

# Three weeks after the Thai election, why is there no new government?

Sunday 24 July 2011, by [UNGPAKORN Giles Ji](#) (Date first published: 24 July 2011).

Three weeks after the Thai election, where Peua Thai Party won a thumping majority, Abhisit Vejjajiva and his military-backed Democrat Party are still in government. The PAD extremist Kasit is still the Foreign Minister. All the Red Shirt political prisoners are still in jail and censorship has not ceased. The military-appointed National Human Rights Commission is still stalling on its long overdue "report" on the killing of innocent Red Shirt civilians in April/May 2010.

The reason for this is the way in which the last two Thai Constitutions have been crafted and the ridiculous powers given to the bureaucrats of the military-appointed Election Commission.

The present Election Commission was appointed by the junta, and just like the National Human Rights Commission, it is staffed with people who supported the 2006 coup and the ultra right-wing PAD. The present election rules state that the Election Commission must "endorse" all MP before they can sit in parliament and that the new parliament can only be opened when all MPs from all constituencies have been endorsed. The EC is making a meal out of investigating all minor and irrelevant complaints against many prospective MPs. Even before the election it was given the power to vet the suitability of those standing for parliament.

So a handful of unelected bureaucrats, beholden to the military and the conservative elites, claim the right to judge whether candidates elected by millions of Thais can sit in parliament. This is not democracy. But the elites believe that the majority of the Thai electorate are "too poorly educated" to be given the ultimate power to elect MPs and governments. This patronising anti-poor attitude is also shown by the howls of outrage from rich business executives about Peua Thai's election promise to raise the daily minimum wage to 300 baht (\$U.S. 10).

In 2009 the Gini coefficient for Thailand, which measures inequality, had increased to 0.54. This compares with a Gini Coefficient of 0.42 for China and 0.37 for India. In 2009 the share of national income owned by the top 20% was 59% while the share of the bottom 20% was a mere 3.9%. Even the middle 20% of the population owned only 11.4%. It is the arrogance of the rich and powerful, who include the top generals, conservative business elites, the royal family, and even the middle-classes, which was behind the 2006 coup and the political crisis.

In a sensible election system, if MPs are found to have lied or cheated in the election in a serious manner, they should be prosecuted and impeached after parliament has already opened. It is important to state that we need to talk about "serious" offences because the election commission is investigating such trivial things as candidates taking part in processions and rallies. That is not cheating in any way. But much more important is the issue of MPs who really ought to be disbarred for using violence to frustrate the democratic process.

Abhisit, and his Democrat Party deputy Sutep, should have been disbarred from the election for ordering the killing of nearly 90 unarmed Red Shirt protestors last year. They did this, with the acquiescence of the top generals, in order to avoid an election that year. It would have been an election which they would have lost, just like the recent one. The Democrat Party has never won an

overall majority. In addition to Abhisit and Sutep, General Sonti, the leader of the 2006 coup should also have been disbarred from running for parliament. The fact that the Election Commission endorsed the suitability of these blood-stained pro-dictatorship individuals means that the Election Commission and all its machinations is nothing to do with upholding free and fair democratic elections.

As I have written before, there are urgent reforms which need to take place after this election. These include:

1. The freeing of all political prisoners, including those jailed or charged under the notorious lèse majesté law.
2. The ending of censorship of all types, especially the internet and community radio stations.
3. The sacking of the Army chief General Prayut Junocha on the grounds that he sought to influence the outcome of the election and announced that he opposed Peua Thai policies in the South. The Army Chief should be the servant of an elected government. He should never have special extra-constitutional powers to intervene in politics.
4. The indictment and trial of former Prime Minister Abhisit and his deputy Sutep, along with Generals Anupong and Prayut on the grounds of murdering Red Shirt civilians last year.
5. The temporary re-introduction of the 1997 Constitution, instead of the present military constitution and the start of a process to rewrite the constitution to increase freedom and democracy.
6. The scrapping of the lèse majesté and computer crimes laws which prevent freedom of expression.

None of these important changes will take place if the Red Shirts do not mobilise. Yet Prime Minister-elect Yingluck and many Peua Thai politicians are telling the Red Shirts to stay quiet. This is a recipe for maintaining the rule of the elites.

24 July 2011

Giles Ji Ungpakorn

---