Chapter II

Political Reforms in Thailand

2.1 Thailand’s Political System a Historical Perspective:

The relative stability of the Thai political system in the 1980s may prove to be a political watershed in modern Thai history. This stability, which resulted after several decades of spasmodic experimentation with democracy, could be attributed to the growing support of the monarchy and the traditionally dominant military-bureaucratic elite for parliamentary democracy. Evidently an increasing number of educated Thai had come to believe that a "Thai-style democracy" headed by the king and a parliament representing the people through political parties was preferable to excessively authoritarian rule under military strongmen. The future of parliamentary democracy was not a certainty, however, as many Thai continued to believe that democratic rule was not the most effective option in times of incompetent national leadership, prolonged civil and political disorder, or external threat to independence.

Under the Constitution of 1978, Thailand has a British-style cabinet form of government with King Bhumibol Adulyadej (Rama IX, 1946- ) reigning as constitutional monarch and Prime Minister Prem Tinsulanonda heading the government. Unlike the British prime minister, however, Prem was not a leader of or even a member of any political party in the nation's parliament, the National Assembly, nor did he run for election in the July 1986 election that led to the formation of his four-party coalition government. This was his fifth cabinet and seventh year in
office--no mean accomplishment in a country that had witnessed numerous coups, countercoups, and attempted coups during its sporadic experiments with parliamentary government since 1932.

Unlike many of his predecessors, Prem became prime minister in March 1980 not by a coup, the traditional route to power, but by consensus among key politicians. At that time he was the commander in chief of the Royal Thai Army, a post that was long considered to be the most powerful in the country. With little dissent from any quarter, he succeeded Kriangsak Chomanand, who had resigned as prime minister amid mounting economic and political tensions. A group of disgruntled officers, popularly known as "the Young Turks," attempted coups against Prem in 1981 and 1985. These attempts, however, had no disruptive effect on political stability.

Despite these failed coups, in 1987 the military as a whole continued to play a major role in Thai politics. Increasingly, this role was tempered as so-called "enlightened" officers realized that a coup was no longer acceptable to the public and that the military could bring its influence to bear politically by working within the constitutional system. The military continued to believe, nonetheless, that politics and government were too important to be left entirely in the hands of civilian politicians, whom they tended to disdain as corrupt, divisive, and inefficient.

Barring early dissolution or resignation of his cabinet, Prem's mandate was scheduled to lapse in July 1990. Who would succeed him and, more important, how it would happen were the key questions because of their far-reaching implications for parliamentary democracy in Thailand. A related question concerned the future role of the monarchy
and whether or not it would continue to command the reverence and loyalty of all segments of society and maintain its powerful symbolism as the sole conferrer of political legitimacy.

In the 1980s, a growing number of Thai favored a constitutional amendment requiring that only an elected member commanding a parliamentary majority could become prime minister. Citing Prem as an example, others argued that, even in the absence of a constitutional amendment, orderly succession was possible if a nationally reputable figure were acceptable to a majority of the country's political leaders. In any case, many observers agreed that, rather than imitating a foreign political model, Thailand should develop the political system best suited to the kingdom's particular needs and circumstances. The quest for a so-called "Thai-style democracy" was still under way in 1987, although the form and process of such a democracy remained largely undefined.

During the 1980s, Thailand pursued three major foreign policy objectives: safeguarding national security, diversifying and expanding markets for Thai exports, and establishing cordial relations with all nations. On the whole, Thailand conducted what it called "omni-directional foreign policy," and it did so in a highly pragmatic and flexible manner. Relations with such major powers as the United States, China, and Japan were increasingly cordial, and relations with the Soviet Union were correct. The Thai were suspicious of Soviet intentions because Moscow was perceived to be aiding and abetting Vietnam, Laos, and Cambodia. Beginning in the mid-1970s, Indochina had come to be viewed as the major threat to Thailand's security. The normalization of relations with these Indochinese neighbors remained the principal unresolved issue for Bangkok, which continued to address the problem
directly as well as indirectly through a regional forum called the Association of Southeast Asian Nations (ASEAN).

Thus since 1932 Thailand has been a constitutional monarchy. The King acts as the head of state while a plethora of constitutions have come and gone. From 1978 to the Present (with a brief military interlude in 1991-1992), the Thai people have continued down the path to greater and more institutionalized pluralism. In 1988 an elected Prime Minister took power and since 1992 democracy has continued uninhibited.

Thailand has a parliamentary system of government. This model, based on the British Westminster configuration, is typified by a fusion of powers between the executive and legislative branches. While the King is the head of State, the Prime Minister, as chief executive, is also elected to the Lower House of Parliament as regular MP. The essence of this model is majority rule\(^1\). The Prime Minister is the leader of the party with the largest number of seats in the Lower House. The Prime Minister appoints cabinet members, but contrary to the Presidential system, cabinet members are almost always MPs who are either members of the dominant party or of a party in the ruling coalition. The cabinet is the nexus of linkages between the legislative and executive branches. If the ruling party is voted out of the legislature, the executive is also overturn. The key to continued stability in the Thai parliamentary system is the continued dominance of the ruling coalition over the executive and legislative arms of government.

A key attribute of Thailand’s 1978-2000 parliamentary system was asymmetric bicameralism.\(^2\) 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 unappointed 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

\(^2\) Ibid., p.7.
durable than most of Thailand’s constitutions. This irony merely indicates the traditional centralized control of the executive over legal mechanisms in Thailand.

The opposition coalition does, of course, possess tools to check the power of the majority. The most successful way of doing so is to petition for a general debate on the government’s performance if two-fifths of the Lower House supports this motion. Debate then ensues and a vote of confidence (censure) in the government is taken. If the vote passes, the cabinet must resign in mass. If the motion is made against an individual minister and that minister is censured, he or she must resign.

There are numerous arguments in favor of Thailand’s parliamentary system of government. First and foremost, it has generally guaranteed majority rule. According to Juan Linz, while parliamentary systems are based around coalitions and positive sum games, presidential systems tend to be negative-sum games, with “winner-take-all” consequences and rigid fixed terms. Indeed, the lack of any power-sharing in presidential systems, compounded by rigid fixed terms invariably maintains this confrontational staticity throughout a term of office. Moreover, presidential systems can sometimes assume minority rule status when policies are grossly unpopular and there is no way to censure the president. Secondly, as Linz (1994) points out, in a parliamentary system, there are no competing claims of legitimacy between the executive and

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4 Linz, Juan, Chapter 1, in Linz, Juan and Valenzuela, Arturo, editors, The Failure of Presidential Democracy, Baltimore, Maryland: Johns Hopkins University Press, 1994.
legislative arms as exists in a presidential system. If one party dominates the legislature while another controls the executive, the result can be gridlock. Third, given that parliamentary governments depend on the confidence of the assembly for their survival, they tend to be more flexible whereas in a presidential system, the fixed term of office for the president guarantees greater “rigidity”. A further point made by Linz is that the mode of presidential politics is not as democratic as is parliamentary politics because the president’s feeling of being the elected representative of the nation (even if elected by a narrow plurality) may make him or her ignore the opposition. A president is thus likely to be more prone to uncompromising, even tyrannical behavior than a prime minister. Finally, Linz states that political outsiders are more likely to become president than prime minister. Such individuals are more likely to ignore societal institutions such as political parties, behavior which can be very destabilizing and lead to populist authoritarianism\(^5\).

The parliamentary form of government does, of course, possess some disadvantages. First, although the fusion between the executive and legislative does discourage competing legitimacies, presidentialism does offer several checks and balances given the separation of powers between the executive and legislative branches. Moreover, if one party wins the presidency and the other party or parties dominates the legislature, this can ensure that both those supporting and opposed to the president have effective representatives in the national arena. Secondly, one can argue that the “rigid” nature of fixed terms in presidential systems actually makes for greater stability than the constant

\(^5\) Ibid.
parliamentary dependence on the support of the majority and the ever-present possibility of parliamentary censure. In many instances, crises in Thailand have occurred partly because of the chronic instability of Thai cabinets⁶. Third, parliamentary ruling coalitions can themselves ignore the opposition and this behavior can make them perhaps more tyrannical than presidents who must at least get the approval of Congress (and even minorities of Senators in the US have the power to delay legislation through use of the filibuster). Finally, Linz’s criticism of presidentialism for allowing in outsiders is in fact a double-edged sword. In parliamentary systems, political party leaders are always prime ministerial candidates. This makes it difficult for any “new blood” to make it to the top since political party elites maintain their positions for long periods of time which tends to clog the path to power for junior party members thus diminishing party democracy. However, in presidential systems, presidential candidates and party leaders are rarely the same individual. Moreover, the system of presidential primaries allows for any stripe of candidate within the same party to compete. Ultimately, in presidential systems, “outsiders” or junior party members are able to become president, whereas in parliamentary systems, party oligarchs tend to control the process. In the final analysis, Thailand’s parliamentary system possesses both pros and cons. Yet as evidenced by its several constitutions (especially the most recent 1997 constitution), Thailand is a country which is steadily developing toward a more institutionalized democratic stability.

2.2 Political System in and before 1970:

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 (also Praphat's son-in-law), Narong Kittikachorn, an army colonel.

