Herding Cats & Howling Dogs: The Thai Military, Applied Authoritarianism and the Election of 2019

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Abstract: Over the previous decade and half Thailand has undergone two judicial coup d’états and two military coup d’états, the latest of which was successfully undertaken on 22 May 2014. The Thai military has consistently intervened in Thailand’s political affairs since the overthrow of the absolute monarchy in 1932. The latest coup has seen the junta stay in power through flawed elections held on 24 March 2019. This paper attempts to illustrate the Thai military’s latest tactics to extend their grip on power through the electoral process. The author argues that the latest attempt to legitimate military authoritarianism is an updated version of previous junta strategies. Namely, legitimizing the military junta by drafting a new Constitution, legitimizing the Constitution through a public referendum and creating a military led party.

Keywords: Thai politics, Thailand military, Thai military, Authoritarianism

1. Introduction

This paper seeks to analyze the Thai military’s current attempt to hold onto power after a restoration of ‘civilian’ rule. The title of this paper alludes to two political phenomena which are endemic to Thailand’s politics. Herding cats is a diplomatic phrase used to describe attempts to coerce and get unruly animals, in this case civilian politicians, to follow orders. Howling dogs is a colloquial Thai phrase used to describe last minute vote buying in the 24 hours prior to an election in order to get the vote canvassing numbers needed to win and election. These two phenomena will be elaborated upon in this paper to demonstrate the final methods with which the Thai military junta seeks to prolong its stay in power.

Thailand has endured much instability of late and its process of democratization which looked promising in the wake of reforms following the tragic events of May 1992 has been rolled back by military authoritarianism and the coup of May 22 2014. The “Black May” protests led to many civilian deaths due to military violence perpetrated upon unarmed civilians who were protesting coup maker General Suchinda Kraprayoon’s attempt to hold onto power after a promise not to after the successful coup d’état of 23 February 1991. The military’s response to the popular uprising resulted in much bloodshed with some 736 injuries and 39 deaths most of which “were caused by gunshot wounds and reportedly occurred when victims were engaged in non-threatening

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1 Thairath Online. (2019, March 23 / March 23 B.E. 2562). ทำไมถึงเรียก "คืนหมำหอน" คำศัพท์กำรเมืองควำมหมำย ที่หลำยคนไม่รู้จริง! [Why is it called “Night of Howling Dogs” the meaning of this political phrase].  
3 Faulder, “Thailand in 1992,”.
activities”.

Coincidentally, the failed [cum-successful] coup d’état provides a useful blueprint in analyzing the Thai junta’s latest attempt to legitimize itself through the electoral process. While the coup of 1991 ultimately failed due to a popular uprising the current junta has used its blueprint and ‘updated’ the formula to be a more applied version of entrapping military authoritarianism on Thailand’s body politic. This updated approach has essentially five major components which will be examined:

1. Writing a self-styled constitution;
2. Legitimizing its constitution by popular referendum;
3. Installing a Senate composed of trusted “good” persons;
4. Setting up of a political party as the junta’s civilian electoral vehicle;
5. Applying pressure and/or state benefits to established civilian politicians to switch parties to join the military party.

This is not intended to infer that the military government is more sophisticated in its techniques, but rather an argument that through a process of historical trial and error the current junta has simply updated its formula and learned lessons of the past while drawing on old techniques. A comparative approach using the methods employed by General Suchinda’s junta clique in the post 1991 coup period will be juxtaposed with the current military junta’s template in order to provide clarity and substance to the primary argument of the paper. The paper will first provide an outline of the problems incurred from recent Thai political history concerning coup d’états and their prospective failures. Next will be a sketch of the constitutional drafting process and environment surrounding the constitutional referendum. Following from this will be how the junta set up its ‘new’ political party and co-opted existing politicians into its fold as well as how these figures fared in the 2019 election. To ensure the prolongation of military power a brief outline and composition of the appointed Senate will be displayed. Lastly, a view into the military governments’ two pronged approach to co-opting two provincial heavyweights to essentially ‘capture’ two entire provinces using these as case studies will demonstrate the linkage between old tactics and the new updated formula for applying entrenched military rule.


