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## Elite Politics Under the Spotlight: Whither Thailand (again)?

LSE Ideas

By Dr Martin Gainsborough

Less than a week ago on 13th January, we met to take stock of politics in Thailand ahead of the general election in an event co-sponsored by LSE IDEAS and the Pacific-Asia Specialist Group of the UK Political Studies Association. Controversy – of which Thailand has seen much in recent years – attracts and the event was well attended by a mixed academic and policy audience. Leading Thai specialists, Professor Duncan McCargo, who is Professor of Southeast Asian politics at the University of Leeds, and Professor Peter Leyland, Professor of Public Law at London Metropolitan University, spoke, offering a fascinating insight into possible elections scenarios and some of the likely challenges going forward in terms of unresolved political differences, the role of Constitutional Court, and upholding free speech.

While measured in their remarks, neither speaker was very optimistic. Asking the question as to whether the Democrats could win in the forthcoming general election, which is widely anticipated to take place in 2011, Professor McCargo reviewed the party's performance at the ballot box going back to the mid 1980s. What he noted, is that one needs to go back to 1986 to find the last time they won a decisive election victory. And, as McCargo continued through the nineties and into the noughties, a clear pattern emerged. Yes, the Democrats can win power but rarely via an election and, moreover, they struggle to hold onto it. The key point, as McCargo delicately put it, is that time and time again “extra-electoral forces” intervene to seal their fate either way. The implications in terms of the future are clear but it is not a future to be envied with further street demonstrations between the so-called red and yellow shirts likely. In addition, it is not even certain that the elections will be held in 2011. In May 2012, a five-year ban on certain pro-Thaksin (former prime minister Thaksin Shinawatra) political parties from contesting elections will end. Thus, according to McCargo, it is not beyond the bounds of possibility that those who would benefit from a lifting of the ban might form some kind informal alliance to delay the election until this happens. Clearly, therefore, it is a case of watch this space!

Turning his attention to questions of law, Professor Leyland argued that the problem in Thailand is not the constitution itself but the inability of the country's political elite to defer to bodies like the Constitutional Court. Here, Professor Leyland drew attention to Buddhist approaches to conflict resolution – as opposed (presumably) to law-based ones – and issues to do with hierarchy and patron-client ties in Thai politics, which he argued interfered with the ability of elites to allow the courts to adjudicate. That said, Leyland was very clear that law can never be a substitute for politics, suggesting that this was an “unobtainable ideal”. Like McCargo, he did not see opportunities for a quick fix but he suggested that a number of things could be done, for example to protect the integrity of the Constitutional Court and stop it becoming comprised politically. Specifically, Leyland argued that it would be better if individual politicians, who committed misdemeanours, were disqualified from politics rather than whole political parties, and he also suggested that such disputes be dealt with by the criminal courts not the Constitutional Court. Leyland spoke briefly on lese majeste, arguing that while it was entirely appropriate for the monarchy to be protected, it was problematic when lese majeste was used to undermine political opponents.

In conclusion, this was undoubtedly a rich and stimulating evening which took us beneath the surface of contemporary Thai politics. Once again, however, it highlights the paucity of liberal understandings of politics – with their tendency to emphasise a ‘triumph of civil society’ approach to political change – to make sense of Thailand's past, present and future.

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