Despite stern moves to suppress opposition, popular dissatisfaction with the dictatorial regime mounted in the universities and labor organizations as well as among rival military factions. The discontent focused on United States support for Thanom, the growth of Japanese economic influence, and the official corruption that the regime made no effort to conceal. The civilian political elite joined students and workers in opposing Thanom's apparent aim to perpetuate a political dynasty through his son, Narong, whose rise the officer corps particularly resented. Thanom's aggrandizement of his family was at odds with the image he tried to project and the standards of the "civic religion" with its call for veneration of "NationReligion -King." The triumvirate also

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ignored the king, who had moderated his earlier enthusiasm for Thanom, and opponents charged that the junta disregarded religion. Some critics detected signs of republicanism in the regime and feared another Thanom-sponsored coup to overthrow the monarchy.

In December 1972, Thanom announced a new interim constitution that provided for a totally appointed legislative assembly, two-thirds of the members of which would be drawn from the military and police. This move provoked widespread protest, however, especially among students and led to Thanom's eventual removal. In May and June 1973, students and workers rallied in the streets to demand a more democratic constitution and genuine parliamentary elections. By early October, there was renewed violence, protesting the detention of eleven students arrested for handing out antigovernment pamphlets. The demonstrations grew in size and scope as students demanded an end to the military dictatorship. On October 13, more than 250,000 people rallied in Bangkok before the Democracy Memorial, in the largest demonstration of its kind in Thai history, to press their grievances against the government.

The next day troops opened fire on the demonstrators, killing seventy-five, and occupied the campus of Thammasat University. King Bhumibol, who had been seeking Thanom's ouster, took a direct role in dealing with the crisis in order to prevent further bloodshed and called Thanom and his cabinet to Chitralada Palace for talks. In the evening, the king went on television and radio to announce a compromise solution: Thanom had resigned as prime minister but would remain as supreme commander of the armed forces. In consultation with student leaders, the king appointed Sanya Dharmasakti (Sanya Thammasak) as
interim prime minister, with instructions to draft a new constitution. Sanya, a civilian conservative, was the rector of Thammasat University and known to be sympathetic to the students' position. On October 15, Thanom, Praphat, and Narong--dubbed Thailand's "three most hated men"--were allowed to leave the country in secret, the king overruling student militants who wanted to put them on trial. Their departure was announced to the public only after they had left the country, Praphat and Narong for Taiwan and Thanom initially for the United States.

The student demonstrations of 1973 had not been intended as a prelude to a revolution. They resulted, at least in part, from the frustration of large numbers of students who were unable to fulfill professional expectations after graduation, partly because university enrollment had increased dramatically in the 1960s and early 1970s. Students were careful, however, to legitimize their actions against the military dictatorship by an appeal to religion and the monarchy, displaying in the streets the symbols of the "civic religion"--figures of Buddha, pictures of the king, and the national flag.

Prime Minister Sanya gave full credit to the student movement for bringing down the military dictatorship. At the state ceremony honoring those who had been killed during the 1973 demonstrations, he pledged, "Their death has brought us democracy which we will preserve forever." However, political change in Thailand did not bring the shift to the left that had been hoped for by some and feared by many. Student militants, who already felt betrayed by the king's complicity in Thanom's escape, were not satisfied with the direction taken by the new government, which seemed to have been preempted by the professional politicians.
The new constitution, which went into effect in October 1974, called for a popularly elected House of Representatives and elections within 120 days. Political parties proliferated following the passage in 1974 of legislation permitting their registration. As a result, the January 1975 parliamentary elections were inconclusive. With forty-two officially sanctioned parties in the field, none won a parliamentary majority. The parties for the most part had been organized around familiar political personalities, and few had offered any ideological base or even specific programs. Only 47 percent of eligible voters cast ballots; public cynicism about politicians and improper management of voter registration were blamed for the relatively low turnout. According to observers, however, the election was not openly corrupt.

The election put a large bloc of right-wing and centrist parties in control of nearly 90 percent of the seats. None could be described as reformist, and, to a degree, all represented the status quo. On the left, a small and inexperienced but idealistic group advocated land redistribution and favored neutrality in foreign affairs. Seni Pramoj, whose Democrat Party was the largest in the right-wing bloc, formed a shaky government that could depend on only 91 of the 269 votes in the House of Representatives. It fell within a month, after failing to win a vote of confidence. In March Seni’s brother, Kukrit Pramoj, leader of the small, right-wing Social Action (Kit Sangkhom) Party, was able to put together a more stable centrist coalition. During his year in office, Kukrit proposed such reforms as decentralizing economic planning to put development in the hands of locally elected committees, but measures of this nature were repeatedly defeated as members of the National Assembly rallied to protect their vested interests.
The overthrow of the Thanom regime had brought on a more vocal questioning of ties with the United States. Nationalist sentiment, which was frequently expressed in terms of anti-Americanism, ran high among students, who protested alleged American involvement in domestic Thai affairs and called for the speedy withdrawal of United States forces. Moreover, the changed geopolitical situation in Southeast Asia refocused the issue of the United States presence. Many Thai concluded that the country could not be reconciled with its communist neighbors as long as United States personnel were stationed on Thai soil. The pullout of the 27,000 United States military personnel in Thailand began in March 1975 and was completed in mid-1976. The Thai government stressed the need for continued United States military commitment in Southeast Asia, but from Bangkok's standpoint, the emphasis in relations between the two allies clearly shifted from one of military cooperation to economic and technical cooperation. United States-Thai relations were dealt a setback, however, by the Mayaguez incident in May 1975, when the United States used the airfield at Ban U Taphao without Thai consent as a staging base for the rescue of an American freighter detained by the Khmer Rouge. The incident was seen as a blow to Thai sovereignty and touched off anti-American demonstrations in Bangkok.

When South Vietnam, Laos, and Cambodia came under communist control in the spring of 1975, the Thai government's initial reaction was to seek an accommodation with the victors, but feelers extended to Hanoi met with a chilly reception. In July, however, Thailand established diplomatic relations with China, after two years of negotiations. That same year, Thailand became active in regional
technical and economic cooperation as part of the Association of Southeast Asian Nations (ASEAN), of which it had been a member since the organization's founding in 1967.

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. Although agricultural yield per hectare remained static, agricultural production kept up with population growth during the 1960s and 1970s because the amount of land under cultivation doubled during that period. Arable land reserves were being used up by the mid-1970s, however, except in the southern peninsula. Moreover, although increasing rice production had indeed brought together world and domestic rice prices, as government leaders of the 1960s had predicted, the premium nevertheless remained in effect. Its purpose now was to augment government revenues. More than US$40 million was derived from the rice premium in 1975, much of it earmarked, according to government sources, for agricultural development schemes as a form of income distribution.

The low incomes imposed by the rice premium and the lack of available credit adversely affected small owner-operated farms in the central plain's rice bowl that produced for the export market. Farmers left the land either to become wage laborers on large farms or to secure
industrial and service jobs in the cities. This migration to the cities was evident in the dramatic growth of the Bangkok-Thon Buri metropolitan area, where population exploded by 250 percent in the 1960s and 1970s to exceed 4.5 million in 1980.

Maintaining order was the most pressing problem facing the parliamentary regime and the most difficult one to resolve. For one thing, the communist-inspired insurgency persisted and generated a mistrust of all dissidents. The radicalization of the student movement was attributed to communist influence, and student leaders were regularly accused of being agents for Beijing and Hanoi. Particularly after the fall of South Vietnam, Laos, and Cambodia, all dissidents were likely to be labeled communists by the military and by right-wing politicians. Even in moderate government circles, misgivings were expressed about continued student activism and the growth of militancy against the monarchy. In April 1975, fourteen labor organizers and student leaders were arrested under anticomunist legislation used for the first time since Thanom's overthrow.

Adding to these political tensions were the plethora of new newspapers that came into existence after censorship and restrictions on the press were lifted in 1973. Although most were too small to be economically viable, they gave a voice to political factions of every persuasion and produced a cacophony with which many had difficulty coping. News reporting was a low priority for many newspapers, some of which operated solely as rumor mills engaging in extortion and blackmail. Government officials admitted that they were intimidated by the press.

Political murders and bombing became commonplace as open warfare broke out between leftist students and workers and rightist paramilitary groups, the latter openly supported by the police. In August
1975, police in Bangkok, striking to protest government weakness toward leftist students, went on a rampage through the Thammasat University campus. Several senior military officers and civilian conservatives formed the ultranationalist Nawa Phon (New Force) movement to defend "Nation-Religion-King" against the students, and by mid-1975 it claimed 50,000 members. A group of paramilitary vigilantes, the Red Gaurs (Red Bulls), recruited 25,000 members, largely unemployed vocational graduates and technical students, to disrupt student rallies and break strikes. The group was believed to have been organized by the police as an unofficial auxiliary. Another right-wing group with similar origins was the Village Scouts (Luk Sua Chaoban; literally, "village tiger cubs"). Right-wing power grew early in 1976, as pressure from the military forced Kukrit to resign after he had pressed corruption charges against army officers. Violence during the parliamentary election campaign the following April left more than thirty dead, including Socialist Party leader Bunsanong Bunyothanyan, and the new alignment in the House of Representatives brought back Seni as prime minister at the head of a four-party, right-wing coalition.