On February 21 1991 General Suchinda Kraprayoon led a successful coup against Prime Minister Chatchai Choonavan. The coup leaders organized themselves into the National Peace Keeping Council appointment Anand Panyarachoon as Prime Minister with a civilian government (aside from Ministries of Interior and Defense). Bhuchongkul (1992) highlights the fact that the NPKC was in charge of the new draft constitution rather than the civilian lead government by first appointing 292 members of the National Legislative Assembly who then appointed a 20 member Constitutional Drafting Committee led by Deputy Prime Minister Meechai Ruchuphan. McDorman (1995) has noted that CDC chairperson Ruchuphan essentially used the 1978 constitution as a template for the 1991 Constitution which ultimately sought to balance power between elected and non-elected physicians for human rights and human rights watch, "bloody may."  

"Thailand’s groundhog day,".  
Ferrara, the political development, 207.  
Frost, "the coup"a.  
Callahan, imagining democracy, 158.
officials. After public outcry and much controversy the final draft included the following primary points which reflected the will of the NPKC:

1. military junta to appoint 270 senators for the Upper House;
2. appointed senators have as much power as elected members of the House of Representatives, voting on critical sessions, as when government decrees are up for approval such as no confidence motions;
3. the president of the senate is automatically president of Parliament;
4. non-elected person can be appointed prime minister.

The NPKC at the time argued that this framework was needed to “prevent corrupt politicians from using elections as an investment for personal gain”. The military junta’s rhetoric for their interventions as being corrupt politicians of the previous administration the junta then formed a coalition government after the May general elections which then featured a number of the same previously corrupt politicians in Suchinda’s cabinet of ministers.

It can be stated that the intention of the 1991 Constitution was to check the power of elected members of the lower house in relation to dominant institutional forces of the Thai state which were unelected, namely, the military junta, bureaucracy and Senate.

The origins of Thailand’s current constitution can be seen in the failure of the previous 2007 Constitution which was written under the auspices of another coup government. The ‘failure’ of the previous military drafted constitution was in two primary details, length of stay of the coup government and its inability to control political events afterwards. The Thai military ousted Prime Minister Thaksin Shinawatra on 19 September 2006 and set to work drafting a new constitution which was put to the people in a referendum less than a year later on 19 August 2007. The referendum was largely seen as free and fair and produced a divided result with 57% voter participation producing a 56% majority in favor. Second, was the outcome of the 2007 general election in which Thaksin’s newly formed People’s Power Party won 233 parliamentary seats and formed the core of a six party coalition government. The People’s Power government was derailed my a Constitutional Court ruling ousting then Prime Minister Samak Suntorlavech over receiving a 1,000 Baht stipend to host a cooking show. Then finally through military intervention to help form a new government under Democrat Aphisit Vejjajiva in December 2008 which survived the rest of the parliamentary session. With the dissolution of the People’s Power Party by the Constitutional Court in 2008 the Puea Thai Party was set up as Thaksin’s new political vehicle. In the general election of June 2011 Thaksin’s Puea Thai Party won an absolute majority of parliamentary seats, taking 265 of 500 seats.

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10 Maisirkrod, Thailand’s Two General Elections in 1992: Democracy, 22.
Murray, Angels and Devils.
11 Ferrara, The Political Development.
12 Meisburger, “In Thailand”
Mydans, “Thai Constitutional Referendum”.
13 Election Commission of Thailand. 23 สัปดาห์ 2550.
King Prajadhipok Institute, “การเลือกตั้งสมาชิกสภาผู้แทนราษฎร ครั้งที่ 25 วันที่ 23 ธันวาคม 2550”.
15 Szep, “Thaksin Party.”
Given the utter failure of the 2006 coup and the enormous social divisions caused by military intervention the current coup makers made sure to not to waste the 2014 coup. Initially, Borwornsak Uwanno headed the Constitutional Drafting Committee submitting a final draft in August 2015. The draft was summarily rejected by the National Reform Council by a vote of 135 to 105. No reasons were provided by the NRC for its rejection, however seasoned observers noted that even with tight restrictions in the draft it was not militant or retrograde enough to prevent ‘parliamentary dictatorship’ from occurring after another general election. With this in mind the military junta appointed renowned conservative constitution writer Meechai Ruchupan to head a new 21 member panel chosen by Prime Minister and junta chief Prayuth Chan-ocha. The final draft did away with loopholes that would allow for democratic principles and norms and instead followed a normative framework of only allowing ‘good people’ into government and doing away with checks and balances by allowing for a fully appointed Senate to be chosen by the current coup makers, the National Council for Peace and Order headed by coup general Prime Minister Prayuth Chan-ocha.

