Chapter VI

Conclusion & Suggestion.

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**Introduction**

**Background**

Thailand's current democratic polity is the result of a long political struggle characterized by frequent alternation between authoritarian and semi-democratic regimes since the end of absolute monarchy in 1933. Throughout this period, the military and civil bureaucracy continually held political power until the late 1970's. However, long-term processes of economic and social change, together with the rise of private business and party politics starting in the 1970's, weakened the power of the ruling generals and bureaucrats. In the early 1980's, this development led to the liberalization of the "bureaucratic polity."¹ A "soft" authoritarian regime, which some Thai scholars described as "half democracy," emerged.² A former senior military officer appointed Prime Minister, who was not accountable to the elected House of Representatives, led the government. Meanwhile, the popularly elected House of Representatives (Lower House) had to share its political

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powers with an appointed Senate (Upper House), whose members were nominated by the government and came primarily from the ranks of the state bureaucracy and the Royal Thai Armed Forces.

Political liberalization during the rule of Prime Minister General Prem (1981-1988) led to a short-lived democratic interregnum between 1988-1991. Disgruntled generals under the leadership of General Suchinda staged a coup against the elected government in spring 1991, abruptly ending this democratic interlude. Then in May 1992, an interim government under career diplomat Anand was installed and free and fair elections for the House of Representatives occurred in September of the same year.³

The "Angel" parties who had opposed the coup d'etat of 1991 won a narrow victory in the September election, and subsequently formed a coalition cabinet under the leadership of Prime Minister Chuan Leekpai from the Democratic Party (DP). Even after transition to democracy in September 1992, the old bureaucratic elites were able to preserve significant political powers, particularly since the military defended its political and institutional autonomy as well as significant political prerogatives.⁴ Furthermore, in the period after 1992, Thai democracy became synonymous with cabinet instability, chronic political corruption, vote buying, and the fusion of provincial crime with party politics. In Thai political discourse, party politics was reproached with incompetence, corruption, and a dubious morality. The obvious


⁴ Aurel Croissant, Von der Transition zur defekten Demokratie? Demokratische Entwicklung in den Philippinen, Thailand und Südkorea (Wiesbaden: Westdeutscher Verlag, 2002), chapter 5; Marco Bünte, Probleme der demokratischen Konsolidierung in Thailand (Hamburg: IfA, 2000);
shortcomings of the democratic process—i.e. frequent changes in coalition governments (between September 1992 and March 2000, the average cabinet durability was only about ten months), three parliamentary elections within four years, intense patronage politics, the infusion of dark influences associated with provincial business elites in party politics, and the poor showing of the governments of Prime Ministers Banharn Silpa-Archa (1995-96) and Chavalit Yongchaiyudh (1996-97)—created a dubious political climate.

Thai economist Pasuk Phongpaichat characterized this as follows: "In the view of [civil society], the parliamentary system had simply been co-opted into the bureaucratic state. The battle was still between the people and the state, the people and paternalist domination, the people and rabop upatham, the patronage system that now encompassed not only bureaucrats but also elected representatives. ...With this declining faith in 'democracy' as the route to a better political future, and in parliamentary institutions as a mechanism of change, the idea of 'civil society' has been seized upon to play the [role] as the repository of hope." A resulting political reform movement, based on a "tactical alliance between liberal, progressive and conservative forces to check the power of elected politicians." gained momentum.

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The struggle for political and constitutional reforms eventually led to the passage of the sixteenth constitution of the Kingdom of Thailand in October 1997, accompanied by a broad package of additional reforms including electoral and bureaucratic measures. Important constitutional and electoral reforms included the establishment of a powerful Election Commission, a popularly elected Senate, new Organic Laws on Political Parties and the Election of Members of the House of Representatives and Senators, an independent National Counter Corruption Commission, a constitutional Court, an Administrative Court, and a National Human Rights Commission.

**History of Local Government:**

Local government comprised both regular territorial administrative units and self-governing bodies. Local autonomy was limited, however, by the high degree of centralization of power. The Ministry of Interior controlled the policy, personnel, and finances of the local units at the provincial and district levels. Field officials from the ministry as well as other central ministries constituted the majority of administrators at local levels.