In August Praphat reappeared in Thailand and was received by the king. Although Seni asserted that he could not legally deport him, the former dictator's presence provoked widespread demonstrations that forced his return to Taiwan. The next month, however, Thanom was back in Thailand, garbed in a monk's robe and expressing his intention to enter a monastery. Despite renewed protests, the demoralized government allowed him to stay.

Political tensions between leftist and rightist forces reached a bloody climax in October 1976. On October 5, right-wing newspapers
in the capital published a photograph of student demonstrators at Thammasat University reenacting the strangling and hanging of two student protestors by police the previous month. The photograph, which was later found to have been altered, showed one of the students as being made up to resemble the king's son, Crown Prince Vajiralongkorn. The right wing perceived the demonstration as a damning act of lse-majeste.

That evening police surrounded the campus of Thammasat University, where 2,000 students were holding a sit-in. Fighting between students and police (including contingents of the paramilitary Border Patrol Police) broke out. The following day, groups of Nawa Phon, Red Gours, and Village Scouts "shock troops" surged onto the campus and launched a bloody assault in which hundreds of students were killed and wounded and more than 1,000 arrested. That evening the military seized power, established the National Administrative Reform Council (NARC), and ended that phase of Thailand's intermittent experimentation with democracy.

- **Military Rule and Limited Democracy**:

  With the support of the king and the military membership of NARC, a new government was formed under the prime ministership of Thanin Kraivichien, a former Supreme Court justice who had a reputation for honesty and integrity. Though a civilian, Thanin was a passionate anticommunist and established a regime that was in many ways more repressive than those of earlier military strongmen. He imposed strict censorship, placed unions under tight controls, and carried out anticommunist purges of the civil service and education institutions. Student leaders, driven underground by the October 1976 violence, left
urban areas to join the communist insurgency in the provinces. As a result of his harsh rule and a growing feeling within the political elite that university students, themselves members of the privileged classes, had been poorly treated, Thanin was replaced in October 1977 by General Kriangsak Chomanand.

Kriangsak was more conciliatory than his civilian predecessor and promised a new constitution and elections by 1979. He courted moderate union leaders, raising the minimum daily wage in the Bangkok area in 1978 and again in 1979. He allowed limited press freedom, and he gave verbal support to the idea of land reform, though no action in this area was forthcoming. In September 1978, he issued an amnesty for the "Bangkok 18" dissidents who had been arrested in the October 1976 violence and tried by military courts.

A new constitution was promulgated in December 1978. The 1978 Constitution established a bicameral legislature, the National Assembly, consisting of the popularly elected House of Representatives (301 members) and the appointed Senate (225 members). The military controlled appointment to the Senate, and it could block House of Representatives initiatives in important areas such as national security, the economy, the budget, and votes of no confidence. The 1978 document also stipulated that the prime minister and cabinet ministers did not have to be popularly elected. When elections were held on schedule in April 1979, moderate rightist parties--the Social Action Party, the Thai Citizens' Party, and the Chart Thai (Thai Nation) Party--won the largest number of seats, whereas the Democrats lost most of their seats.

Further changes came during 1979 and 1980, however, as economic conditions deteriorated in the wake of the second oil crisis.
Uncontrolled inflation caused the standard of living to fall in urban areas, especially Bangkok, while government dilatoriness and corruption in the villages stalled policies designed to help the farmers. In February 1980, the Kriangsak government announced sudden increases in the prices of oil, gas, and electricity. This action provoked opposition from elected politicians and demonstrations similar to those of 1973 by students and workers. As opposition grew, Kriangsak resigned. In March 1980, General Prem Tinsulanonda, who had been army commander in chief and defense minister, became prime minister with the support of younger officers of the armed forces and civilian political leaders.

2.3 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."

In January 1980, while dismissing as obsolete the flurry of seasonal rumors of an imminent coup, then-Prime Minister Kriangsak declared that "our military officers who are pursuing a democratic course" would never allow it to happen. He did not, however, rule out a coup if there were good reason, but only as a last resort. He also made the
point that he would step down if there was a majority political party run by trustworthy and efficient political party executives.

At the end of February, Kriangsak stepped down, not, however, because there was a party he could trust. Rather, the factious military was unable to give the former army commander in chief the unified support he needed at the time to weather a political storm brought on by economic troubles. Predictably, he was succeeded by Prem, the army commander in chief at the time, making Kriangsak the first ex-military prime minister ever to give up power voluntarily. Prem survived two attempted coups and provided years of stability, which the country needed for the institutionalization of a political process based on the party system. The development of party politics was still under way in 1987, albeit with occasional setbacks.

Although Prem initially ruled through a coalition cabinet of three parties--the Democrat (Prachathipat) Party, the Social Action (Kit Sangkhom) Party, and the Chart Thai (Thai Nation) Party--his real political base was the armed forces, the traditional source and guarantor of political power. In 1980, as from the early 1970s, the military was divided into several cliques. One of the more influential cliques called itself "the Young Military Officers Group," popularly nicknamed "the Young Turks." The influential members of this group belonged to Class Seven (1960 graduates) of the elite Chulachomklao Royal Military Academy. Their aim was to enhance military professionalism as well as to ensure a decisive role for the military in the Thai political process. In 1980 their support was key to Prem's ascension to the prime ministership. In April 1981, however, they turned against Prem, who at that time was still army commander in chief. Apparently the Young Turks believed that
Prem had betrayed their trust by consorting with political opportunists and party politicians in his coalition government and, worse yet, by taking sides with rival military cliques opposed to the Young Turks. For two days, the Young Turks controlled the capital city, but they failed to win the monarch's tacit consent, which had been crucial to the traditional legitimization of a coup. Thirty-eight coup plotters—including their leaders, Colonel Manoon Rupekahorn and Colonel Prachak Sawangchit—were dismissed from the army. After the abortive coup, General Arthit Kamlangtek, who was credited with a key role in thwarting the attempt, was promoted to commander of the First Army Region; traditionally, this post was regarded as the most strategic one in the making of coups and countercoups. It was also noticeable that Class Five (1958 graduates) of the military academy, the Young Turks' chief rival faction, were promoted to some key army posts.

In August 1981, Prem relinquished his post as army commander in chief but continued to head his second coalition cabinet. This coalition was formed in March 1981, after a cabinet crisis brought on by the withdrawal of the Social Action Party from the ruling coalition. The second coalition comprised the Chart Thai Party, the Democrat Party, and the United Democracy (Saha Prachathipatai) Party, the latter a loose alliance of minor parties. In December 1981, this cabinet was reorganized to make room for the Social Action Party, which decided to return to Prem's third cabinet.

Another notable development of the year was Kriangsak's entry into partisan politics when he won a parliamentary by-election in August. For this purpose, he founded the National Democracy (Chart Prachathipatai) Party in June. Thus, he became the first former army
commander in chief and prime minister to enter party politics through the so-called front door--the parliamentary route. Because of his background and experience, Kriangsak was often mentioned as an alternative to Prem.

Another frequently mentioned alternative was General Arthit, a palace favorite, whose rapid rise to the post of commander in chief of the army in October 1982 was unprecedented. To some Thai observers, outspoken Arthit was "the strongman of the future," destined to become the next prime minister.

It was not unusual for a Thai general to air his views publicly on socioeconomic or political issues, and such utterances were often considered important. As political scientist John L.S. Girling noted, "The power and authority of the military-bureaucratic regime, which had been so long in existence, depended not so much on the physical means of coercion that it possessed . . . as in the acceptance by extrabureaucratic elements of the inevitability of that power and their inability to challenge it."

In the 1980s, the military dominance in politics, however, seemed to be undergoing some change, partly because the officer corps was not as cohesive as it had been previously and hence was less able to impose its will. For example, the lack of unity among the officers and their allies in the Senate and the political parties was largely to blame for the failure to amend the Constitution in 1983. Factionalism continued unabated, particularly between members of Class Seven and of Class Five of the Chulachomkhla Royal Military Academy. The relative influence of these factions was reflected in the annual reshuffle of the military high command--the traditional barometer of real political power--announced each year in September. By 1983 the Class Five
faction, sometimes known as the "democratic soldiers" group, seemed to be particularly influential.

Another factor bearing on the military's changing political role was the generals' own growing perception that a coup was undemocratic, if not uncivilized. As a result, an increasing number of generals and colonels in retirement chose to involve themselves in party politics. In the election held on April 18, 1983, for example, the Chart Thai Party captured 73 of 324 seats in the House of Representatives--nearly twice its 1979 total. Led by Major General (retired) Pramarn Adireksan, this party had a large number of retired military officers. After the election, the Chart Thai Party emerged as the top party in parliament with 108 seats by absorbing independents and other minor party members. Nonetheless, it was not included in Prem's fourth coalition cabinet. This exclusion reportedly was because of the party's aggressive postelection maneuvers for what it claimed as the moral right to form a new government. Such aggressiveness antagonized other parties, which wanted Prem for another term as their consensus prime minister. Prem's fourth coalition consisted of four parties: Social Action Party, Democrat Party, Prachakorn Thai (Thai People) Party, and National Democracy Party.