The overriding purpose of the current constitution is quite clear and simple, to prevent at all cost a return to power of Thaksin allied political parties after an election and if they do again win they will be under full control of unelected and unimpeachable organs and institutions which will not allow a Thaksin aligned government to govern effectively. Meechai Ruchupan stated his goals for a constitutional framework which is instructive on a number of issues. Ruchupan stated that the constitutional framework should consist of the following:

1. the new Constitution should be internationally accepted;
2. it should have an efficient method to reform and build harmony among people;
3. it must prevent anyone from using political power to benefit himself, family or associates;
4. it should aim for the welfare of all people;
5. it must develop efficient ways of fighting corruption and immoral behaviour; and
6. finally, it should build an efficient form of participatory democracy for every citizen to benefit the nation.

Points 2, 4 and 6 can be disregarded in whole as evidenced by the outcome of the 24 March 2019 election results and the fact that Thailand today is as divided as before. Points 1, 3 and 5 however signal the intent of the constitution and how to achieve this in a bitterly divided society under military rule. Using political power to benefit himself, family and associates as well as fighting corruption and immoral behaviour are specifically designated towards Thaksin and his allies. This is evidenced by the ruling junta’s unbridled corruption record and a litany of corruption scandals since military rule. Corruption in Thailand has not improved under military rule with Thailand now only above Cambodia and Myanmar among its ASEAN peers while endemic high profile government scandals are unpunished with impunity.

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17 Bangkok Post. (5 October 2015). Thailand: Junta nominates Constitution Drafting Committee members following rejection of draft constitution in September.
to be ‘internationally accepted’. This provides a problematic contradiction, namely, how to write an undemocratic constitution with no public input and legitimize the document under a repressive authoritarian military government? Answer, hold a referendum to legitimate your rule while suppressing all opposition voices and use all resources possible of the state, including public threats by the Prime Minister.

Comparatively, these two constitutions spirit or intent is to control the lower house of elected politicians via ‘constitutional’ mechanisms anchored in ‘law’ which was overseen and dictated by the military junta of the time.

3. Legitimizing Military Authoritarianism: A Controlled Public Referendum

In 1991, after the NPKC’s draft constitution passed the National Legislative Assembly with much public dissent the need for legitimizing an authoritarian and contested constitution. In the 1991 Constitution’s case this was undertaken by the Ministry of Interior which was then headed by General Issarapong Noonphakdee. The ministry publically announced that an internal petition had been circulated and signed in favor of the constitution in rural areas of the country. Eventually, NLA president Ukrit Mongkolnavin declared that “6.8 million people signed a petition in favor of the constitution and early elections, and only 2,141 against”. The reason for choosing a public referendum rather than internal confirmation will be shown below.

In the case of the 2017 Constitution more sophisticated techniques were needed in order to secure legitimacy for the military regime. As such it was announced that the National Council for Peace and Order would hold a referendum on 7 August 2016. Thailand’s only previous experience with a referendum was in 2007 when the previous coup government held a constitutional referendum. The result of the 2007 constitutional referendum was 57.81% approval and 42.19% disapproval with total voter turnout at 57.61%.

This referendum differed from the 2007 military governed referendum in three major respects. First, there were two questions posed in the referendum to Thai voters the first being an approval of the constitution in general and the second a more specific question on whether an ‘outsider’ unelected prime minister could serve through a majority vote of both houses of parliament in a joint sitting. Second, whereas the 2007 referendum was generally free and fair the 2016 referendum was an exercise in which state apparatuses put their thumb on the scale for the incumbent administration and its political party. Lastly, the 2007 draft was available to all households as the military government placed a printed copy into every mailbox. The 2016 draft was not printed nor...
distributed to the population but rather a six page leaflet which ‘summarize’ regime talking points and had a link to the CDC website for those interested to download at their own expense.\textsuperscript{26}

There are a couple of interesting questions which ought to be posed. First, why as an authoritarian military government with the ability to rule by decree would a referendum be held? Second which leads from the first question, if the people are consulted how to ensure a favorable outcome?

