

PERSPECTIVE

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Move Forward Party Has Won the Election, but May Lose the Premiership Race

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Move Forward Party leader and prime ministerial candidate Pita Limjaroenrat speaks to the press whilst sitting with coalition partners at the signing ceremony for a memorandum of understanding (MOU) amongst eight Thai political parties in agreement to form a new government, in Bangkok on 22 May 2023. Photo: Lillian SUWANRUMPHA / AFP

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EXECUTIVE SUMMARY

- Move Forward Party (MFP) scored a surprise victory in the Thai general election on 14 May. It has announced the formation of an eight-party coalition with 313 MPs, a very comfortable majority in the 500-member House of Representatives.
- However, at least 376 votes are needed to win the premiership for the leader, 42-year-old Pita Limjaroenrat. His coalition is thus short of 63 votes.
- The premiership race will be convened in a joint parliamentary session attended by 500 MPs and 250 Senators. Most of the Senators are conservatives and pro-establishment, and will be very reluctant to support Pita, especially since his party advocates reforming the monarchy and cutting military spending.
- Pita also faces a serious legal issue concerning his possession of 42,000 shares in an inactive television firm, the iTV. The Constitution prohibits anyone holding shares of newspaper or other mass media from running for a parliamentary seat or holding the premiership.
- If found guilty, Pita will be disqualified from holding an MP seat in the House of Representatives, as well as contesting for the next premiership.
- If Pita falls, Pheu Thai, which came second in the general election, will have a golden opportunity instead to lead a new coalition, perhaps even working with some parties from the Prayut Administration under the guise of national reconciliation.

INTRODUCTION

After his Move Forward Party (MFP) scored a surprise victory in the Thai general election held on 14 May, party leader Pita Limjaroenrat quickly announced his readiness to be the next prime minister of Thailand. He may have spoken too early and too fast.

Coming first in the general election is a remarkable achievement for his young party, winning a tough battle against all odds with fearless but under-armed volunteers. Securing the premiership, however, is a more daunting challenge, a larger war in which Pita looks vulnerable, and might fail.

Teaming with its chief ally, Pheu Thai (PT) Party, the MFP is leading a coalition of eight parties¹ with 313 MPs in the 500-member House of Representatives. While this gives it a comfortable majority, it is still not strong enough to win the premiership for Pita.

Selection of the prime minister, expected to take place on 3 August, will be done in a joint parliamentary session of 500 MPs and 250 Senators. Here, at least 376 votes of support are needed to win.

Pita thus needs at least 63 supporting votes from outside his coalition. Since he and the MFP do not want to include any parties from the Prayut Administration, they will have to pin their hope on persuading enough Senators to support Pita.

Most of the Senators are conservatives and pro-establishment, chosen in early 2019 by the military regime headed by coup leader General Prayut Chan-o-cha.²

One misstep of the MFP is to nominate only Pita as its premiership candidate. Should he fail to gather enough votes to win the premiership, the MFP cannot put forth another premiership candidate of its own.

In that case, the PT can then step in to offer one of its three candidates³ for the next round of the premiership race. It may be Paetongtarn Shinawatra, 36, daughter of exiled former prime minister Thaksin Shinawatra, or real estate tycoon Srettha Thavasin, 59. The PT's third candidate is former justice minister Chaikasem Nitisiri, 75, who has been unwell and hospitalised.

Should no one from the PT get enough votes to win the premiership, the PT may seize the opportunity to lead a new coalition by ditching the MFP, and turning to work with some government parties in order to attract support from the Senators. Such an alternative coalition can have up to 290 MPs, sizeable enough to rule as a majority coalition government.⁴

If no one wins the premiership even then, such a new PT-led coalition can propose looking for an "outsider"⁵ who is acceptable to most Senators to come in as its new choice for the premiership.

In the end, the MFP will be isolated for not wanting to be in any coalition that includes government parties from the Prayut Administration. Consequently and ironically, instead of becoming the 30th Thai prime minister, Pita may end up being the Opposition Leader.