The political situation was volatile during 1984, with rumors of a coup, a cabinet reorganization, and a rift between Prem and Arthit--two of the most frequently mentioned political actors. Arthit continued to project a forceful image with his confrontational approach, a sharp contrast to Prem's low-keyed, conciliatory approach. Also serving as the supreme commander of the armed forces beginning in September 1983, Arthit at times challenged the propriety of important government policies. In November, for
example, he made a televised condemnation of the government's policy of devaluation. Also in 1984, apparently with Arthit's blessing, some active-duty and retired army officers pressed for constitutional amendments aimed at enhancing their political influence through the Senate and the cabinet. A showdown between Arthit's camp and Prem's ruling coalition seemed imminent. Arthit backed off, however, urging the army officers to abandon, at least for the time, the drive for amendments. It appeared that the monarchy played a key role in defusing the tension. In this context, Thai political scientist Juree Vichit-Vadakan commented that the monarchy was "likely to be the single most important force capable of holding the country together during times of chaos and crisis and of assuring the viability of a democratic process in Thailand. With a clear commitment of the monarchy to a constitutional government, democracy Thai style ultimately may have a chance to take root."

In 1985 Thailand survived another military challenge to its constitutional government in the form of an abortive coup, again led by Manoon, the Young Turks colonel who had engineered the unsuccessful coup in 1981. On September 9, a small band of army and air force officers with several hundred men and twenty-two tanks made a vain predawn bid for power. The coup collapsed after ten hours, but not before seven persons were killed and scores wounded. Manoon was allowed to go into exile as part of a deal to avert further bloodshed. Among those detained for complicity were Kriangsak, Prem's predecessor and leader of the National Democracy Party; the former army commander in chief and supreme commander of the armed forces, General Sern Na Nakorn; the former deputy army commander in chief, General Yos Thephasdin na Ayutthaya; the former deputy supreme commander of the armed forces, Air Chief Marshal Krasae
Intharathat; and the still-serving deputy supreme commander of the armed forces Air Chief Marshal Arun Promthep.

The facts surrounding the affair were still unclear as of mid-1987, but observers generally suggested two reasons for the failure of the coup. One was factiousness in the military. The other was the perceived obsolescence of a coup, a view shared by a widening circle of military officers, senior civil servants, businessmen, financiers, industrialists, white-collar executives, intellectuals, and, significantly, by the king as well. According to this perception, popular demand for participation and representation, whetted by the advent of industrialization in Thailand, could be better accommodated by a parliamentary government than by an authoritarian and narrowly based military regime. Despite the absence of a successful coup since 1977, however, few informed Thai seemed to believe that the country was on a steady course toward fuller democratic rule. Thai political scientist Likhit Dhiravegin observed in December 1986, "[If] one probes deeper, one would get a feeling that despite the existence of the elected assembly and a Cabinet consisting of civilians, the final say on who should be the prime minister still rests mainly with the military."

In partisan politics, the Democrat Party, the oldest and the best organized party, fared well. Of the seven seats at stake in five by-elections held in 1985, the Democrats won five, four of them in Bangkok, where they also captured thirty-eight seats in the election for the fifty-four-member city council. One of the winning Democrats was General Harn Linanond, a former commander of the Fourth Army Region who quit the army in 1984 in a dispute with General Arthit. In 1985 Harn, who was deputy leader of the Democrat Party, and his party colleagues
opposed a one-year extension of service for Arthit, who was due for retirement in September 1985. The army had reportedly ordered its personnel in Bangkok to vote for former Lieutenant General Vitoon Yasawas, Harn's rival, running on the Social Action Party ticket.

Tensions between the army and the Democrat Party also surfaced in Thailand's first gubernatorial election for Bangkok in November 1985. This contest was won handily by former Major General Chamlong Srimuang, a devout Buddhist, former chief aide to Prem and former leader of the Class Seven military academy graduates. Chamlong ran as an independent but was strongly supported by Arthit, who publicly urged his subordinates and their families to vote against any party that had an antimilitary orientation. His urging was directed particularly against the Democrat Party. Arthit's support would have made little difference in the outcome of the contest because of Chamlong's immense personal appeal to nearly every segment of the Bangkok electorate.

The eventful year of 1986 augured well for the future of party politics. Prem's coalition overcame a minor cabinet crisis, reined in outspoken Arthit, held the third parliamentary election since 1979, and improved the climate for professionalization of the military. At the root of the cabinet crisis was endemic factional strife within the Social Action Party, the senior partner in Prem's four-party coalition. This problem necessitated a cabinet reorganization in January and, worse still, caused the coalition government an embarrassing parliamentary defeat on a routine legislative bill. Facing the certainty of a major parliamentary fight over a motion of no-confidence against his government, Prem consulted King Bhumibol and dissolved the House of Representatives, with an election slated for July 27--eleven months ahead of schedule. The
political arena was explosive at that juncture, as a result of mounting tension between the two competing poles of power--Prem and Arthit. Relations between them had become steadily strained since Arthit's public assault on the government's fiscal and monetary policies in November 1984.

Another complicating factor was Arthit's decision to set up the army's "election-monitoring center" in connection with the forthcoming election, an action some Thai criticized as an unwarranted foray into politics. Still another complication was active lobbying by Arthit's loyalists to have the army commander in chief's term extended another year to September 1987. If these loyalists had had their way, the extension would have enabled them to influence political realignment to their advantage in 1987--after Prem's four-year mandate expired in April. A new election, to be held within sixty days from mid-April, would have been held while the army was still under Arthit's direction.

On March 24, 1986, the government announced that Arthit would be retired as scheduled on September 1. Then on May 27, the government stunned the nation by dismissing the army commander in chief and replacing him with General Chaovalit Yongchaiyut, a Prem loyalist. Prior to that, no army commander in chief had been fired before the expiration of his term. This unprecedented action came amid the flurry of rumors that Arthit was involved in behind-the-scenes maneuvers to undermine Prem's chances for another premiership after the July election. Arthit, whose largely ceremonial post as supreme commander of the armed forces until September 1986 was not affected by the dismissal order, denied any role in such maneuvers.
Chaovalit quickly set the tone of his army leadership by promising to keep the military out of politics, by dissolving the army's election watchdog center, and by pledging military neutrality in the election. Later in August, the army announced that twenty-eight of the thirty-eight Young Turks officers cashiered in the wake of the abortive coup in 1981 had been reinstated to active service; Colonel Manoon officially remained a fugitive from prosecution. The reinstatement, though mostly to nonsensitive noncommand positions, was widely welcomed as an important step toward restoring unity in the army and improving the prospect for military professionalism. In the annual September reshuffle of senior military officials, Chaovalit strengthened his power base by appointing Class Five graduates of the military academy to key senior commands.

The July 1986 election involved the participation of 3,810 candidates representing 16 parties. Candidates of the outgoing coalition parties campaigned, generally avoiding any association with Prem. The contest literally was wide open; no single party was expected to win an electoral mandate outright in the newly enlarged 347-seat House of Representatives. As in 1983, Prem declined to run in this election, citing the "need to maintain my neutrality and to let the election be held . . . free from any factor that may sway the people." Nevertheless, because he might again be picked as the compromise choice of major parties to lead the postelection government, the issue of an elected or nonelected prime minister became a focus of campaign debate. Regardless of partisanship, however, nearly all agreed that the austerity measures that had been initiated by the outgoing government should be scuttled as a major step toward accelerating economic recovery and boosting rural incomes.
Evidently Bangkok's powerful banking and business families, who had suffered as a result of such measures since late 1984, effectively brought their influence to bear on many candidates. The army did not intervene, but Chaowalit warned that the military would not stand idly by if the postelection government failed the people's trust.

Predictably, no party emerged with a majority, although the Democrat Party captured the largest bloc of seats with 100, which was 44 more than it had in 1983. Most observers agreed that a coalition led by the Democrat Party would stand little chance of survival; the party had nowhere near a majority and, moreover, was traditionally the most outspoken critic of military involvement in politics. Thus, despite the lack of any ground swell for a nonelected prime minister, Prem again emerged as the compromise leader most acceptable to the army, the palace, and the major political parties.

The new coalition cabinet Prem unveiled in August consisted of four parties, with a combined strength of 232 seats distributed among the Democrat Party (100), the Chart Thai Party (63), the Social Action Party (51), and the Rassadorn (People) Party (18). These four were among the seven parties that initially agreed to support Prem; the remaining three not in the coalition were the Prachakorn Thai Party (24), the Ruam Thai (Thai Unity) Party (19), and the Community Action (Kit Prachakhorn) Party (15). The three parties later formed an opposition bloc with several other minor parties. The United Democracy Party, which commanded thirty-eight seats, agreed to support the opposition bloc in voting against the government on an issue-by-issue basis.

In September 1986, the fifty-four-year-old army commander in chief, Chaowalit, pledged his support for "the parliamentary
government,” adding that there would be "no more coups" as long as he was in charge of the army. Earlier, he had expressed an intention to retire in 1988 (reaffirmed in July 1987); if he did not, he could remain in his post until official retirement in 1992, or 1993 with a one-year extension of service.

