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# country report

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## Power, Courts, and Dynasties: Is Thailand navigating in or out of a Political Crisis?

The Kingdom of Thailand has experienced significant political shifts in recent months. Following the 2023 election, the country has seen the dissolution of a major political party and the removal of its Prime Minister, both by the Constitutional Court. These events have raised serious questions about democratic accountability and the influence of unelected bodies in Thailand's political landscape.

### What happened: The Fall of Srettha Thavisin and Rise of Paetongtarn Shinawatra

In May, a group of former military-appointed senators submitted a petition to the Constitutional Court, requesting the removal of Prime Minister Srettha Thavisin of the ruling Pheu Thai Party (PTP). The case was based on Prime Minister (PM) Srettha's decision to appoint Pichit Chuenban who had previously been convicted of corruption and served a prison sentence in 2008. This publicly rather unknown minister had also been a close aide to former PM Thaksin Shinawatra. The Constitutional Court accepted the case in late May but did not immediately suspend Srettha Thavisin from his duties.<sup>1</sup> However, on August 14, the court ruled to dismiss him, citing a lack of honesty and a breach of ethical standards for appointing someone with a criminal conviction.<sup>2</sup> This ruling led to the immediate dissolution of his cabinet and triggered a parliamentary vote for his replacement. The ousting of a government leader who had been in office for less than one year raised significant concerns about stability in Thailand.<sup>3</sup>

Only two days after Thavisin's removal, on August 16, parliament elected 37-year-old Paetongtarn Shinawatra and daughter of former Prime Minister Thaksin Shinawatra, as Thailand's 31st Prime Minister. She is the youngest Prime Minister the country has ever seen and the second female PM after her aunt, Yingluck Shinawatra, who was ousted in 2014.<sup>4</sup> Paetongtarn is a new face for Thai politics as she made her debut during the 2023 election campaign as the leader of the "Pheu Thai Family" and the second prime ministerial candidate for her party. She later became Deputy Chairperson of the National Soft Power Strategy Committee, a newly established government committee, and is now the current leader of the Pheu Thai Party. Like her predecessor Paetongtarn has never served as a Member of Parliament. She held various executive roles in her family's businesses. She holds a bachelor's degree in political science and a master's degree in international hotel management. Reports indicate that several leaders of the current government coalition met at Thaksin Shinawatra's villa in Bangkok shortly after PM Srettha's dismissal, highlighting Thaksin's continued political influence. In numerous interviews, Paetongtarn has openly acknowledged her father's advisory role, leading many to view her rise to power as a resurgence of the Shinawatra dynasty, which, despite Thaksin and Yingluck's abundant legal cases and years spent in exile, has never truly lost its grip on Thai politics. However, questions have arisen regarding how long the new Prime Minister can remain in office for two key reasons:

1. Political inexperience: Paetongtarn's lack of political leadership experience raises significant concerns about her ability to effectively govern, especially in such a challenging environment for her party. Unlike her aunt, Yingluck Shinawatra, who took over at a time when the PTP enjoyed high popularity, and her father, Thaksin Shinawatra, who had already accumulated years of experience as a well-respected Member of Parliament and leader of his party, Paetongtarn faces a much more difficult situation. She steps into leadership at a time when her party is navigating internal instability in the government coalition and external political challenges. Without the same level of experience or strong public trust, leading the country may prove even more difficult for her. This combination of personal inexperience and party challenges presents a much steeper hill to climb than her family members faced.

2. Thaksin's increased influence: Thaksin's recent political involvements could potentially hasten his daughter's dismissal and the potential dissolution of the PTP. His increased role has led many observers to question whether he is exerting undue influence over the government and political parties. Although he was recently pardoned, Thaksin still faces a lèse-majesté charge (Article 112), which is often used to silence political opponents. Political commentators suggest that this charge may be a way to hold both Thaksin and his daughter as political hostages, with the possibility of removing them from the political scene at any time.<sup>5</sup>

Taken together, these two factors spell uncertainties regarding how long Paetongtarn can stay in power due to intense public scrutiny, and legal complaints already being launched against her. Further, her government is facing a strong opposition, while tensions within the government coalition are rising.

## Dissolution of the Move Forward Party and the birth of the Prachachon Party

The Move Forward Party (MFP) initially won the 2023 election, but their victory was short-lived. A proposal to amend Article 112 made by 44 members of the MFP parliamentary faction two years prior and the party's subsequent campaign for the amendment during the 2023 election served as the judicial basis for their official dissolution. This law is intended to protect the monarchy from any kind of criticism, as the sovereign is regarded as the Head of State. In recent years, the use of this Article has significantly increased, leading to the sentencing of civilians to long prison terms. International critics are debating whether the active use of the lèse-majesté law violates international human rights law, especially the ICCPR, which Thailand has also ratified.

