

■ Fri, April 27, 2007 : Last updated 21:10 pm (Thai local time)

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Charter drafter pans 'evil' elections

Former judge turned charter drafter Wicha Mahakhun yesterday hit back at scepticism over the constitution giving judges the power to select members of the senate and independent organisations, saying the judges had won the trust of His Majesty the King.

"We all know elections are evil, but [why do] many people still want to see history repeated?" Wicha told a public hearing on the draft charter held by the National, Economic and Social Advisory Council (Nesac) yesterday.

He said MPs had to be elected, because it was not possible to let 65 million citizens draft laws.

"People, especially academics who want to see the constitution lead to genuine democracy, are naive," he said. "Electing senators is a problem, as seen in the past, so why don't people want judges to help select senators?"

"I would like to recall HM the King's speech here. On April 9, His Majesty told the judges to perform their duties firmly and without caring what others might say. His Majesty said if the courts did not support good people, society could not survive. His Majesty said it was most imperative [for judges] to ensure justice," he said.

"Even HM the King places trust in the judges; would you condemn them?" he asked, adding that most people the drafters had met during their fieldwork wanted to see senators appointed at a Supreme Court meeting.

"The country collapsed because politicians played politics without principle, but these people [who want elected senators] have never learned from the [country's] crisis," he said.

Constitution Drafting Committee (CDC) deputy chairman Charan Pakdithanakul said the CDC had placed judges in many places in the draft because it wanted neutral organisations in politics, since elected senators could not be neutral. Charan is permanent secretary of the Justice Ministry and also a member of the National Legislative Assembly.

Subhatra Bhumiprabhas

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