The military junta suffers from a lack of legitimacy either from substantive real world perceptions or perhaps its own internal perception of deficiency as being the world’s last military dictatorship.\textsuperscript{27} In either case way given the regimes stated goal of continuing to hold and assert political power and authority beyond its coup mandate, the need for a legitimate basis for its being or continued holding power into the future is essential. Beetham (1991) argues that autocracies or authoritarian regimes utilize three methods for legitimization: legality, existing norm justification and explicit transmission of legitimacy.\textsuperscript{28} For this analysis the last point is germane. Explicit transmission in seeking legitimacy with the current regime was demonstrated by holding a public referendum on a constitution which was drafted in secret with the regimes chosen lawyers and consultants.

Referendum as a direct democratic tool appears on the surface to be a method which seeks public consent on political issues, thus a legitimate form of political activity. However, as A.V. Dicey has noted referendums by and large are conservative weapon to be used by elites upon the electorate.\textsuperscript{29} Marques and Smith (1984) argue that the utilization of referendums has largely been under the auspices of authoritarian regimes.\textsuperscript{30} This insight is highly relevant to the 2016 Thai constitutional referendum in that it fell into a category of referendum that Butler and Ranney (1978) term government controlled. This is to say that government authorities alone made decisions concerning the referendum with regards to media coverage, opposition participation, narrative framing, resources allocation and whether or not the vote would be binding.\textsuperscript{31} Adding a level of analysis to Butler and Ranney, Kobori (2014) argues that authoritarian regimes tend to hold referendums seeking legitimacy on controversial issues which can come in two forms, simply legitimizing referendums and repressive referendums.\textsuperscript{32} Gerschewski (2013) notes that authoritarian regimes depend upon repressive measures to ensure a greater degree of success in achieving legitimacy seeking goals.\textsuperscript{33} This point is highly present in the Thai context as will be demonstrated how the military junta silenced opponents, threatened would be dissenting voices, used state resources in a

\textsuperscript{26} Election Commission of Thailand. กกต.แจง กม.ไม่ได้กำหนดให้ส่งร่างรัฐธรรมนูญ ทุกครัวเรือน แต่มีจุลสารแจ้งเริ่มวัน [ECT: No Legal Obligation to Send Copies of Charter Draft to All Voters, Leaflets to be Sent to Heads of Household], Manager Online, 15 July 2016.
\textsuperscript{27} Case, William. (2016, August 13). Why Thailand’s junta feels it needs a veneer of legitimacy. South China Morning Post.
\textsuperscript{29} Ockey, James. (2018, April 3). Elections won’t give Thailand’s junta legitimacy. East Asia Forum.
biased manner and utilized outright authoritative coercion on all possible activist including young children.

The military regime used two legal tools in particular to stifle any dissent prior to the referendum. These were the National Council for Peace and Order Orders and the highly restrictive Referendum Act. NCPO order 7/2557 strictly forbids any ‘political gatherings’ of 5 or more people consisting of a penalty of up to 1 year imprisonment and a small fine. This order was used in tandem with Article 61 and 62 of the Referendum Act which bans “disseminating false information in a rude, offensive, and inciting way with an intention to influence voters” which allows for imprisonment of up to 10 years and a fine of 200,000 Baht. The vagueness of what is considered by officials as rude, offensive is problematic enough but the notion of private activism and political information dissemination being illegal essentially made government sources the only legitimate outlet for referendum opinion. Within four days of the Referendum Acts’ entry into legal force Election Commissioner Somchai Srisuthiyakorn filed charges with police against Ratwattanatomnane Foundation with is a center for autistic persons for posting ‘aggressive’ content on their Facebook page. So called ‘red shirt’ leaders who are core supporters of Thaksin attempted to establish ‘fraud centers’ which would act as oversight mechanisms to ensure the validity of the plebiscite. This stimulated a fast and reactionary response from General Prime Minister who stated that “I insist that the centres can’t be opened as the law bans [political] gatherings of more than five persons… I have ordered authorities to consider taking legal action on the issue” going further to warn Pheu Thai politicians not to wear T-shirts or post Facebook messages saying that if they reject the constitution that could result in charges.

Multiple traditional and social media outlets were investigated for negligible content. Matichon daily news cartoonists were investigated for a cartoon picturing a snake in a voting box with the caption “can you accept it?…more appointed senators than elected senators?” Social media singers were also investigated for posting a silly homemade video satirizing the government and its referendum. Later in June of 2016 activities were charged with violation of the ban on political gatherings and the Referendum Act for passing out fliers with information on the referendum and ‘vote no’ at a floating market. New Democracy Movement university student activists were arrested and charged under the same laws for standing in a group of more than five persons and urging a vote no. Some of the same students were also charged with others from Khon Kaen University for holding a discussion of the draft constitution and are currently charged in military court. In an adjoiner to the previous New Democracy Movement flier incident Rackchart Wongarthichart was arrested by the military and charged for simply observing events.