In January 2024, the Constitutional Court ruled that the intention to amend Article 112 was equivalent to an attempt to overthrow the monarchy. As a result, the MFP was deemed a threat to the constitutional monarchy and national security in August 2024.<sup>6</sup> This led to a 10-year political ban on 11 of its executive members, including Pita Limjaroenrat, the former party leader and prime ministerial candidate. Additionally, the National Anti-Corruption Commission is now investigating the 44 MPs who submitted the amendment proposal; they may face lifelong political bans.

Despite the dissolution of the MFP, the party's reformist spirit quickly resurfaced under a new identity: the "Prachachon Party" (PP), or "People's Party." Led by Natthaphong Ruangpanyawut, who has deep roots in the MFP and its predecessor (the Future Forward Party), the PP remains committed to continue structural reforms in Thai politics. The new party has rapidly gained momentum, attracting nearly 60,000 members and substantial financial support.<sup>7</sup> However, the true challenge for the Prachachon Party will be whether this support can translate into electoral success, particularly with nationwide local elections on the horizon next year.

## The Party Landscape in Thailand: Compromise or truce?

As the recent power shift in Thailand shows, 2024 marks yet another turning point in a political turmoil that had been rising to the surface since the 2023 election. As discussed above, there are several indicators that allow for open interpretation of what may happen next regarding Thailand's leadership.

Despite having more than 10 coalition parties, PTP has faced difficulties appointing a cabinet due to concerns about the ethical implications of appointing certain individuals, as Srettha faced. Despite the difficulty, PTP has expelled the Palang Pracharath Party (PPRP) from their coalition<sup>8</sup> and instead extended an invitation to the Democrat Party (DP), a conservative party that can be regarded as PTP's arch enemy, to join the government.<sup>9</sup> Political commentators see this as PTP's second attempt<sup>10</sup> at forming a cross-political spectrum government, raising questions about the party's priorities and integrity.

This willingness to align with political opponents suggests that PTP is more focused on holding onto power than maintaining a stable political identity. The coalition with the Democrat Party (DP) has also reignited memories of the red-shirt (pro-democratic/pro-Thaksin) and yellow-shirt (conservative/ultraroyalist) conflicts of the past decades, which culminated in the violent suppression of red-shirt protests in 2010, resulting in nearly 100 deaths under the DP-led government. This coalition, given the historical violence

between the two movements, has caused dissatisfaction among voters on both sides, making it highly likely that they will withdraw their long-standing support for the parties they once backed. Furthermore, the Democrat Party's commitment to this coalition remains fragile, as some senior key members oppose collaborating with their long-time rivals.

Additionally, PM Paetongtarn still has much to prove, as recent polls indicate that nearly 75% of Thais do not believe she can manage the country amidst such intense political pressure without her father's assistance.<sup>11</sup> Although the PTP's policies are focused on economic recovery, they face the challenge of proving their effectiveness in a sluggish economy. At the same time, the party must work to regain the trust of voters who have lost faith after witnessing repeated coalition formations across the political spectrum. Finally, the PTP must navigate Thailand's evolving political landscape and address the growing demands for structural reforms.

Having been excluded from the current coalition, the military-dominated PPRP is grappling with significant internal turmoil. The party, which led the previous government, is now facing major challenges that threaten its stability and influence. The 2023 election result put a stop to Gen Prawit's plan to become Prime Minister. Further, his party recently faced an internal rift when half of the MPs (21 out of 40) left the party to join the PTP-led government<sup>12</sup>, highlighting conflicts both between the PPRP and PTP and Gen Prawit and Thaksin.

Pirapan Salirathavibhaga of the United Thai Nation Party (UTN), another military-aligned party, has voiced dissatisfaction with both the government and the opposition. However, he considers supporting the current government as the "lesser evil."<sup>13</sup> Meanwhile, the conservative Bhumjaithai Party (BJT), led by construction tycoon Anutin Charnvirakul, holds a more secure position as the second-largest party in the coalition. The BJT remains largely free from internal or external conflicts, and it is believed that many newly elected senators have close ties to the party, further solidifying its influence within the political landscape.