On April 22, 1987, the Prem administration faced a no-confidence debate in parliament, the second one since October 1986. Eighty-four opposition members sponsored the no-confidence motion against the entire cabinet. However, amid allegations of bribery and rumors of a coup or a parliamentary dissolution, the censure bid failed. Fifteen of the sponsors, under heavy outside pressure, withdrew their names on the day the debate was scheduled to take place, leaving the motion one vote shy of the minimum seventy votes. Opposition leaders vowed to resubmit another no-confidence motion later.

2.4 History of Constitutionalism in Thailand:

The era of constitutionalism began in Thailand in 1931. Faced with daunting economic hardships and civil servants eager for a larger piece of the political pie, King Rama VII (Prajadhipok) began to speak in public of the need to formulate a written constitution. As early as 1926, Prajadhipok had considered the idea of a constitution, perhaps inspired by nationalist revolutions which toppled the absolute monarchies in China, Japan, and Europe. The great depression finally compelled the King to draft the Constitution, which he meant to proclaim to the nation on April 6, 1932. The document called for a prime minister; an appointed cabinet; a legislative assembly where half the representatives were appointed while the other half were elected; and finally a role for the king
to propose legislation and veto decisions of both the cabinet and assembly. However, as Prajadhipok was pressured by senior princes to reconsider, his constitutional proposal never saw the public light of day. On June 24, 1932, the “Promoters’ Coup” effectively put an end to Thailand’s absolute monarchy.

The first effective constitution was implemented in 1932 by the People’s Party government of Pridi Banomyong and Phibul Songkram. This “Interim Charter for the Administration of Siam Act” remained effective until December 10, 1932. This, Thailand’s first de jure constitution, sought to institutionalize the reduction of monarchical power to a mere consultative role. It provided for a unicameral National Assembly of 70 appointed MPs that possessed several wide-ranging powers including the power to dismiss the Council of Ministers. At the same time, the Prime Minister was not granted the authority to dismiss the Parliament. Political parties (save for the People’s Party) were not allowed and state power was vested in the bureaucracy.

Thailand’s second constitution (in force from December 10, 1932 until May 9, 1946) marked a gradual transition towards a minimalist democratic structure. Political parties were again not allowed and power remained concentrated in the state/military but an election law was promulgated. The new electoral system consisted of single member constituencies where there was one MP for a constituency of 200,000 people. Indirect elections for half of the assembly’s deputies were first
held on November 15, 1933 and direct elections for half first happened on November 7, 1937.

The country’s third constitution, adopted in 1946, was considered one of Thailand’s most democratic. While the electoral system remained the same, political parties were tolerated for the first time. The Parliament was made bicameral with equal representation. Members of the House served four-year terms while Senators, also elected, served six-year terms. Finally, government officials and military officers were forbidden from simultaneously serving as members of parliament. A military coup put an end to this constitution in 1947.

Thailand’s fourth constitution, an interim charter, represented a reduction in political space. Members of the Senate were now appointed rather than elected. Also, the multi-member constituency system replaced the single member constituency system which had been in effect since 1932. This new electoral system favored larger provinces since the amount of MPs in the constituency depended on the total number of people in each province. Thus, large provinces such as Nakorn Rachasima could have as many as 10 MPs.10

Thailand’s 1949 (fifth) constitution sought to institutionalize this charter more permanently. Indeed, little was changed from the fourth to the fifth constitution. Constituencies continued to be province-wide, with one MP per every 150,000 people. This constitution endured until cut short by a military coup.

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In 1952, the 1932 Constitution was dusted off and again proclaimed as the law of the land. There were, however, some amendments: political parties were allowed while the electoral system of the previous constitution was continued. However, state power was once again vested in the military/bureaucracy who could concurrently serve as MPs. Also, Thailand once again had a unicameral Parliament with both elected and appointed members. The constitution finally came to end due to a military coup by Sarit Thanarat in 1958.

The seventh constitution (1959) was perhaps the most repressive in Thailand’s history. The parliament was unicameral, consisting of 240 mostly military appointees. Political parties were meanwhile not allowed and Article 17 effectively gave the Prime Minister (Sarit) absolute power. This charter lasted through the death of Sarit until well into the administration of Generals Thanom Kittikajorn and Prapas Charusathien (1968). The new constitution called for a bicameral Parliament with a Senate composed of military appointees. The lower house of Parliament was, however, clearly separated from the Executive. Moreover, MPs could not concurrently serve as cabinet ministers. Political parties were once again legalized and once again there was a province-wide constituency, with one MP for a constituency of 150,000. This constitution was overturned by a coup by the military junta against itself on 1971. The ninth constitution was similar to Sarit’s original document. Extensive power was returned to the Prime Minister through Article 17. Political parties were again not allowed. A unicameral Parliament was composed of appointed military officers. This charter was terminated following the 1973 flight of Thanom and Prapas, and the promulgation of the 1974 constitution.
The 1974 constitution represented a tremendous opening of political space in Thailand. More than ever before, political parties, rather than the military, dominated state power. A Constitution Drafting Committee composed of individuals from various strata of society formulated the final document. The Speaker of the House, not the President of the Senate, for the first time became the President of the National Assembly. The Thai Parliament was once again bicameral with an elected lower house and appointed Senate. However, an important new amendment provided that the Prime Minister, rather than the President of the Privy Council, was to countersign the Royal Declaration appointing Senators. Political parties were once again legalized. Bureaucrats were once again not allowed to simultaneously hold political positions. Finally, with regard to electoral system, constituencies were once again province-wide with one MP for a population of 150,000, but a province with over 3 MPs was to be divided into two or more constituencies, each with at least 1 but not more than 3 MPs. This marked an improvement in the electoral system: populous provinces could no longer so easily dominate the smaller ones. The 1974 constitution was abrogated with the coup d’etat of October 6, 1976.

The 1976 constitution, similar to Sarit’s 1958 charter, represented a severe closing of political space. Political parties were banned and extensive power was again vested in the military. Article 21 granted the Prime Minister (Thanin) and his Council of Ministers extraordinary state powers. This government was dominated by the 1976

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11 Ibid., p.429.
military coup group. The constitution, however, came to end with the military coup of 1977.

In 1977, an interim charter was proclaimed which was virtually the same as the 1976 constitution in terms of being highly centralized and designed to enforce an authoritarian regime. The only difference perhaps was that power was now vested in a National Policy Council.

The 1978 constitution represented a gradual opening of political space. For the first time, the legislature was given the power to submit a motion for general debate for a vote of no-confidence against a minister or ministers while the executive was empowered to dissolve the House of Representatives. The Senate was meanwhile composed of appointed military officers. Finally, the Constitution did not require the Prime Minister to necessarily be a member of the lower house. This constitution was perhaps the most fused balance of power between the Executive and Legislature to date. The first government under this constitution, that of Kriangsak Chomanand, did not include any political parties. However, his successor Prem Tinsulanond, did include political parties, and indeed, during the life-span of this constitution, a civilian Prime Minister, Chatthai Choonhavan, was elected.

The 14th constitution was promulgated by the coup-makers of 1991. As such it represented a lessening of political space in Thailand. The interim charter was similar to that of Sarit with a single unicameral parliamentary body of appointed members. Still, political parties were not banned. However, power was vested in the National Peace-Keeping Council, dominated by General Suchinda Kraprayoon and other coup instigators. Article 27 granted special state power to the chairman of this
Council. The 15th Constitution was adopted by a 20-member Constitution Drafting Committee appointed by the coup plotters. While the finished product was quite similar to the 1978 constitution, several post-junta amendments ensured the Constitution’s survival up to 1997.\(^\text{12}\)

Thailand’s 15 constitutions from 1932 to 1991 demonstrate that the country’s political system has been one constantly in flux. The social construct of Thai constitutionalism has had little time to become sufficiently imbedded. That is, with the laws of the land never set in stone for a substantial amount of time, it has been difficult to establish any sense of long-term trust in or respect for Thailand’s legal/statutory system. In other words there has been a dearth of institutional legitimacy. Thus, constitutionalism in Thailand might be seen as what Chai-anan Samudvanija refers to as “institutionalized anarchy.”\(^\text{13}\)

The Constitution, promulgated on December 22, 1978, is the country's twelfth such document since 1932, when Thailand, then called Siam, first became a constitutional monarchy. Thailand's numerous constitutions resulted, in part, from various coup leaders revoking an old constitution and announcing an interim one in order to legitimate their takeover until a permanent constitution could be promulgated. Political maneuvers aimed at amending constitutional provisions have often shed light on the interplay of Thai political forces and the personalities and issues involved.


The Constitution provides for a parliamentary form of government with the king as titular head of state. In theory, the monarch exercises popularly derived power through the National Assembly, the Council of Ministers, and the courts. In reality, power is wielded by the prime minister--the head of government--who chairs the Council of Ministers, or cabinet.

The Constitution includes a long chapter on the rights and liberties of the people, in which are guaranteed due process of law; sanctity of the family; rights of property and inheritance; freedom from forced labor, except by law in times of national emergencies or armed hostilities; and the inviolability of the person and private communications. Censorship is banned except by law for the purpose of "public order or good morals, public safety, or for maintaining the security of the state." Also guaranteed are freedom of the press, freedom of speech, freedom of religious worship, and the right of peaceful assembly; freedom of residence and movement within the kingdom; the right to organize voluntary associations; the right to establish a political party and engage in political activities within a democratic framework; and the right to petition against public institutions. These rights and liberties, however, are not to be used against the interest of "the Nation, religion, the King, and the Constitution."