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36 ILaw. (2015, April 29). ขู่-ห้าม-จับ พ.ร.บ.ประชำมติฯ ชาติ ใช้จกวิกลการช่วงลงมติในปี [Threaten-Ban-Arrest How the Referendum Act is used to Stop Organizing].
37 Bangkok Post. (2016, June 29). PM gives a last warning to red shirts.
38 Ibid.
39 Ibid.
40 Ibid.
41 Ibid.
act of authoritarianism was when police arrested four juveniles for tearing up ballots at a voting station. The children confessed that they were playing and had no intention of disrupting voting but nonetheless were charged with “obstructing the referendum process, destroying official documents and destroying common public property”.\textsuperscript{44} Two of the children who confessed that “they tore off three sheets and burned them by a canal just for fun…they thought that it was just an old useless pile of paper” were charged while two 8 year olds were released and will have criminal records.\textsuperscript{45}

In the run up to the referendum blatant threats were issued by NCPO government officials such as Deputy Prime Minister Prawit Wongsuwans’ statement that “public opinion on the draft should not be determined by politicians as these can be misleading. Therefore, only members of the Constitution Drafting Committee (CDC) can discuss the draft. If you like the draft, just vote for it. If you don’t like it, then just vote ‘no’. Just let the drafters publicly discuss the draft constitution since other people don’t understand the draft as well as the drafters”. Using the logic that “free discussion on the draft, where one side supports the draft and another opposes it, can lead to conflict and further chaos”.\textsuperscript{46} The most obvious and open threat came on July 11 when Prime Minister and junta leader Prayut Chan-ocha openly stated to the media that if the referendum failed he would write the constitution himself.\textsuperscript{47} These examples are but a sampling of the coercion which precipitated the referendum vote. There were many more people, organizations and groups which were charged with crimes for simply voicing their opinions or advocating for voting against the junta drafted highest law of the land. This demonstrates that coercive measures and violence were used on all sections of Thai society who dissented from the regimes wishes and challenged their narrative of what Thai’s should do with their ‘constitutional right to vote’. Some people were released after the ‘successful’ passage of the constitution but this is beside the point, which is that the military utilized its full strength through a variety of methods to attain ‘legitimacy’ for its self-written constitution.

The result of the referendum was based on 59.40% voter turnout and approval of both questions. Regarding question one on the constitution 61.35% approved while 38.65% disapproved, with question two 58.07% approved while 41.93% disapproved.\textsuperscript{48} While the reasons for low voter turnout are numerous, the contextual environment which the referendum took place was unequivocal. Repression, suppression and state sponsored bias were rampant with notable election observer agencies Asian Network for Free Elections (Anfrel) and the Open Forum for Democracy Foundation both deciding to withdraw their missions.\textsuperscript{49}

4. The Senate of Thailand: Why and for What Purpose?

\textsuperscript{44} The Guardian. (2016, July 24). This article is more than 2 years old Thailand: Police charge eight-year-olds with obstruction in run-up to referendum.
\textsuperscript{46} Matichon Online. ‘บิ๊กป้อม’ พระพากษ์วิสัยการความคิด สิ่งที่เราไม่เข้าใจของประชาชนได้ ทำไมต้องเกลี้ย [Prawit says public has the right to opinion, orders ban on informing as only Constitutional Drafting Committee has right]. (2015, April 19).
\textsuperscript{47} Thairath Online. ‘บิ๊กตู่’ ขู่เขียนเอง หำกร่ำงฯ ไม่ผ่ำนประชำมติ [Prayut threatens to write constitution himself if referendum fails]. (2016, July 11).
\textsuperscript{48} Election Commission of Thailand. ขอมูลสถิติกำรออกเสียงประชำมติ พ.ศ.2559 [Statistical Information of the Referendum – 2016 / B.E. 2559].
The rationales for having a bicameral legislature with an upper house are lengthy but can largely be summed up in the following categories. Lijphart (1984) argues that an upper house tends to be more deliberative and cerebral in nature where matters are considered in depth free from the often tumultuous lower house deliberations. A more critical approach is forwarded by American constitutional framers Hamilton and Madison who were acutely aware of the desire to control the lower house to prevent a supposed ‘tyranny of the majority’ who could be swayed by untruths, gossip and intrigue imposed by a newly enfranchised population. Mulgan (1996) views the Senate as house of review where executive function can better be scrutinized within a general conception of balance and separation of power, essentially adding an additional layer of protective application to possible abuse of power. Levmore (1992) argues that an upper house increases the costs of corruption due to the increase in representatives as well as escaping form the coercive power of single speaker agenda setting. These are all valid observations and applicable to some degree however, the local context of the Thai body politic would offer a somewhat different response. Points 1 and 2 are linked in that the first suggests a selection method more insulated and length of tenure longer than the lower house whereas the last suggests a complete separation of powers with substantial oversight capabilities inclusive of investigation, censure and possible removal via other constitutional organs which are secondary of the Senate. The last point also infers a clear separation of those who would choose, appoint or pre-select Senate candidates and the Senate representatives themselves. The following portions of this section will take these points of consideration and demonstrate the lack of consistency in Thailand’s current Senate which invalidate the scholarly mainstream literature thus necessitating a counter argument as to the purpose of Thailand’s current Senate in relation to facilitating the continuity of power with the junta NCPO.