## The Constitutional Court: Role in Thai Politics

Over the past two decades, Thailand's Constitutional Court has emerged as a powerful force in the country's political landscape, having ousted four prime ministers and dissolved three election-winning political parties. Critics argue that the court's actions reflect a troubling pattern where unelected officials exert disproportionate power over elected leaders, undermining democratic processes.<sup>14</sup> The recent removal of PM Srettha Thavisin and the dissolution of the Move Forward Party have intensified these concerns, sparking widespread debate over the court's role and its impact on Thailand's democracy. For many observers it has become the most powerful instrument for moving the pieces on the board.

Human rights organizations, such as Fortify Rights and ASEAN Parliamentarians for Human Rights (APHR), have voiced concern over what they perceive as judicial overreach. APHR, in a statement ahead of the MFP's dissolution, warned that the court's actions risk encroaching on the legislative branch's prerogatives and disregarding the principle of separation of powers.<sup>15</sup> These concerns are shared by 134 academics and legal scholars who issued a joint statement condemning the Constitutional Court's decisions, arguing that laws restricting individual rights should be interpreted narrowly and with great caution. They criticized the court's proceedings for failing to adhere to due process principles and called for reforms to ensure the court's decisions align with democratic values.<sup>16</sup>

Furthermore, many observers take a critical view of the Constitutional Court judges, who were selected during the junta regime (2014-2019) and the military dominated government (2019-2023). In August, iLaw, a local NGO advocating for legal reforms, sent an open letter to the Venice Commission of the Council of Europe, urging it to reconsider its participation in a meeting hosted by the Thai Constitutional Court. The NGO criticized the court for acting more as a political entity reinforcing the coup regime's power structure rather than a neutral judicial body safeguarding citizens' rights.<sup>17</sup> The recent rulings have furthermore led to calls for constitutional amendments as a first step toward resolving Thailand's political crisis. Some academics describe the current situation as a "judicial coup" and argue that Thailand is facing a "juristocracy," – a system in which judicial bodies, influenced by the certain political stakeholders, seize power from the executive and legislative branches alike.<sup>18</sup>

The newly formed Prachachon Party, which emerged after the dissolution of the MFP, has echoed these sentiments as well. Following the dismissal of PM Srettha, the PP expressed dissent with the court's ruling, arguing that issues of ethics and integrity should be determined by the political responsibility of the people, not by the court. The party emphasized the urgent need to amend the constitution to review and potentially limit the powers of the Constitutional Court and other independent organizations.<sup>19</sup> Amending the constitution, however, is a challenging process. The law requires at least one-third of the senators to agree with any amendment proposal. Given the recent senate election, which was widely criticized, the establishment has maintained a stronghold in Thailand's upper house. This makes significant constitutional changes – at least in the near future – unlikely. Experts predict that a new constitution, if achieved, may not come into effect until at least 2027, reflecting the complexity and potential resistance surrounding the process.

## Conclusion

The dissolution of a major political party and the removal of a Prime Minister based on legal interpretations have eroded confidence and fostered feelings of despair and distrust across the population. The path ahead for 37-year-old Prime Minister Paetongtarn Shinawatra is fraught with challenges. Leading a crumbling coalition in a tense political climate, Paetongtarn faces numerous difficulties, including revitalizing Thailand's sluggish economy and restoring Pheu Thai's declining popularity. Moreover, Thailand's political disruptions and frequent changes in government will likely delay the negotiation process for the EU-Thailand Free Trade Agreement, which Thailand originally aimed to finalize by 2025, as well as its bid for membership in the OECD. Another major challenge for the government is to restore confidence among foreign investors amidst political instability to maintain economic competitiveness in the region. Last but not least, Thailand's effort to join the Human Rights Council for the 2025-2027 term will require significant adjustments to demonstrate the kingdom's commitment to upholding the rule of law, democracy, and human rights more rigorously. The recent actions by the Constitutional Court have cast a large shadow over Thai politics, sparking serious concerns both in Thailand and abroad about how much this could undermine the country's efforts to uphold democratic values. For now, there is little reason to dismiss voices warning of judicial overreach and predicting its continued influence on Thailand's political landscape in the years to come.