PITA' S QUALIFICATION QUESTIONED

Before he can win the premiership, Pita will have to defend his qualification to be an MP first. The Election Commission has been examining a complaint against Pita for allegedly failing to dispose of his holding of 42,000 shares in iTV, a television station which has stopped broadcasting since 8 March 2007. But iTV has not been dissolved as a media business entity due to a pending lawsuit to seek compensation of 2,890 million baht from the Office of the Permanent Secretary of the Prime Minister's Office for cancelling their broadcasting agreement.⁶

Section 98 (3) of the Constitution prohibits anyone owning or holding shares in any newspaper or mass media business from running for election to the House of Representatives. If the Election Commission finds enough evidence against Pita, it will send the complaint to the Constitutional Court for a ruling. If found guilty, Pita will be disqualified from holding an MP seat in the House of Representatives, and from contesting for the next premiership. Pita's predecessor, Thanathorn Juangroongruangkit, leader of Future Forward Party, was disqualified from the House membership after the Constitutional Court ruled in November 2019 that he had failed to properly dispose of his shares in V-Luck Media, an obscure variety magazine.

By mid-July, after certifying the election of all 500 MPs, the Election Commission is then expected to announce its consideration on the complaint against Pita. MFP supporters are now concerned that Pita might suffer a fate similar to Thanathorn's.⁷

Thanathorn's party was subsequently dissolved in February 2020 for illegally borrowing about 191.2 million baht from Thanathorn, a motor spare parts business tycoon. The Constitutional Court deemed such borrowing unlawful, since the party then exposed itself to financial control by Thanathorn. After the dissolution of Future Forward, the MFP was set up as a successor party, with Pita as its new leader.⁸

THE RUNNER-UP IN CONTROL

All opinion polls had consistently predicted that the PT would win the largest number of House seats. This emboldened the PT to campaign for a big "landslide victory" of winning up to 310 House seats, which would have allowed it to form a single-party government on its own.

Being beaten by the MFP came as a shock to many in the PT leadership. PT leaders have started doing an urgent soul-searching exercise in order to "rebrand" the party.

However, the PT, with 141 House seats, is actually in a better position than the MFP, which has 152 MPs. The PT has the flexibility of working with some parties in the Prayut Administration; whereas the MFP has rejected working with all parties in the previous government coalition.

If Pita fails to win the premiership, he and his MFP will have no other viable option, except to accept defeat and spend the next four years leading the opposition in the House.

In contrast, the PT can explore more options, including working with General Prawit and his PPRP, which has 41 MPs. General Prawit is known to have good connections in the Senate.⁹ And the PT has never ruled out working with Public Health Minister Anutin Charnvirakul's Bhumjaithai (BJT), which won 70 House seats, making it the third largest party.

Some of these government parties' MPs, including Anutin, are friends of PT's senior members. They used to serve Thaksin in his popular Thai Rak Thai Party¹⁰ (1998 -2007).

Even if neither Thaksin's daughter Paetongtarn nor Srettha wins the premiership, a new PT-led coalition can still look for an "outsider" who may want to step in for the sake of national reconciliation. Most of the Senators would have no objection if the "outsider" is capable and non-partisan.

Being by far the largest party in such a PT-led coalition, the PT can claim a lion's share of the 35 Cabinet posts as well as the House Speaker post. This is certainly a much better deal for it than staying with an MFP-led coalition, in which the MFP, with 152 MPs, 11 more House seats than the PT, would want to get the House Speaker¹¹ post, as well as a larger share of the Cabinet posts than the PT.

WHAT ELSE COULD GO WRONG?

The Election Commission has 60 days to certify the outcome of each of the 400 constituencies. After that, it will determine the final allocation of the 100 party-list House seats, based on the total of second ballots each part has received.

In the meantime, the Election Commission will also have to deal with the complaint against Pita, as well as numerous cases of alleged wrongdoings in the election campaign. This will take months.

The House of Representatives can convene its opening session only after up to 475 MPs have been certified by the Election Commission. At the inaugural session, a new House Speaker will be elected by a majority of the MPs.

Here, a competition between the MFP and the PT is expected to take place. The PT wants the crucial parliamentary post for its party leader, Dr Cholnan Sri-kaew. But the MFP needs the post for its own MP to be in control in the House.¹²

One new nightmare of the MFP is a rumour about a “power play” by General Prawit. Under this rumour, General Prawit will dissolve his PPRP and resign. This will enable PPRP’s 41 MPs to join either the PT or the BJT. If only 12 of these 41 MPs join the PT, the PT will become the largest party with 153 MPs – one more MP than the MFP’s 152.¹³

Under this “power play”, the PT can easily team up with the BJT and other government parties to form a new majority coalition. In this case, the MFP will become the opposition leader. This could explain why General Prawit and incumbent PM General Prayut have never formally conceded defeat.