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A key attribute of Thailand’s 1978-2000 parliamentary system was asymmetric bicameralism. Under this British-modeled schema, the Lower House was popularly elected while the Senate was generally appointed (with at least 20% membership from the military). While the Lower House had most of the legislative power, the fact that un-appointed Senators were also granted power certainly dampen the notion of representativeness upon which the Parliamentary system rests. Another important characteristic was and still is executive dominance over lawmaking. While members of the Lower House and cabinet can initiate bills, in practice, the executive dominates the process. This is because for individual MPs to introduce bills, they must have the support of their parties, and only MPs whose parties belong to the ruling coalition have any chance of having their legislation passed. With regard to budget bills, while again MPs and cabinet members can both introduce legislation, such initiations must be endorsed by the Prime Minister. This severely limits the power of MPs in matters of money bills. Still, prior to the 1997 constitution, MPs were able to add to the budget bills to make room for special pork barrel projects in their constituencies, a practice often made conditional for passage of a bill. Aside from legislation, the executive can use numerous laws and codes to maintain its authority in the name of sovereignty vested in the people and the King. These quasi-legislative acts include the royal act (Phraratchabanyat); the royal ordinance (Phraratchakamnot); the royal decree (Phraratchakrisdika) and the royal command (Phraratchaongkan). There are also several ministerial

regulations. These codes have proven to be more effective and
durable than most of Thailand’s constitutions.11

This irony merely indicates the traditional centralized control
of the executive over legal mechanisms in Thailand.

**Background of Election in Thailand:**

Thailand is a constitutional monarchy ruled by King
Bhumibol Adulayadej (Rama IX), a much-revered monarch who has
reigned since 1946. The King plays little part in day-to-day government
operations, but serves as a powerful symbol of Thai national identity and
commands enormous moral authority, which he uses on occasion to
resolve internal crises or to draw the government's attention to pressing
social problems. Real power, however, lies in the hands of a
democratically elected government led by a Prime Minister. Since World
War II, Thailand has alternated periods of democratically elected civilian
governments with authoritarian rule brought about by coups-d'etat. The
military last seized power in 1991, but after middle-class protests and
royal intervention, civilian rule was restored in 1992. Since that time, the
military's role in politics has been greatly reduced, due to strong public
opinion against coups d'etat, a vocal free press, and Thailand's overall
political maturation. One of the most significant steps in that maturation
was the enactment of the current constitution in 1997. This constitution,
Thailand's 16th since 1932, brought substantial reforms to the Thai
political process and expanded the rights and civil liberties of Thai

11 Aphornsuvan, Thanet, “The Constitution” in The Thai Government and Economy, Chintana
citizens. Reforms mandated by the 1997 constitution, including establishment of a National Counter Corruption Commission, a Constitutional Court, a national Human Rights Commission, and a new national Election Commission have helped Thailand move toward a more transparent and open system of government.

National elections for Members of Parliament were last held on January 6, 2001. The maximum term of Parliament extends for four years. However, the Prime Minister may choose to dissolve the House and call elections before that date. Elections for the country's first elected Senate were held in March 2000. All members of the Senate are elected concurrently for a set term of six years, and members are not eligible for reelection.

Thailand’s electoral reforms, which were adopted in 1997 and 1998, brought about far-reaching implications for the nation’s political system. They introduced direct elections to the Senate and established new rules for elections to the House of Representatives. The first election to the Senate took place between March and June 2000 followed by House elections in January 2001. Regrettably, the aims of the reforms could only be partially realized.

**Political System in and before 1970\(^\text{12}\):**

In November 1971, Prime Minister Thanom executed a coup against his own government, thereby ending the three-year experiment with what had passed for parliamentary democracy. The 1968 constitution was suspended, political parties banned, and undisguised

military rule imposed on the country. Under the new regime, executive and legislative authority was held by a military junta, the National Executive Council. Heading the council was a triumvirate that included Thanom, who retained the office of prime minister; Field Marshal Praphat Charusathian, his deputy prime minister; and Thanom's son (Praphat’s son-in-law), Narong Kittikachorn, an army colonel.