Affairs of state must conform to a set of principles, which, among other things, obligate the state to maintain the monarchy, provide compulsory and free education, and promote public understanding of and belief in a democratic form of government with the king as its head. The state is also directed to ensure that the people enjoy the right of self-government as prescribed by law. Other directive principles urge the state
to encourage private economic initiatives, raise the economic and social status of the citizenry to the level of "comfortable livelihood," and secure either landownership or land use rights for all farmers by means of land reform or other appropriate measures. The state is also called upon to promote culture, environmental protection, planned parenthood, and public health.

The power of the state, exercised through a centralized form of government, is divided into legislative, executive, and judicial categories. The state revolves around the king, the bicameral legislature, the cabinet, the judiciary, the local government, and the Constitutional Tribunal.

The Constitution may be amended by motions introduced either by the cabinet or by one-third of the members of the lower house of the National Assembly; in the latter case, a motion must be in accordance with a resolution adopted by the political party to which the proponents of the amendment belong. This provision is designed to encourage responsible party politics by prohibiting motions by members acting in defiance of party discipline. An amendment bill is deliberated in three readings and must be approved by more than one-half of the total members of both houses.

The interpretation of the Constitution is under the jurisdiction of both the National Assembly and the Constitutional Tribunal. Except for matters reserved for the Constitutional Tribunal, questions relating to the power and duty of the legislature are resolved by the assembly sitting in joint session. The tribunal is responsible for deciding the legality of a bill passed by the National Assembly. If at least one-fifth of the National Assembly members object to a given bill before
it is given royal assent, they may request the president of either chamber to refer the disputed bill to the tribunal for adjudication. The prime minister also may raise an objection to the tribunal directly. Decisions by the Constitutional Tribunal are final and cannot be appealed.

2.5 Thailand’s 1997 Constitution:

General Suchinda Kraprayoon ultimately failed to institutionalize the military’s grip on power behind the veneer of democratic legitimization. Massive demonstrations by students, white collar workers, and laborers, and the harsh state crackdown on these elements all crystallized into an army massacre of civilians on May 18, 1992. These events, reported by both domestic and international media, effectively turned most local and global opinion against the regime. Ultimately, the King called for Suchinda to resign and new elections to be held. The result was that the Thai military in 1992 was at its lowest level of political influence since 1973. Progressive forces were able to step into this vacuum and push for much greater rule of law, accountability, and government effectiveness. Indeed, the progressives’ successful push for constitutional amendments certainly kept the 1991 constitution alive for 6 years. One 1992 amendment made the Speaker of the House the President of the National Assembly; another reduced the power of the Senate; a third required that the Prime Minister be a member of the House of Representatives. A hunger strike by former MP and political activist Chalard Vorachart perhaps helped to push the reform forward. Chalard ended his hunger strike after the government agreed to modify the 1991 constitution. The fifth amendment was an effort to democratize certain sections of the constitution deemed by many
as undemocratic. The wrangle over these issues led to the compromise 6th amendment, passed in 1996. This called for the National Assembly to elect a Constitution Drafting Assembly (CDA), made up of 99 members outside the National Assembly. Their duty was to pave the way for a new constitution through public input from across the country. As Dr. Borwornsak Uwanno and W.D. Burns have pointed out, the Drafting Assembly was ultimately successful thanks to the unified efforts of three reform advocates: Dr. Prawase Wasi, a social activist and head of the Committee for Developing Democracy; Anand Panycharayun, former prime minister, and Uthai Pimchaichon, three times Speaker of the Lower House and a career parliamentarian known for his integrity\textsuperscript{14}. The National Assembly ultimately approved these recommendations and Thailand’s 16th Constitution became law on October 11, 1997.

The 1997 constitution represents a revolution in Thai politics. It was a bold attempt at conferring greater power to the Thai people than had ever been granted before. It was a demonstration of the political capital possessed by the progressive forces of pluralism since they succeeded in getting the document passed. It marked the realization by both traditional elite and military elements that political times might have changed and power might have to be pursued differently. Finally, as the constitution took effect amidst Thailand’s economic fragility, it was a clear message to the business and political elite that transparency, good governance, accountability, and political stability were matters which must be immediately and adequately addressed.

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.

One can see these fundamentals embodied in the various parts of the charter. The constitution first details the civil rights and duties of the people. For the first time ever, discrimination based on gender, race, language, religion, age, education, physical condition, financial status, and opinions is prohibited. Secondly, state censorship of the media is illegal: freedom of information is guaranteed. Third, individuals may sue the state and lodge complaints with the newly created Ombudsman and Human Rights Commission. Free public education is guaranteed up to 12 years. The right to privacy; freedom of residence location; community and environmental rights are all assured. Finally, all citizens 18 and over are required to vote in elections. The mandatory voting is intended to reduce vote-buying since the number of votes to be bought would be too high for any party to buy them all.15

Decentralization of power to localities is yet another key guarantee in the 1997 Constitution. Although provincial governors are

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still appointed, several clauses direct the central government to grant greater authority and autonomy to local level government organs so as to permit greater grassroots pluralist participation and input. Chapter V, for example, devolves “power to local administrative bodies so that they can make their own decisions on local development.” Decentralization involves the provision of education, public health, and environmental management.

A second theme of the new constitution is heightened transparency and an improved regulatory framework. To ensure that both potential and acting politicians and bureaucrats do not abuse their powers, six autonomous institutes were set up under the constitution. These are the Constitutional Court, the Election Commission, the National Human Rights Commission, Office of the Ombudsman, the National Prevention and Counter Corruption Commission, the National Comptroller Commission, and the Anti-Money-Laundering Organization. The Office of the Ombudsman examines complaints of abuse of power or violations of human rights by state officials. The Electoral Commission replaces the Interior Ministry (some of whose officials were alleged to be biased and corrupt) in overseeing local, provincial, and national elections. It can issue penalties to candidates who engage in electoral irregularities. First, there is the issuance of “red cards” which disqualifies candidates from subsequent election rounds, forbids them from running in elections for one year, and forces them to pay for repeat elections. Secondly, there are “yellow cards” which quash the election results of candidates suspected of improprieties but permits them to run in a second electoral

round. The Constitutional Court looks into cases of constitutional illegalities among politicians and bureaucrats. It can also look into bills that 10% of parliamentarians or the prime minister see as unconstitutional. The National Counter Corruption Commission is a vastly strengthened and autonomous version of the previous body. It forbids MPs and senior bureaucrats from receiving state concessions, makes ministers hold their corporate stock in blind trusts, and has the power to investigate any allegations of officials’ financial improprieties. The Anti-Money-Laundering Organization conducts financial probes of individuals or groups suspected of illegal behavior. The members of these bodies are selected by the Senate (itself technically a nonpartisan body) and then submitted to the King for approval. Transparency has also moved into the realms of political parties, which must report their financial status and are audited by the government each year.

A third theme of the new constitution is greater rule of law and enhanced institutional stability. Emphasis is placed on checks and balances as well as separation of powers. In terms of separation of powers, the judiciary is therefore to be kept independent from the Ministry of Justice. Meanwhile, the prime minister selects the cabinet, presides over the dominant coalition majority in the House of Representatives, and can dissolve the legislature. In terms of education, all MPs must have at least a bachelor’s degree. The influence of the legislature over the prime minister is limited in two specific ways: first, the number of cabinet members is fixed at a maximum of 36 (including the prime minister). This diminishes the number of non-bureaucratic politicians in the executive, thus facilitating policy implementation and
reducing the number of politicos who seek to collect rent in the council of ministers.

Legislative influence is limited secondly because henceforth MPs appointed to the cabinet from a party list lose their MP status and will be replaced by persons on the list in the order of succession. MPs named to the cabinet from a single member constituency system will also lose MP status and a by-election will be called to fill the MP slot. Under the previous 1991 constitution, there was no law against MPs also holding portfolios. This gave them some say-so in coalition affairs; havens from which to extract rent to both sustain and enlarge their faction; and finally a disruptive conflict of interest between factional loyalty and coalition loyalty. The new system seeks to reduce this.

The House of Representatives meanwhile has the power to force the resignation of a Prime Minister or cabinet ministers through a vote of no-confidence. A two-fifths vote is required for debate to commence against a prime minister while for individual ministers the vote must be one-fifth. At least one-half of the House must then approve a successful no confidence vote.

Under the new election system for the House, there will be 500 MPs, 100 from closed party lists where district magnitude = 1, while the other 400 come from single-seat constituencies (chapter 6, part 2). The votes are to be tallied in a central location. Under the previous 1991 constitution, Thailand was divided into multi-member districts (M = 1, 2, or 3 depending on district population [a ration of 150,000 citizens for one MP]) as well as multiple vote. This previous system made it necessary for MPs to compete against each other during elections which helped to breed and sustain factionalism.
The new system is supposed to reduce this. According to Suchit Bunbongkorn, the proportional party list system may well reduce the rate of vote buying since the constituency will become too large for all votes therein to be bought. Proportional representation is moreover supposed to strengthen the party system since people would cast votes directly for parties. Party list candidates might likewise have more national standpoints since they would have been elected by constituents throughout the country. Suchitra Punyaratabandha believes, however, that the system would not deter traditional money politics since it would tempt politicians to trade financial contributions to party coffers for a top-ten slot on the party list. A possible answer to this would be to allow open party lists, although this might in turn increase party factionalism.