SENATORS AT THE BARRICADE

After the House Speaker has been appointed, the premiership selection can follow suit, after the 250 Senators have been notified.

If the MFP-led coalition falls short of the 376 votes needed to win the premiership for Pita, the House Speaker need not be in a hurry to convene the joint parliamentary for the premiership selection.

On the other hand, the MFP may want to force the issue and proceed with the premiership race in order to compel the 250 Senators to show their hands. Voting for the premiership will be on a roll call, and televised nationwide.

Senator Chalermchai Fuerng-kon, an “independent” representing the government retirees, has cautioned against putting too much pressure on the 250 Senators. From his own estimate, there are fewer than 20 in the Senate who would vote for Pita. When it comes to actual voting in parliament, there may be fewer than 10 – including he himself and a few like-minded Senators, who will support Pita.¹⁴

Senator Chalermchai’s advice to Pita and the MFP is for them to try to win support from MPs in the government parties. This will be much easier than trying to win the support of Senators. Many Senators have been offended by sharp criticisms from the MFP over the past four years, and many of them also strongly oppose the MFP’s initiative on monarchy reform, which include amending the controversial Section 112 of the Criminal Code, the so-called *lese-majeste* law.¹⁵

One of the continuing policy initiatives of the MFP is to amend the law and reduce its penalties, from 3 to 15 years of jail term down to 6 months to 1 year.¹⁶ Most other parties, including the PT, do not want to touch this highly sensitive issue.

As a compromise, the MFP agreed to exclude Section 112 from the list of key common policies under the MOU signed on 22 May by leaders of the eight parties in the MFP-led coalition. But Pita reaffirmed the MFP’s intention to continue as its own party’s initiative to amend Section 112 in the House of Representatives.¹⁷

The PT has at least one good reason to play safe and avoid touching Section 112 for fear of upsetting pro-establishment conservatives: It wants to facilitate Thaksin's return to Thailand, after nearly 17 years in exile overseas.

Thaksin announced on 9 May his new "decision" to return to Thailand before his 74th birthday, which will be on 26 July 2023.¹⁸ Thaksin has 10 years of jail term from three convictions of conflict of interest cases awaiting his return. He can first go to jail and request a temporary release on bail while appealing the convictions. Or, better still, he can apply for a royal pardon.

Thaksin has reiterated that he and his Shinawatra clan have always respected the monarchy. And if the PT and the MFP are in government together, he believes the PT would disagree with any PT policy initiatives that could hurt or undermine the monarchy.¹⁹

'ZERO PERCENT' OF ANOTHER COUP

Army Commander General Narongphan Jitkaew-thae has dismissed as "zero percent" the possibility of another coup after the general election.²⁰ He is however due to retire at the end of September. The political situation in Thailand may heat up later, especially if and when there is a deadlock on the premiership selection.

Even if there is a breakthrough and Pita becomes Thailand's 30th prime minister, his premiership will face strong resistance in the Senate. Legislation work will slow down if a majority of Senators refuse to cooperate. Without support in the Senate, any attempt at passing a special amnesty law to free all those who have been convicted or arrested for violating Section 112 will fail. Street protests by anti-monarchy groups will then emerge.

On the other hand, if Pita fails and someone else assumes the premiership, his supporters may also take to the streets to vent their frustration. Chaos, clashes, bloodshed, crackdowns, and arrests may be inevitable.

When the country slips into unrest and violence, another military takeover cannot be ruled out. Should unrest in Thai society threaten to undermine the monarchy, then pro-establishment conservatives and royalists would also retaliate. Or worse still, some military leaders might want to take some drastic action to defend the monarchy.

CONCLUSION

The victory of the MFP is an unexpected political earthquake.

But it confirms the known widespread discontent of Thai voters unhappy with the Prayut Administration. And it is also a clear rejection of any return of either of the "Two Uncles": General Prayut, 69, and General Prawit, 78.²¹

However, it is still uncertain whether the new generation of young and idealistic MPs and politicians, led by Pita of the MFP, will be able to govern successfully and peacefully.

In fact, Pita still has to prove that he is fully qualified to hold public office. His possible disqualification will be a serious political after-shock.

