

## 第2章 The historical backgrounds and political context of Thailand ' s March, 2019 election

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## Chapter 2

# The Historical Backgrounds and Political Context of Thailand's March, 2019 Election

(タイにおける 2019 年 3 月総選挙——その歴史的背景と政治的文脈——)

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### Introduction

Even before the recent election in Thailand on March 24, 2019, Thai people and foreign observers alike wondered if this was simply another election in the repeated cycle of coups, military rule, new constitutions, and elections that end with the failure of democracy and the beginning of another coup. Was it another farce in Thailand's political history?

This seemingly repeating cycle of political history is a superficial observation of an apparent phenomenon. In fact, many elections, democratic breakthroughs, constitutions, and even coups and military rules, and constitutions in the past were meaningful in various ways in particular moments relating to the history of democratization in Thailand.

Thailand's election on March 24, 2019 was a historic one in many respects. It was the first general election after almost five years of an authoritarian regime under military rule. It was either the beginning of another attempt at democracy or the renewal of the authoritarian rule under a different cloak. Perhaps it was both at the same time, as different political agents have attempted to push different agendas for the county's future. It was also the first election and first major political event in the new reign of King Vajiralongkorn or Rama X.

This essay will provide the historical background and context to help understand the March 24, 2019 election. It looks at the election through the perspective of the long history of democratization in the country and within the context of Thailand's ongoing political crisis since 2006 that eventually led to the 2014 coup. Then, the essay examines the two most important contextual factors surrounding the election; namely, the military regime under which the election was held and the royal succession and early years of King Rama X's reign.

### 1. A Brief History of Democratization in Thailand

We may say summarily that the democratization process in Thailand has been a contest of power among three main political forces; namely, the military, the monarchists, and ordinary people for military rule, royalist rule, and popular sovereignty, respectively. Nevertheless, after nearly one hundred years of democratization, no single faction has achieved outright domination or sustained its desired regime; instead, they have had to settle for compromise or alliance with other forces.

The concept of "democracy" was introduced to Siam, the former name of Thailand before 1939, around the turn of the twentieth century. At the time, it was simply dismissed by the elite of the absolute monarchy as an unsuitable idea for a country where people were mostly uneducated and unable to represent themselves and were thus content with rule by monarchy<sup>1)</sup>. Whereas the modern state and government were introduced by the absolute monarchy since the late nineteenth century as a consolidated and more efficient form of rule, the royals kept power to themselves, believing that only they could rule the country properly, including granting a democratic government from the top down at the appropriate time (Batson 1974). They did not realize the growing dissatisfaction with royal rule that eventually toppled the absolute monarchy in 1932.

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1) The proto type of this idea was King Chulalongkorn's essay in 1903 (see Chulalongkorn 1989).

The revolutionaries—called the People's Party—represented the rising power among the commoners, especially in the military, which was one of the most organized and developed institutions in Thai society at the time. However, the revolution was an “unfinished” transition (Ferrara 2015). The monarchists kept trying to return to power, not to revive the absolute monarchy, but to a new supremacy in the new parliamentary regime. An alliance between the nonrevolutionary army officers and the monarchists toppled the last government of the People's Party in 1947 (Handley 2006, 80-89). Then, the long period of military rule began.

The rocky alliance and the infighting among military factions eventually resulted in military rule in 1957 that groomed the young King Bhumibol (Rama IX, born 1930; reigned 1946 and lived mostly abroad until 1951) for politics (Thak 2006, chapter 3). Thanks to the Cold War, the United States joined the junta in promoting the monarchy as an instrument against communism (Nattapoll 2013, chapter 8). The monarchy, the young Bhumibol in particular, grew in stature and popularity, as he worked hard to cultivate the people's utmost loyalty. Ostensibly, the monarchy was “above” politics. The harder he worked beyond politics, the more his enormous moral authority increased politically.

Military rule began to retreat thanks to the popular uprising for democracy in 1973. The monarchy took the opportunity to broker the end of violence by forcing the junta into exile. In doing so, the nonpolitical institution ascended to the highest authority in the land (albeit not a legal-political power but a moral one) and the supreme source of political legitimacy. Between 1973 and 1992, the tug-of-political-war and shifting alliances among the three political forces, including several coups, attempted coups, one massacre that was the most horrific in Thai history in 1976, and another uprising for democracy in 1992, resulted in the retreat of the military from politics, “back to the barracks” so to speak, and the triumph of royalist democracy (Thongchai 2008, 15-21).

Ostensibly, the royalist democracy in Thailand from 1992 to 2006 was a parliamentary democracy. Actually, however, it was a form of “guided democracy.” The elected authority was under the influence, supervision, and interference of the

monarchists, who operated from the palace and beyond through formal mechanisms, such as the Privy Council, and informal networks (McCargo 2005; Thongchai 2019, 290-300). Every government during the time presented themselves as the government of the king (Chambers and Napisa 2017, chapter 1). Furthermore, the military's political and material interests were also increasingly attached to the monarchy. They became the "monarchized military" or "soldiers of the king."