In addition to political changes, both in its own government and in its relationship with other powers, Thailand also experienced economic shifts. Kukrit's government was plagued by labor unrest and rising prices. The economic boom that had spurred employment and produced an apparent prosperity in the 1960s fizzled with the phasing out of United States military expenditures in Thailand. Furthermore, the impressive economic growth was insufficient to keep pace with the growth of the population, which had increased from 26 million in 1960 to 34 million in 1970.

**Political Situation after 1970:**

In 1987, Thailand was stable under Prime Minister Prem's eighth consecutive year of administration, even though his leadership was criticized for alleged indecisiveness and weakness. The country had not experienced a successful military coup since October 1977, and in 1987, few politically or economically destabilizing issues existed. As in past decades, the military continued to be influential in the political process. Significantly, however, "one of the most surprising aspects of recent Thai politics," as American political scientist Ansil Ramsay noted, "is that political change has occurred within a parliamentary framework instead of through military coups."

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While the 1997 constitution identifies Thailand as a constitutional monarchy with a commitment to order and representative democracy, it offers three major modifications: 1) heightened sovereign power to the people with protection of civil liberties, voice and accountability; 2) increased transparency to ensure government effectiveness and a much streamlined regulatory framework; finally, 3) greater rule of law to ensure political stability, strengthened institutions, as well as separation of powers.

**General Elections in Thailand System and Procedure**

The historic first Senate election in Thailand began on March 4, 2000, and finally completed on July 22, 2000, a period of almost five months. In some provinces, the election process was necessarily lengthened by several ballot-casting rounds due to fraud and lack of transparency in the elections. Nevertheless, the voter turnout on March 4, 2000, at 71.89% (data from the Election Commission, see Table 1 and Figure 1), was higher than that for other recent elections, reflecting the flurry of excitement and interest the people showed in the historic election. People were also encouraged by the fact that, under the new regulations, failure to exercise the voting right would result in the loss of certain rights. The high voter turnout, was an indication of the success of political reform and democratic development.

**The Election Reforms:**

The vote buying and associated corruption in Thailand have been constantly on an increase. Observers and analysts claimed that vote buying in the election in November 1996 was more rampant than the

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14 Suchit Bunbongkarn “Changes in the Thai Electoral System and Mechanisms Designed to Prevent Political Corruption”.
previous one and the price of the vote buying doubled. The Poll watch reported almost 70 percent increase from the previous election for money commercial banks transferred during the campaign period. An increase in the buying up of polling stations was also reported.

**The Election System Under the New Constitution**

The Establishment of an Election Commission.

To ensure clean, free and fair elections, an Election Commission has been established under the new constitution. The Commission consists of five members nominated by a nomination committee and approved by the Senate before submitted to the King for royal appointment. The members must not concurrently hold positions in the civil service, government administration, judiciary, the parliament or state and private enterprises. The independent status of the commission is guaranteed by the constitution.

**The New Election System**

A single member constituency system is adopted to replace the multi-member constituency system. This will result in smaller constituencies where unhealthy candidates can compete with rich ones without spending much money. It is believed that supervision of election will be more effective in small constituencies. The number of MPs elected under this system is fixed at 400.

Another 100 MPs are elected through a party-list system. Each party will field in not more than 100 candidates to run in the constituency identical with the country size. Voters are required to choose only one party and the number of seats each party will get depends on the
percentage of popularity vote the party receives. It is believed that the party-list system will reduce the rate of vote buying, as the constituency is too large to buy.

**Electoral System (House of Representative)**

The 1997 Constitution has introduced a new election system, which divided the 500 members of the House of Representatives into two types. Four hundred MPs are to two types. Four hundred MPs are to be elected on a single-member constituency basis, while the remaining 100 MPs are to be elected on a party-list basis.