The PT is confidently waiting for its turn to lead in forming a coalition, and going for a deal that can guarantee a happy return for Thaksin.

ENDNOTES

¹ The MFP-led coalition has 313 MPs from the following parties: Move Forward, 152 MPs; Pheu Thai, 141 MPs; Prachachat, 9 MPs; Thai Sang Thai, 6; Peuthai Rumphalang, 2 MPs; Thai Liberal, 1 MP; Fair Party, 1 MP; and New Social Force, 1 MP. For details of the outcome of the Thai general election, see the official website of the Office of the Election Commission at www.ectreport.com.

² Under the Constitution, all 250 Senators have the discretion to use their own personal judgement. During the last few months of the military regime headed by coup leader General Prayut Chan-o-cha, the selection of prospective senators took place. Ten professions (including government retirees, farmers, artists, educators and health personnel, unions of workers and representatives of SMEs) selected 200 candidates from their groups. These candidates were screened and reduced to 50 by a secretive search committee headed by General Prawit Wongsuwan. The search committee also handpicked its own 194 candidates. Six senatorial posts were reserved for holders of the following posts: chief of the Armed Forces (the Supreme Commander), chief of the Army, chief of the Navy, chief of the Air Force, Defence Permanent Secretary, and head of the National Police. The chosen 250 were formally appointed to the Senate by the King. Naturally, most in the first batch of the 250 Senators were and have continued to be pro-establishment. In the premiership selection on 5 June 2019, 249 of them voted for General Prayut, who was then the premiership candidate of the PPRP. General Prayut won with 500 votes, including 251 votes from MPs in 19 parties. The 5-year term of the 250 Senators will end on 11 May 2024. After that a new batch of 200 Senators will be appointed; but those new Senators will not have the authority to participate in the premiership selection.

³ Each party can nominate up to three premiership candidates. Each individual can accept the nomination of only one party. The PPRP as well as Bhumjaithai has only one candidate, party leader General Prawit Wongsuwan, and party leader Anutin Charnvirakul, respectively. United Thai Nation nominated two candidates: General Prayut, and party leader Pirapan Salirathavibhaga.

⁴ Pheu Thai, 141 MPs; Bhumjaithai, 70 MPs; Palang Pracharath, 41 MPs; Democrat, 24 MPs; Chartthaipattana, 10 MPs; Chartpattanakla, 2 MPs; Thai Teachers for People, 1 MP; and New Democrat, 1 MP.

⁵ Section 272 of the Constitution includes this provision. A majority of the combined parliamentary session of 500 MPs and 250 Senators (376 votes) can request the President of the National Assembly (the parliament) to proceed on this solution when none of the existing premiership candidates can win with at least 376 votes. Two-thirds of the joint parliamentary session, 500 votes, will be required to consider an “outsider” not on the list of premiership candidates of any party. Then this “outsider” will need at least 376 votes to win the premiership.

⁶ iTV with about 1.2 million shares was delisted from the Stock Exchange of Thailand on 24 July 2014. In the financial year of 2022, iTV reported 20.5 million baht in income (from investment and bank interest), with a net profit of 8.5 million baht. See other details of iTV in “ ๓๐๓ ผอ. Thai PBS ๓๓๗ 7

ข้อ ๓๐๗๖ ...“ [Summary of 7 key points concerning iTV by deputy director of Thai PBS], 10 May 2023, www.prachatai.com/journal/2023/05/104049, accessed 16 May 2023. Thai PBS is the successor TV station of iTV.

⁷ Before the Constitutional Court’s final ruling against him in November 2019, Thanathorn represented a Pheu Thai-led minority coalition of seven parties to compete with General Prayut Chan-o-cha for the premiership. The latter was nominated by Palang Pracharath, leader of a 19-party coalition. On the premiership selection day, 5 June 2019, General Prayut won with 500 votes: 251 votes of MPs from 19 parties, and 249 votes of Senators. One Senator, Senate President Dr Pornpetch Wichitcholchai, abstained. Thanathorn received 244 MP votes.

⁸ Eleven members on Future Forward’s Executive Committee who were MPs lost their seats in the House of Representatives, and 14 Future Forward MPs defected to join other parties. MPs from a dissolved party have 60 days to join a party without losing their House membership. Eventually only 55 MPs from the dissolved Future Forward joined the MFP.