The unprecedented popularity of Thaksin Shinawatra, who won landslide elections twice in 2001 and 2004, however, signaled the growing independence of popular sovereignty from the traditional ruling institutions, such as the monarchy and the military. Particularly in rural areas and in provinces distant from Bangkok, people found that the elected authority responded to their demands and interests better than the highly centralized and cumbersome bureaucracy. This made the elected authority—politicians—a threat to royalist democracy.

## 2. Thailand's Unstable Politics and the Crisis since 2006

The coup in 2006 was an attempt by the monarchists to secure their political dominance by curbing the growing demand for popular democracy. The monarchists did so by damaging all the necessary democratic institutions and components; namely, political parties, freedom of expression, especially the credibility and independence of the judiciary rule of law, and the election<sup>2)</sup>. They also brought the military back into politics. The discourse regarding corrupt politics was overblown, represented by the demonization of Thaksin. The demagoguery of Thaksin became the specter of royal democracy. Ultimately, only in Thailand was democracy considered worse than dictatorship.

The brief military rule after the 2006 coup, however, failed to stabilize the royalist dominance because the root of conflict was not merely Thaksin versus the monarchists. Underneath the apparent political conflict was a structural change in

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2) For the judiciary, see Mereau 2016; and Tamada.; for the election, see Prajak 2016.

Thailand's socioeconomic and demographic structure that had occurred since the late 1980s, in which dramatic rural transformation occurred alongside the rapid expansion of urbanization. Rural folks became urban dwellers in their ways of life, mentality, material interests, and anxieties (Somchai 2016). The entire political landscape had changed because of this changing democracy (Apichat, Yukti and Niti 2013). The centralized bureaucracy, however, cared more for and served the interests of the growing affluent middleclass in major cities, especially Bangkok. In short, Thaksin's success was primarily not of his own making. He and his party responded to the structural changes, maximizing the opportunity for their political ascendancy.

The 2006 coup awakened Thaksin's supporters throughout the country to understanding the politics of the monarchists. Discontent with the monarchists and the demand for popular democracy, therefore, remained strong, if not stronger and more determined (Thongchai 2014, 92-100). Meanwhile, with committed support from the palace, the military's political power expanded rapidly, like the demon that was released from the lamp and could not be put back. Thailand's political crisis was protracted.

Although the monarchy remained supreme throughout the crisis, its political power relied increasingly on the military, which was subservient to King Bhumibol. Popular democracy, on the other hand, could not be denied as every sector of the population and society wanted to have their voices heard and some power in the government. Democracy was also hard to resist if Thailand were to attain recognition in the global community, especially in terms of economic and trade relations.

In other words, the ongoing political crisis since 2006 to the present has been a contention between the traditional power elite (the alliance between the monarchy and military) on the one hand and the demand of popular sovereignty on the other.

A key factor to the crisis was the deteriorating health of King Bhumibol since the mid-2000s. Given his unparalleled moral authority, he had been the lynchpin of royal democracy. The royal succession—a supposedly nonpolitical matter in a typical constitution monarchy like the United Kingdom and Japan—became a matter of huge political consequence to royal democracy. The 2014 coup was another attempt to secure royal democracy in the final years of King Bhumibol.

### 3. The Junta Regime since the 2014 Coup

The regime of the National Council for Peace and Order (NCPO) or the junta regime after the 2014 coup was one of the fiercest and most powerful military rules in Thai history. Its repressive measures were swift, effective, uncompromising, and even brutal at times in order to disrupt or decisively eliminate all political activities for democracy and protest against its rule. For a few years since the coup, especially in the immediate months after, a large number of people throughout the country were summoned or temporarily detained euphemistically for “attitude adjustment.” Many were charged, jailed, or mired in legal problems. Freedom of expression was severely limited, the lese majeste law was strictly enforced, and quite a number of ordinary people were penalized<sup>3)</sup>. Despite the protests, condemnations and sanctions of various degrees from the international community, the alliance of the military and the monarchists was able to secure their power. As King Bhumibol passed away in October 2016 and the succession occurred without a glitch, the task of securing the royal transition was accomplished.

The NCPO rule was not smooth, although popular dissatisfaction and opposition never amounted to a threat against it. In particular, in the early years after the coup, it faced serious pressures from the international community, particularly the European Union and the United States, which called for the return to democracy. However, these pressures did not bear any results for the military regime was able to turn to China for support in various ways. The pressure also fizzled out as the EU and the US did not want to push Thailand into China’s embrace (Zawacki 2017).