Meanwhile, according to Kanin Boonsuwan, deputy chairman of the 1997 Draft Constitution Scrutiny Committee, “the single seat constituency election method would help lessen the chance of MPs grouping together [to] form factions, and this would deter businessmen in the guise of party financiers who might want to buy the loyalty of factions in their parties in order to increase their bargaining power.” The single member district system (SMD) and centralized counting of poll returns are also supposed to reduce money politics since it is assumed that SMD would prove too expensive for politicians to buy


19 Quoted in Bangkok Post, June 10, 1997.
enough votes while centralized voting would ensure greater monitoring by authorities. In parliament, the new constitution has sought to increase stability by requiring at least 200 votes to introduce a censure motion.

Like the House of Representatives, the new Senate is elected. Its 200 members have 6-year terms, they cannot be members of parties (or have partisan connections), and they cannot hold a cabinet portfolio. Term limits restrict senators to two consecutive terms and replacement comes only through by-election. Under Thailand’s previous constitutions, there was a far higher number of senators, they were either appointed, or there was only a unicameral system. Senatorial candidates are, like House candidates, overseen by the new Election Commission. Senators are not allowed to directly campaign or even use microphones. The new system, whereby senators are elected at different years then their colleagues in the House, should meanwhile reduce any generalized voting patterns at election time. The nonpartisan aspect of the new Senate is meanwhile supposed to keep partisan and factional tendencies at bay. The new Senate cannot introduce bills but can appoint members of the new independent commissions. The Senate can also introduce motions for general debate and remove officials from office deemed to have abused their power.

A major problem pervasively hindering democratic stability has been the ability of MPs to easily switch parties and align themselves with the side that offers them the best material benefits. Under the 1997 constitution, MPs must be registered members of political parties at least 90 days before the election date (chapter 6, part 2). Meanwhile, elections must be held 45 days after the dissolution of the lower house of Parliament. Since party-switching is supposed to occur between
dissolution and election, this provision may thus effectively reduce such activity. Prime Ministers could hold snap elections which would not give migratory politicians enough time if they wanted to switch to run under a different party banner. Under the previous 1991 constitution, there was no such requirement which made party migration during election time easy and convenient. The reduction of party switching may reduce party migration by politicians and factions (e.g. Wang Nam Yen’s move from Chart Thai to Kwam Wang Mai to Thai Rak Thai), thus increasing coalition stability.

To guarantee continuing political reform and prevent any initial backsliding away from pluralism, the constitution stipulates that 5 years must have passed before any amendments can be made. Amendments can be proposed by the cabinet, 1/5 of the House of Representatives, 1/5 of the House of Representatives and Senate together. The Constitutional Court, National Counter Corruption Commission, and Election Commission can also make constitutional changes or interpretations.

2.6 Thai Political Parties:

In the late 1980s, the Thai political party system continued to evolve, albeit spasmodically. It was at a delicate stage of transition from its past status as an adjunct to the bureaucratic establishment to a more substantial role as a channel for popular representation and a provider of top political executives.

The concept of party politics dated back to the early 1930s, but its impact was generally insignificant, having been overshadowed by the military-bureaucratic elite. The struggle for power was nearly always
settled by coup, and the pluralistic demands of the society were accommodated through either bureaucratic channels or patron-client connections. For decades political parties had an uncertain status. When they existed, they did so at the sufferance of generals, who abolished or revived them at will. Parties were unable to maintain continuity, nor could they develop a mass base. Part of the problem was the bad image of partisan politics, which the politicians brought on themselves through their unscrupulous pursuit of self-interest.

Party politics received a major impetus from the student uprising of October 1973. Forty-two parties participated in the 1975 parliamentary election, and thirty-nine participated the following year. The freewheeling partisan politics during the so-called democratic period of 1973-76 ended in the coup of October 1976. Kriangsak, the army commander in chief, appointed a civilian-led government, but the Thanin Kraivichien regime turned out to be overly repressive and was overthrown in 1977. Assuming the office of prime minister himself, Kriangsak permitted the resumption of party politics banned by Thanin. Of the 39 parties that took part in the April 1979 election, 7 parties captured about 70 percent of the 301 contested seats.

As a result of the confusion stemming from the proliferation of minor parties, a new political parties act was passed in July 1981. The act, which became effective in 1983, specified that to participate in an election, a party must have a minimum of 5,000 members spread throughout the country's four geographical regions. In each region, at least five provinces must have members, the minimum per province being fifty. The membership requirement was designed to foster the development of mass-based parties catering to broad national interests.
rather than narrow, sectional interests. Another provision of the act stipulated that a party must put up candidates for at least half the total lower house seats, or 174 seats. As a result, in the 1983 and 1986 elections, the number of participating parties was reduced to fourteen and sixteen, respectively. In order to satisfy the legal requirements, some parties fielded candidates recruited from among recent college graduates. In the 1980s, the country's multiparty system continued to suffer from traditional long-standing problems. These included organizational frailty and lack of discipline, endemic factionalism, the emphasis on personalities over issues, and the politicians' penchant for vote-buying and influence-peddling. Parties were formed, as before, by well-known or wealthy individuals to promote their own personal, familial, parochial, or regional interests. Observers expressed concern that failure to improve the party system could result in a return to authoritarian military rule.

The perception that political parties and politicians were unworthy of trust was widespread in 1987. However, a coup was ruled out by Chaovalit, the new army commander in chief, even though he publicly castigated politicians as venal and hypocritical. In February he asserted that political parties, the Constitution, and elections alone would not make for a genuine democracy in Thailand, where, he argued, the party system and elections were controlled by a wealthy few who used the trappings of democracy for their own benefit. Appearing before a parliamentary committee in April 1987, Chaovalit maintained that to build a real Thai-style democracy with the king as head of state, the ever-widening income disparity must be narrowed first and that at the same time political parties and all government entities including the military "must join hands and walk ahead together."
The major Thai parties, which Chaovilat had criticized, were mostly right-of-center. Their numerical representation in the House of Representatives varied considerably from one election to another. Of the four ruling coalition parties in 1987, the Democrat Party was considered to be somewhat liberal, despite its beginning in 1946 as a conservative, monarchist party. Seni Pramoj, prime minister in 1946 and again in 1976, led the party from its inception until 1979. In 1974 the party suffered major fragmentation and lost some key figures, including Kukrit, Seni's brother, who formed the Social Action Party that year. In the 1979 election, the Democrats suffered a major setback but rebounded in 1983. Over the years, this party consistently opposed military involvement in politics and actively sought to broaden its base of support across all social segments and geographical regions. In recent years, particularly after July 1986, the Democrats were racked by internal strife. Their leader Bhichai Rattakul, deputy prime minister in Prem's coalition, was reconfirmed in a factional showdown in January 1987. Afterward, retired Lieutenant Colonel Sanan Khachornprasart was named secretary general, in place of Veera Musikapong, whose faction had been backed by wealthy Bangkok businessman Chalermphan Srivikorn. Some registered and recognized parties are as below:

- **Social Action Parties กิจสังคม**
- **Thai National Party ชาติไทย**
- **Thai Democracy Party ไทยประชาธิปไตย**
- **Thai Rak Thai Party ไทยรักไทย**
- **Thai Citizen Party ประชาชนไทย**
- **Democrat Party ประชาธิปต**
- **Party of the People ประชาชน**
- **The Mother Land Party พรรคถิ่นไทย**
- **New Inspriration Party พรรคความหวังใหม่**
The **Chart Thai Party**, sometimes called the "generals' party," was founded in 1974 by a group of retired generals and was led until July 1986 by Pramarn Adireksan, retired major general and former president of the Association of Thai Industries and the Thai Textile Association. Aggressively anticommunist, Chart Thai was backed by a number of prominent industrialists. After the July 1986 election, it was led by retired General Chatichai Choonhaven, whose relationship with Prem was friendly.

The **Social Action Party**, a 1974 offshoot of the **Democrat Party**, was led by Thai statesman Kukrit Pramoj until he stepped down in December 1985. The party was led thereafter by the former deputy party leader and minister of foreign affairs, Siddhi Savetsila, a retired air chief marshal. More than any other party, the Social Action Party was identified with a free enterprise economy. In the 1986 election, the party suffered a severe loss, brought on in no small part by its own internal strife.

In May 1986, a splinter faction led by seventy-four-year-old Boontheng Thongsawasdi formed the United Democracy Party with financial support from big business--amid a spate of rumors that General Arthit was also among the party's behind-the-scenes backers. In the July 1986 election and afterward, the **United Democracy Party** was outspokenly critical of the Prem administration.

The **Rassadorn Party**, the fourth member of the ruling coalition, was formed only a few months before the July 1986 election; until May 1986 it was known as the **National Union (Sahachat) Party**. Its leader was Thienchai Sirisamphan, retired deputy army commander in chief. Rassadorn came to be known as a **pak taharn (military party)**
because its key party posts were held by retired generals. Its entry into partisan politics was welcomed by many for providing a constructive channel for military involvement in parliamentary government.