⁹ He headed the secretive search committee of the military regime in handpicking the first group of appointees for the senatorial posts in early 2019. The Senators’ 5-year term will end in May 2024. A new batch of 250 Senators will come to the Senate without the authority to take part in the selection of any new prime minister.

¹⁰ Thai Rak Thai won the general elections in 2002 and 2005 and sent Thaksin to the premiership twice in a row. Thaksin was toppled in a coup on 19 September 2006. His Thai Rak Thai (Thais Love Thais) was on 30 May 2007 disbanded for violating the election law. Its executive committee members, including BJT leader Anutin, were banned from politics for five years.

¹¹ The House Speaker is ex-officio the President of the National Assembly (the parliament). The previous House Speaker, Chuan Leekpai, 84, is a respected veteran politician of Democrat Party, who had served in the premiership twice, September 1992 – May 1995, and November 1997 – February 2001. The MFP has no senior politicians who can command the respect of MPs and may let the PT have the House Speaker post.

¹² The House Speaker has the discretion over agenda setting and programming of events – including the selection of a new prime minister. The previous House Speaker, Chuan Leekpai, would not include the Move Forward Party’s proposed amendment to the *lese-majeste* law, upon advice of the House of Representatives’ Secretariat that such a proposed amendment would be unconstitutional.

¹³ The rumour was discussed in **Inside Thailand** TV programme on 22 May 2023, www.youtube.com/watch?v=iYpYeXlrY9w, accessed 22 May 2023. If General Prawit resigns before the Election Commission has certified his status as a party-list MP, he need not declare his assets and liabilities. His resignation will enable Chaiwut Thanakamanusorn, minister of the Digital Economy and Society, to get a party-list MP seat. The PPRP has only two party-list seats; the other one will go to Santi Prompat, secretary-general of the party.

¹⁴ Interviewed in **Inside Thailand** TV programme on 16 May 2023, www.youtube.com/watch?v=pSEyDgCROj4, accessed 17 May 2023.

¹⁵ *Ibid.*

¹⁶ For details of the MFP’s roadmap of things to do in its first 100 days, one year, and four years in government, see the MFP’s campaign website at <https://election66.moveforwardparty.org/policy/collection/PolicyTopList/77>, accessed 17 May 2023.

¹⁷ Live telecast of **The Nation TV Online**, 22 May 2023, www.youtube.com/watch?v=WiflMmxTHU, accessed 22 May 2023. The timing of the MOU announcement day was chosen to coincide with the 9th anniversary of the coup on 22 May 2014 by then Army chief General Prayut Chan-o-cha. The MOU did not mention Section 112 or a general amnesty for those convicted or charged with violating the *lese-majeste* law; but it included setting up a people’s assembly to draft a new constitution, ending military conscription, same sex marriage, and returning marijuana back to the list of banned narcotic substances.

¹⁸ [Twitter.com/ThaksinLive](https://twitter.com/ThaksinLive), 8 May 2023, accessed 17 May 2023.

¹⁹ “ ‘ทักษิณ’ ย้ำเคารพสถาบัน ...” [‘Thaksin’ emphasises his respect for the monarchy ...] **Thai Post**, 17 May 2023, www.thaipost.net/hi-light/380337, accessed 17 May 2023. Thaksin reiterated his stand during his Tuesday talk on Club House Live on 16 May 2023, in which he analysed the outcome of the general election. He attributed the MFP’s election success to effective use of User Generated Content on social media platforms, particularly Tik Tok. Pheu Thai, on the other hand, failed to score a “landslide” victory because its strategy of “sustaining innovation” was too defensive, and too slow to respond to the changing needs and interests of Thai voters. He suggested Pheu Thai to go for “disruptive innovation” in the next general election.

²⁰ “ผบ. ทบ. ลั่นเปอร์เซ็นต์ ‘ปฏิวัติ’ เป็นศูนย์ถึงติดลบ” [Army chief affirms the possibility of a coup is zero, or even a minus], **Thai Post**, 11 May 2023, www.thaipost.net/hi-light/376420, accessed 17 May 2023.

²¹ Incidentally, General Prawit will be a party-list MP of the PPRP, which will get only one of the 100 party-list House seats, because his party received only about 530,000 votes, compared with General Prayut’s United Thai Nation Party’s 4.67 million votes. The UTN will get 13 party-list House seats; but General Prayut is not on the list, and thus he will not be an MP, unlike his Big Brother, General Prawit.

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