Actually, the junta regime under General Prayuth Chan-ocha since 2014 has done much more than securing the royalist dominance and the regnal transition. Veerayooth Kanchoochat and Prajak Kongkirati characterized the agenda of the

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3) See the reports and statistic of the lese majesty cases by the end of 2014 and 2015 in *Prachatai* (online news in Thai), Jun 19, 2015 and Jan 07, 2016 respectively.

current junta regime as “embedded military and hierarchical capitalism.” They summarize what the regime has done succinctly:

Politically, we indicate how the junta has embedded its power in ways different from the past. It does not pursue a power-sharing governance ... but tries to militarize the cabinet, parliament, and even state-owned enterprises. The new constitution is designed to institutionalize the power of the military and the traditional elite vis-à-vis the electoral forces. ... Economically, the Prayuth regime forms a partnership with a group of Sino-Thai conglomerates to establish the [scheme that] ... has become a platform through which the giant firms perform the leading role of ‘Big Brother’ in supervising small businesses in their sectors, [reflecting] the collective endeavors of the conglomerates to replace competitive markets with hierarchy, rather than encouraging local firms to catch-up with them (Veerayooth and Prajak 2018, 279).

This economic strategy resulted in the growth of the top conglomerates but a weakening economy overall. Economic disparity accelerated during the NCPO regime.

After several delays, including the rejection of one constitution draft that had taken a year to complete, finally, the NCPO introduced a new constitution in 2017 and related laws in the following year in preparation for the return to the parliamentary system and new elections. According to the 2017 constitution and the related laws (elaborated below), however, it is obvious that the junta had been trying to remain in power even after the election and the alleged return to democracy. As Michael Nelson, a keen observer of Thai politics, has put it:

... the end of the [NCPO’s] direct rule did not mean a return to ‘democracy.’ Rather, it would usher in what they called a ‘transition period’ of at least five years. Only afterwards, people could start thinking about moving towards a greater degree of democracy (Nelson 2019, 3-4).



#### 4. The Beginning of King Rama X

In theory, in Thailand and elsewhere, a constitutional monarchy is above politics. In reality, many scholars and observers have made it clear the Thai monarchy has played a crucial and sometimes active role in politics (Handley 2006; Thongchai 2019). As described earlier in this article, the political crisis since 2006 has been related to the monarchy indirectly and directly and implicitly as well as explicitly. Royal democracy implies the presence of the monarchy in name as well as in action. In the last twenty years of Bhumibol's reign, the stature of the king grew tremendously in tandem with his ever increasing significance as a pillar to Thailand's royal democracy.

The passing of Bhumibol created political anxieties that should not have been the case had the monarchy been truly uninvolved in politics. The anxieties related to the future of royal democracy and the political domination of the monarchists since the cult of a charismatic and beloved king was a pillar of the successful royal democracy (Thongchai 2019, 287-290, 301-303). Without this kind of cult, the dominance of the monarchy could be in trouble. Such a cult, however, relies on the accomplishment and charisma of the reigning monarch.

Since the monarchy is an institution of one person (plus his followers and networks who often act in his name), his personal character and attributes, words, actions and inactions, and even rumors about him, could affect and shape the king's aura. Currently, the shadow of Bhumibol's cult remains beneficial to the new king. Sooner or later, the shadow will fade away, and King Rama X will be responsible for his own reputation.

The first few years of Rama X have been another cause for concern. The new king has been active in recreating the monarchy in his vision. He reorganized and expanded the Office of the Royal Household in 2017<sup>4)</sup>. A few old buildings in the palace compound were demolished, and several new ones were constructed. Huge

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4) *Ratchakitjanubeksa* [The Royal Gazette], May 1 and May 10, 2017.

areas of former crown estate that had been turned into public space for decades, including military bases, government offices, roads, and Bangkok's only public zoo, were reclaimed by the palace<sup>5</sup>). All crown properties, including all the assets of the Thai monarchy over generations, have been declared the personal property of the new king<sup>6</sup>). All properties are exempt from tax. These changes were executed legally. Several royal customs that had ended with the absolute monarchy have been revived, including the official, legal appointment of the royal consort<sup>7</sup>). What these actions tell us and the political community in Thailand about the king and his probable role in politics remains a matter of speculation.

Nevertheless, this was one of the conditions in which the general election was held on March 24, 2019.

## 5. The March 24, 2019 Election

As mentioned above, the election may not mean the return to democracy as the junta, apparently, attempt to hold on to power in a different form than military rule. They have done so using several legal instruments.

First, due to several restrictions and mandates in the election law, the result of the general election would likely produce no majority party. Thus, a weak and possibly fragmented coalition government is the likely outcome.

Second, the constitution also allows a nonelected person be chosen as the prime minister. Given the fragmented coalition, it was expected long before the election that General Prayuth Chan-ocha, the head of the NPCO, would likely be chosen.