The exclusion of the **United Democracy Party** from the fifth coalition government was predictable in light of its anti-Prem stance. However, it probably came as a surprise to Samak Sundaravej, leader of the **Prachakorn Thai Party** formed in 1978, that his right-wing and monarchist group was not invited to join the coalition. Before the election, master orator Samak stated that the new postelection government should continue its strong military ties and should once again be led by outgoing Prem. In so doing, he rejected the suggestion that Kukrit Pramoj, who had retired from party politics altogether in May 1986, should head the new post election regime.

The **Ruam Thai Party** and the **Community Action Party**, both formed in 1986, were also among the seven parties supporting Prem for continued premiership; but they, too, were left out of the coalition. The leader of the Ruam Thai Party, Narong Wongwan, was a former member of the Social Action Party and outgoing minister of agriculture and cooperatives. The Community Action Party was led by its founder Boonchu Rojanasathien, one-time deputy prime minister in charge of economic affairs, ex-deputy leader of the Social Action Party, and former president of the Bangkok Bank.

The remaining seven parties with one or more elected House of Representatives members formed the "Group of Nineteen," so named because of their combined total of nineteen members. These parties agreed in August 1986 to join with other noncoalition parties to form a united front in an attempt to ensure efficient and systematic monitoring
of the government. In a crucial showdown over a no-confidence motion against the Prem government in April 1987, however, the opposition bloc suffered a major political embarrassment because of the last-minute defection from the censure debate by fifteen of its members. Boonchu, chief strategist of the five-member opposition leadership team, expelled five members from his Community Action Party for their action.

2.7 Party Activities in Parliament

Politicians who have won a seat in parliament are eager to produce and work in support of policies which benefit their voters and shape political and social development according to their and their parties’ preferences. Their performance in parliament is monitored and evaluated by voters. The political parties whose behavior in parliament is not monitored by an active opposition or by informed voters, and parties that are very secure in their hold on power, are more likely to indulge in extralegal means of enrichment and exercise of power.

In countries with a weak party system, a high level of party fluctuation, and a high turnover in government, politicians and parties might face the prospect of losing power after just one term in office, independently of how they perform. Consequently, they might be more likely to use their offices to maximize personal profit for party leaders and to channel as many benefits as possible to supporters, family, and friends. Party members in parliament also might be tempted to serve the interest of their parties’ leaders in the hopes of securing a future appointment elsewhere.
A strong party leadership that controls the activities of all party members in parliament can use its authority to further democracy and political and economic development, and to benefit the public good. However, party leaders might also decide to support the agendas of wealthy organized interest or certain social groups in exchange for pay-offs, and pressure party members in parliament to support this agenda. Party discipline may also be used to suppress criticism from party members of corrupt activities by party leaders.

2.8 Party Control over State Resources and Redistribution

Ruling parties are not only shaping political agendas and institutional and economic development, but also monitor the bureaucracy, control the distribution and management of public resources, and supervise the activities of public corporations. Parties in government play an important role in shaping the relationship between state and society, and between wealthy interests and power.

For the development of corrupt structures, the levels party competition and party control over state institutions and society are important. The more control a party has over state institutions and society, and the lower the level of party competition, the higher is the risk for corrupt behavior. On the other hand, in liberal democracies with high party competition, a clear separation of power, leadership accountability and functioning checks and balances as well as a vibrant civil society, corrupt actors face a higher risk of exposure and consequently, of being driven out of power, thus keeping corruption at bay. Similarly, autocratic parties whose leaders do not allow opposition parties, often use their power monopoly to exploit public resources and to manipulate state institutions for the accumulation of personal profit for themselves and their supporters.
Multiparty systems with active party competition can generally be considered less vulnerable to corruption. Party competition provides voters with an alternative when they do not approve of the ruling party’s politics, and it thus prevents parties from extortion. However, even multiparty systems run risk to suffer from corruption when major parties politicize society and thus take control over important sectors of business and public life. Under such conditions, a change in government might indicate who is ‘in’ and who is ‘out’, but might no longer provide voters with an alternative.

2.9 Laws for Political Party:

The new organic laws on political parties and elections make it possible to found a party with only 15 persons filing registration. But a new party must also acquire 5000 members within 180 days and must expand into various provinces and have branches in each region of the country. In terms of electoral expenditure, “a candidate or a political party shall not pay in an election exceeding the amount of expenditure…” as determined by the electoral commission on both a constituency and party-list basis (Organic Law on elections, 1998, part 6, section 41). Where the candidate or party has paid in the election for any expense, such amount shall be subtracted from the subsidy. Moreover, the organic law on elections requires candidates and political parties to prepare income and expenditure accounts which are then to be audited by the electoral commission (Ibid., section 42, 43). Furthermore, the new law forbids candidates from inducing electors to vote for him or her or abstain from voting by “providing, giving, offering, promising to give, or preparing to give properties or any other benefits…to any person” or to any community association, etc (Organic Law on Elections, part 6, section 44).
Party leaders must file the assets of themselves and their family members, and party members or MPs can petition the Constitutional Court against party decisions which might be seen to go against the Constitution or MP duties. Furthermore, the new law offers subsidies to political parties even if those parties lack a seat in parliament. While this provision was designed to make small parties better compete with larger parties, a scandal erupted in January 2000 when it was discovered that “a number of shell parties had been able to cash in on the subsidies because the [electoral] commission lacked the personnel to check their activities….”\textsuperscript{20} Officials have since sought better enforcement. Ultimately, according to Thanet Aphornsuvan, the 1998 political party reforms were meant to diminish traditional political party factionalism and money politics\textsuperscript{21}. It is still too early to judge whether it has done so or not.

Given that the new constitutional rules favor a lessening in the number of parties and a growth in their size, the new party law anticipated in Chapter V a section on the amalgamation of political parties. When Thaksin’s Thai Rak Thai won a near majority in the January 2001 elections, many parties wanted to enter the ruling coalition but Thaksin encouraged mostly encouraged merging into Thai Rak Thai. Seritham Party officially merged with Thai Rak Thai on July 14, 2001, bringing the latter’s numbers to 262. The New Aspiration Party leadership, despite certain dissent from at least two factions, was also keen to merge and Thaksin was even entering into discussions with Chart Pattana, part of the opposition. Certainly mergers would dilute the power

\textsuperscript{20} Bangkok Post, January 21, 2000.  
\textsuperscript{21} Aphornsuvan, 2000, pp.98-99.
of faction leaders like Sanoh Thientong, head of Wang Nam Yen. But a super-party full of politicians with no shared policy views save the desire to maximize material gain could become a virtual castle of cards.

**Thaksin’s Acquittal:**

Since before the January 2001 elections, Thaksin Shinawatra had been bedeviled by an assets concealment case strikingly similar to Sanan Kachonprasat’s a year earlier. Sanan himself brought the case against Thaksin before the National Counter Corruption Commission (NCCC). After investigating, the NCCC charged the following: 1) at his first assets declaration November 7, 1997, Thaksin failed to report shares worth 2.37 billion baht; 2) at his second declaration, he did not report 1.52 billion; 3) at his third declaration Thaksin failed to report 647 million baht. All in all, it was alleged that Thaksin concealed assets worth around $150 million (mostly transferred to relatives, friends, and household servants) probably to avert stock market rules and taxes. Thaksin also concealed his purchase of the Alpine Golf and Sports Club which he bought from Sanoh Thientong in 1997. Thaksin claimed that his wife had made all the financial decisions and that it had all been simply an “honest mistake.”

The Constitutional Court agreed to take up the case and its 15 member panel eventually reached a decision on August 3, 2001. The result was a razor-thin, 8-7 victory for Thaksin. On all three charges he was acquitted. The 8 judges who found Thaksin not guilty were

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themselves split. Four found that article 295 did not apply to Thaksin. Article 295 requires that all political officeholders who fail to submit their financial reports correctly are to be banned from holding office for 5 years. But these four judges ruled that Thaksin had already resigned his office of deputy prime minister when the assets declaration was filed. The other four judges who acquitted Thaksin ruled that he had no intention to hide his wealth. An outcry further erupted since the justices had issued a verdict while still looking for reasons to support it. It was even rumored that one or two justices were influenced by powerful political figures to change their verdicts at the last second. On the same day as the August 3rd verdict, another politician was found guilty and he joined a group of nine MPs convicted so far for concealing assets (a group including Sanan Kachonprasat). Indeed, Thaksin was the first politician to be acquitted24.

A day after he was cleared, a jubilant Thaksin proceeded to condemn both the NCCC and the Constitutional Court. He also let it be known that his Thai Rak Thai would like to see the wings of these autonomous bodies clipped. Yet any emasculation of Thailand’s autonomous institutions does not bode well for the future of Thai democratic development.

Since Thaksin’s acquittal, Sanan has reappeared to file petitions signed by 50,000 individuals against four judges who ruled that Article 295 applied to Sanan’s case but not to Thaksin.25 While Sanan’s petitions may produce doubt about the impartiality of the four justices,

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they also represent a valiant effort to force all political actors to abide by the democratic rules of the game.

The role of political parties in all sectors cannot be ignored from political point of view. Therefore the role has been presented in detail in the forthcoming chapters. The continuing chapter explains in detail the election system and procedure in Thailand.