**Electoral System of Senate**

*Introduction to the Senatorial Election in Thailand*

The Senate of Thailand was first established in accordance with the Interim Constitution of the Kingdom of Thailand B.E. 2490 (1947) which provided that “The national Assembly consists of the Senate and the House of Representatives. The Senate consists of members whom the King appointed in equal number of members of the House of Representatives.” Under the Act, the term of the Senate was four years.

Under the new “People’s constitution” of Thailand B.E. 2540 (1997) (hereinafter “the Constitution”), the National Assembly is also composed of the Senate and the House of Representatives. However under the Constitution, The Senate is to be composed of two hundred members, and for the first time ever in Thailand's history, these two hundred members of the Senate are to obtain their positions through the electoral process.
The term of the Senate is six years as of election day. The Members of the Senate cannot hold their position for more than two consecutive terms. Under the transitory provisions of the Constitution, the first Senate election was to be held within sixty days before the expiration of the existing Senate, or before March 21, 2000. As such, the Prime Minister and the Election Commission agreed that the first Senate election be held on March 4, 2000. The election is to be by direct suffrage and secret ballot.

**The Election System Under the New Constitution**

The Establishment of an Election Commission.

To ensure clean, free and fair elections, an Election Commission has been established under the new constitution. The Commission consists of five members nominated by a nomination committee and approved by the Senate before submitted to the King for royal appointment. The members must not concurrently hold positions in the civil service, government administration, judiciary, the parliament or state and private enterprises. The independent status of the commission is guaranteed by the constitution.

The commission is authorized to conduct and supervise elections. It also has the authority to investigate alleged malpractice, irregularities and corruption in elections as well as to order a reelection in a constituency where there has been convincing evidence of frauds and malpractice.
Research Methodology

Title of the study


Objectives of study

The following are the main objective of the study:

1. To know the setup of government in Thailand
2. To study the political reforms in Thailand (1970-2001)
3. To understand the General Elections in Thailand
4. To undertake some of case studies of general election in Thailand
5. To find out the problems and obstacles in election system

The area of study is central around Songkhla Province of Thailand

- Hypothesis

After the transition periods, Thai political system faced challenges. The political administration power plays a much important part in up holding the democratic system, which is helpful for the country in heading to the right direction.

The present study would provide and bring the following results:

1. The Political democracy is maintained through the Election system.
2. The Election supports the democratic system in Thailand.
3. The Election System gives rise to law and order problems, after the elections are over.
4. The Election System helps for money inflation and Economic problems in the society.

5. There is a need of bringing reforms in the present Election system to lead the Thai democracy.

- **Data Collection:**

  The data for the present study will be collected from both Primary and Secondary sources:

  **Primary data:**

  Primary data will be collected in person through direct interview method, structure Interview schedule.

  **Secondary data:**

  The needed data will also be collected from secondary sources such as:

  1. Document from Ministry of Foreign Affairs
  2. Document from the office of Prime Minister
  3. Document from office of the National Economy and Social Development Boards, The office Prime Minister
  4. Thai and English books
  5. Journals
  6. Pamphlets
  7. Periodicals
  8. Magazines
  9. News papers
  10. Information from the office record
Chapter Schemes

Chapter I
Introduction: Land, People, and Politics in Thailand

Chapter II
Political Reform in Thailand (1970-2001)

Chapter III
General Election in Thailand (system and procedure).

Chapter IV
Case Study of General Election of 2001: Special reference to Songkhla Province

Chapter V
Problems in Election System.

Chapter VI
Conclusion & Suggestion.

Criticism:
Any electoral evaluation turns out to be ambivalent. On the one hand, the elections marked a progressive step in the development of Thai democracy. On the other hand, they demonstrated loopholes and remaining institutional shortcomings of the electoral system. First, despite all irregularities, the elections to the House of Representatives produced a clear winner and the much-desired stable coalition government based on a solid majority of seats. Additionally, several established political families were defeated, others who were re-elected “found their parties reduced to
local curiosities”.\footnote{Ukrist, Pathmanand, 2001. Globalization and Democratic Development in Thailand: The new Path of the Military, Private Sector and Civil Society. Contemporary Southeast Asia 23 (1); 24-42.} However, regional differences are obvious. While 70 per cent of the MPs in Bangkok are new, practitioners of old-style money politics succeeded again in the Northeast where only 15 per cent of the elected MPs are first-time parliamentarians.\footnote{Ukrist, Pathmanand, 2001. Globalization and Democratic Development in Thailand: The new Path of the Military, Private Sector and Civil Society. Contemporary Southeast Asia 23 (1); 24-42.}

According to Thai newspaper reports, however, many of the newcomers are actually family members, relatives or former canvassers of current MPs.