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5) Some plots were reclaimed by the offers (from the king) of another plot of land in exchange, such as the case for the Dusit Zoo (see the news in many daily newspapers around the end of Aug 2018 when the zoo closed down). One of the two race course, The Nang Lerng, was reclaimed by the discontinuation of contract in 2017 (see Post Today, Apr 6, 2018). For the latest reclaim of a huge plot in the middle of Bangkok, see *Rachakitjanubeksa* [The Royal Gazette], 13 July 2019.

6) The new law on the management of the crown property came into effect on July17, 2017, according to Prachatai (online newspaper) Jun 16, 2018 when it reports the announcement by the Crown Property Bureau confirming the change.

7) *Rachakitjanubeksa* [The Royal Gazette], 28 July 2019 .

Third, the upper house (the Senate) of the new parliament comprises of 250 members, all of whom are all selected by the NCPO, with the majority being military officers. They are chosen without any election or broad-based selection criteria.

Fourth, together with the 500 elected members of the lower house, these senators will take part in the selection of the prime minister. In addition, the senators serve a five-year term. Assuming a government lasts a full four-year term, these senators can choose two prime ministers.

Last but not least, the 2017 constitution mandates that every government must observe the “national strategic plan.” Drafted by the NPCO-appointed committee and approved before the election by the NPCO-appointed national assembly, the plan is the framework that all policies and projects by any elected government in the next twenty years must follow. Violations to the strategic framework could result in the disqualification of the government.

The March 24 election took place under these restrictions. Despite that, political parties and the public enthusiastically welcomed the election, as it could represent a fresh change of condition without severe limits to political freedom and freedom of expression. Many may have hoped that it would be the end of the downward spiral of popular democracy or the beginning of the end of the actual power of the NPCO.

It remains to be seen if it would be the beginning of another attempt at popular democracy or if it is indeed the renewal of the authoritarian rule under a different cloak.

The election may help understand not only the future of popular democracy but also serve as a lens to examine the relationship between the military and the new king. The monarchists knew that they should not rely too heavily on the military. During the latter half of the reign of King Bhumbol, the military became monarchized, the “soldiers of the king.” The election may provide some hints about their power relations under the new king. The February 8, 2019 incident was significant in this regard as well.

A few days earlier, the king’s elder sister, who had resigned from royalty decades ago to marry a foreigner, was nominated by a political party to be the candidate for the next prime minister. This was certainly a challenge to the NPCO’s plan for

General Prayuth to remain the prime minister. After a few days of political maneuvers, on February 8, 2019, the king intervened, issuing a public statement, forbidding his sister from submitting herself as a candidate. The statement did not refer to any legal prohibition, since his sister is an ordinary citizen, legally speaking, and nobody counter-signed the statement<sup>8)</sup>. Regardless of these legal quandaries, as this happened in Thailand, the king's statement was accepted as the final word by everyone. What did this incident tell us about the relationship between the palace and the NPCO? Unfortunately, information about the event remains inadequate for speculation.

### Conclusion

Even as the monarchists distrust popular sovereignty and the representative system, they also need “people” or popular support to bargain with the military. Meanwhile, the rapid ascendancy of their power, especially their embeddedness in the state and society, suggests that the military have a vision for their eventual supremacy. They are here to stay for the long term, not merely as a caretaker for royal democracy and definitely not to return to barracks after the election. After all, they are the only political force with weapons, and a coup in Thailand is a relatively low-risk action (Mérieau 2019).

Despite the initial popular support for the coup for the sake of peaceful and orderly society, people's dissention to military authoritarianism is growing, especially in the past year as the economy has grown sluggish and the ruling junta has become shamelessly out of touch in many respects. Ordinary people, however, have no agency currently, other than political parties and politicians, who do not always represent their voice and interests.

The political status quo under King Bhumibol meant the settlement of power

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8) Every daily newspaper in Thailand reported this news, many with the publication of the king's statement in full.

relations among the three main political force with the dominance of the monarchists. In this macropolitical perspective, the March 24, 2019 election was the first important political action in the absence of the lynchpin of monarchist dominance but with the most powerful military since 1992. It was the first major attempt to construct the new power relations or the new status quo among the three forces. The election may reveal the shifting balance of power and may foretell possible future scenarios.

The NCPO came to power claiming that the political and social divides had reached a dangerous point because of the failure of democracy and politicians. They claimed that Thailand urgently needed reforms of politics and many other aspects of the state and society. After five years of its rule, it is doubtful that the election was better prepared and the outcome was better or reformed Thailand politics. It is highly doubtful if the divides have been less acute. Some have argued that the NCPO rule probably made the divides more severe. The March 2019 election may reflect the failure of the NCPO in this regard as well.

However one wonders was it the failure of reform its actual success that the junta bore in mind when retaining power.

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