## References

1. About the legal case of former PM Srettha Thavisin and its analysis of the stability of the coalition between the PTP and the conservative elite, see: Dr. Céline-Agathe Caro, Sarita Piyawongrungruang, "[Thailand's Quest for Democracy and the Rule of Law](#)", 09.07.2024, Country Reports, Konrad-Adenauer-Stiftung eV.
2. Al Jazeera, "Big shock: Thailand faces political upheaval as PM removed from office", 15.08.2024, <https://www.aljazeera.com/news/2024/8/15/big-shock-thailand-faces-political-upheaval-as-pm-removed-from-office>
3. Frankfurter Allgemeine, "Südostasien wird für Investoren brenzlig", 14.08.2024, <https://www.faz.net/aktuell/wirtschaft/hoffen-und-bangen-in-suedostasien-19919873.html>
4. Helen Regan and Kocha Olarn, "Paetongtarn Shinawatra to become Thailand's youngest prime minister in new political shake-up", CNN, 16.08.2024, <https://edition.cnn.com/2024/08/16/asia/thailand-paetongtarn-shinawatra-prime-minister-intl-hnk/index.html>
5. Voranai Vanijaka, "Thailand's new PM: from heiress to 'hostage'", Prachatai English, 02.09.2024, <https://prachataienglish.com/node/11100>
6. Bangkok Post, "Court dissolves Move Forward Party", 07.08.2024, <https://www.bangkokpost.com/thailand/politics/2843182/court-dissolves-move-forward-party>
7. Post Today, "People's Party discloses its membership subscription almost reaches 60,000 with 25 million donations (in Thai)", 18.08.2024, <https://world.thaipbs.or.th/detail/54506>
8. Thai PBS World, "Pheu Thai drops Palang Pracharath party from coalition", 27.08.2024, <https://world.thaipbs.or.th/detail/54506>

9. Bangkok Post, "Democrat joins Pheu Thai-led government amid rifts", 29.08.2024, <https://www.bangkokpost.com/thailand/politics/2856078/democrat-joins-pheu-thai-led-government-amid-rifts>
10. For the first attempt to form a coalition across the political spectrum, see: Dr. Céline-Agathe Caro, Sarita Piyawongrungruang, "[Thailand's New Government - Coalition of Arch Enemies Opposes Political Change](#)", 11.09.2023, Country Reports, Konrad-Adenauer-Stiftung eV.
11. Nation Thailand, "Most doubt Paetongtarn can work as PM without help from Thaksin: poll", 25.08.2024, [https://www.nationthailand.com/news/politics/40040890?fbclid=IwY2xjawE9PjhleHRuA2FlbQIxMAABHcjlp9iIRLrKvEIEzUyC1JILCS0lqyi5wovd\\_tLLbpP3SutT8pf4E5CByg\\_aem\\_8BFCZI5egs\\_rKgmoOM5vSew](https://www.nationthailand.com/news/politics/40040890?fbclid=IwY2xjawE9PjhleHRuA2FlbQIxMAABHcjlp9iIRLrKvEIEzUyC1JILCS0lqyi5wovd_tLLbpP3SutT8pf4E5CByg_aem_8BFCZI5egs_rKgmoOM5vSew)
12. Bangkok Post, "Thamanat gathers support, row splits Palang Pracharath", 20.08.2024, <https://www.bangkokpost.com/thailand/politics/2850408/thamanat-gathers-support-row-splits-palang-pracharath>
13. The States Time, "Pirapan clarifies the reason UTN joining the government to move forward important agenda, ensuring supporting the government is a better option than standing with the 'opponent of the country and monarchy (in Thai)", 19.08.2024, <https://thestatestimes.com/post/2024081927>
14. Napat Kongsawad and Grant Peck, "Thai courts that have disbanded multiple governments are accused of setting back democracy", AP News, 16.08.2024, <https://apnews.com/article/constitutional-court-thaksin-move-forward-electiosn-23a603247e7e28066a0e75828b86ddfc>
15. APHR, "Southeast Asian MPs urge international community to monitor potential dissolution of largest party in Thai parliament", 13.06.2024, <https://aseanmp.org/publications/post/southeast-asian-mps-urge-international-community-to-monitor-potential-dissolution-of-largest-party-in-thai-parliamen>
16. Matichon Online, "134 legal scholars release a joint statement opposing the court's rulings on the MFP dissolution and Srettha's removal (in Thai)", 19.08.2024, [https://www.matichon.co.th/politics/news\\_4744404](https://www.matichon.co.th/politics/news_4744404)
17. iLaw, "iLaw submits letter to the Venice Commission requesting the Commission to refrain from a meeting with the Thai Constitutional Court until the constitution is amended and the judges selection process is free and fair (in Thai)", 05.08.2024, <https://www.ilaw.or.th/articles/40800>
18. Prachatai, "Prajak Kongkirati: Building political consensus to stop 'juristocracy' (in Thai)", 17.08.2024, <https://prachatai.com/journal/2024/08/110368>
19. Khaosod English, "PM Srettha's Removal After MFP Dissolution Highlights Need for New Constitution", 14.08.2024, <https://www.khaosodenglish.com/politics/2024/08/14/pm-sretthas-removal-after-mfp-dissolution-highlights-need-for-new-constitution/>

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