More significant in terms of institutional reforms were the Senate elections. They opened up the last institutional “reserved domains” of the military and the bureaucracy in a democratic way. The Thai press and civil society groups welcomed the outcome of the elections as a step towards the strengthening of democracy. In defiance of their fearing the infiltration of the Senate by partisan candidates, the political aims have been reached at least in Bangkok. Most of the elected candidates have been known for their socio-political engagement and their integrity\footnote{Ukrist, Pathmanand, 2001. Globalization and Democratic Development in Thailand: The new Path of the Military, Private Sector and Civil Society. Contemporary Southeast Asia 23 (1); 24-42.} However, overall only three per cent of the first round winners came from this walk of life.

The national result did not live up to expectations. In partial contrast to the trend of the House elections, still 38 per cent of all new senators elected in the first round were members of “political families“ (politicians and their relatives); 34 per cent have been retired civil servants and 15 per cent belong to the group of businessmen. At a cautious estimate, about 40 per cent of the winners had close contacts to political parties, notwithstanding prohibiting clauses in the election law.
The second round of voting in some provinces changed this picture only slightly. From the suspended 78 candidates, 45 won again. Violations of the election law were reported in 30 of 35 provinces.

The restrictive regulations concerning campaigning and vote-buying have been disregarded again, so that the Election Commission decided to fix even a third election round (June 2000) in 9 provinces for a total of 12 seats.\textsuperscript{18}

At the same time however both Senate and House elections can be regarded as cautious step towards more “election quality”\textsuperscript{19}. For the first time ever Thailand’s electoral history,

1. The legal requirements were brought into effect:
2. Results were annulled because of irregularities:
3. Candidates who had been suspected of breaking the election law were prosecuted and sentenced:
4. The organs responsible for conducting the elections proved to be relatively independent from political pressure on the part of the government and the political establishment.

\textbf{Findings}

The study brought the following findings

1) The Political democracy is maintained through the Election system.
2) The Election supports the democratic system in Thailand.

\textsuperscript{17} Bangkok Post March 9, 2000; March 12, 2000.
3) The Election System gives rise to law and order problems, after the elections are over.

4) The Election System helps for money inflation and Economic problems in the society.

5) There is a need of bringing reforms in the present Election system to lead the Thai democracy.

6) No provision to educate people about exercising their franchise

7) Election machinery needs modern training.

8) Election commission should be more vigil to curb undue expenditure by the candidates.

9) More transparency in the whole system is highly essential.

10) Misuse of government machinery on large scale being taken during the elections.

**Suggestion :-**

**Suggestions to Overcome Problems of Elections:**

Later the selected sample population regarding the problems also gave some of the suggestions. These suggestions are summarized as below:

1. Government needs to have a proper survey done well in time to know who the genuine electorates are.

2. The government needs to ensure full security for the electorates.

3. The details of the candidates should be published, such as his assets and liabilities, past records etc.

4. The government should educate the electorates through media about the casting of their votes.
5. The voting machines should be kept in proper custody to ensure that no tampering is done.

6. The government should ensure that it is a free and fair poll, no scope for bogus voting to be kept.

7. All the anti social elements should be rounded up before the polls so that they do not create terror.

8. The Election Commission should revise the election rule and regulations to be able to shorten down the election process.

9. In case of the person who stay out of the election area or in the area less than 90 days should have right to election in the area their stay.

10. The Election Commission should have authority to the government and private bank to investigate all the information concerns.

11. The rejection of party list should have the same rules and norms as applied to members of parliament.

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