at any specific figure: "We have no intention to act against anyone or treat unfairly anyone or any party in particular. What we are trying to do is to protect the public interest as stipulated in the constitution."

These claims are patently absurd. The military-appointed Senate has used its powers to block last year's general election winner, the Move Forward Party (MFP), from forming a government. The senators behind the Srettha petition are also close to the 2014 coup leaders, Prayut Chan-o-cha and Prawit

Wongsuwon. Prayut, the former prime minister, is now a member of the king's Privy Council while Prawit leads the Palang Pracharath Party (PPRP), the ruling party until last year. Both claimed not to be involved in the push to remove Srettha.

The petition also came on May 17 after the Senate's five-year term came to an end on May 10. The senators who submitted the petition are acting as "caretakers" until a new senate is chosen in an upcoming, indirect election taking place in the coming weeks.

In addition, the Constitutional Court is not only hearing a case to remove the prime minister, but will also decide in a separate case whether or not to dissolve the MFP, the largest party in parliament. At the beginning of April, the court accepted a petition against the MFP, which claimed that it had violated the constitution by making pledges to reform Thailand's draconian *lèse-majesté* law. The party has until June 2 to submit evidence in its defense.

Thitinan Pongsudhirak, a professor at Chulalongkorn University's Faculty of Political Science and a senior fellow at its Institute of Security and International Studies in Bangkok, described the petition against Srettha as a "show of force from unelected powers." He continued: "We have a government but actually we are ruled by the judiciary... or the military. The military takes over directly and the judiciary derails whoever is in power."

In fact, Pheu Thai only managed to form a government last August after it agreed to a coalition that excluded the MFP and included the two main military-backed parties, the PPRP and Prayut's United Thai Nation Party. The result was an unstable alliance under worsening economic conditions and growing unrest in the working class, with the military attempting to rule from behind the scenes rather than openly rig the election results as it had done in 2019.

The petition against Srettha points to this alliance coming apart. No doubt sections of the military establishment are not satisfied with Thaksin's return to Thailand last August and involvement in politics behind the scenes. His return and avoidance of a lengthy prison term were arranged as part of the coalition agreement between Pheu Thai and the military.

At the same time, the ruling class is sitting on a social powder keg with disputes taking place within the ruling

elite over how to prevent an eruption of working-class anger. Wages are low, with the average daily minimum wage only 350 baht (\$US9.55). On May 1, the Pheu Thai government pledged to raise the minimum wage to a paltry 400 baht (\$US10.91) in October, but even this is seen as too far for big business. The Joint Standing Committee on Commerce, Industry and Banking, for example, denounced this proposed increase as "unrealistically high."

Workers and farmers also face huge amounts of debt, in part due to low wages. According to the Thai economic think tank TTB Analytics, household debt could reach 16.9 trillion baht (\$US461.2 billion), or 91 percent of GDP.

Economic growth is also low. In the first quarter of 2024, GDP grew by only 1.5 percent, less than expected. In April, the World Bank revised its growth projection for 2024, down from 3.2 percent to 2.8 percent. The economy grew by only 2.5 percent last year, the second lowest in Southeast Asia.



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