Thailand, since the revolution of 1932 has always been a unitary state with a parliamentary system of government. Even after the reforms enacted after 1997 to decentralize the administrative state Thailand still remains a fairly centralized unitary state. With this in mind the question then arises as to the need for an upper house. Put simply, if Thailand is a unitary state where parliament is sovereign (parliament referring to an elected house of representatives) why have a separate chamber? There are three possible substantive explanations to this question, two of which can be answered by comparative macro-institutional framework and the last by a grounded historical approach with constitutional analysis of institutional power.

From a parliamentary perspective the United Kingdom would provide a reasonable comparative anchor. In the case of the UK parliament eminent constitutional scholar A.V. Dicey definitively stated that the “principle, therefore, of parliamentary sovereignty means namely that “Parliament” has “the right to make or unmake any law whatever; and further, that no person or body is recognised by the law of England as having a right to override or set aside the legislation of Parliament”. The understanding of Parliament in the UK context as per Dicey’s definition is the House of Commons, Lords and King in unison. That being said the role, especially diminished role of the House of Lords and King/Queen in Parliamentary politics is centrally important. After House

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of Lords reforms undertaken by the Tony Blair government in the late 1990’s the Lords largely ceased to be hereditary, seeing its powers and role shift. While the Lords can initiate legislation, it is seen as primarily a consultative body on legislation derived from the Commons or lower house. This is best noted by the Lords inability stop Budgetary legislation after only one month’s consideration as well as not having veto power over most legislation which will ultimately pass within one year of submission via the Commons. In this sense it can be inferred that Parliament as an institution representing the “peoples” interests and consent is solely with reference to the lower house. Secondly, post-devolution as demonstrated in the three Devolution Acts of 1998 power in terms of drafting and passing primary and secondary legislation in Northern Ireland, Scotland and Wales as given significant institutional autonomy to the aforementioned (House of Commons, 2019). This situates the UK Parliament as semi-federal/confederal state with a dominate lower house. As such the Thailand’s Senate as a cerebral deliberative body affixed within a unitary state is not consistent.

If the answer is to provide a check to the lower house, then the answer can be found in parliamentary opposition rather than a separate upper chamber. In which case an alternative explanation for the persistent Constitutional insistence on an upper house which, historically is appointed rather than elected. This is borne out by global data on parliamentary structures and minority of which are unitary states with bicameral parliaments.

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<thead>
<tr>
<th>Structure of Parliaments</th>
<th>Number of Countries</th>
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<tbody>
<tr>
<td>Bicameral</td>
<td>79 (41.1%)</td>
</tr>
<tr>
<td>Unicameral</td>
<td>113 (58.90%)</td>
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Source: Inter-parliamentary Union (2019)

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<tr>
<th>Legislatures by Governmental System</th>
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<tr>
<td>Government System</td>
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<tr>
<td>Legislature Structure</td>
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<tr>
<td>Unicameral</td>
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<td>Bicameral</td>
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<tr>
<th>Thailand’s Senates and Composition56</th>
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<tbody>
<tr>
<td>Senate Term*</td>
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<tr>
<td>1946-1947</td>
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<tr>
<td>1947-1951</td>
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<td>1968-1971</td>
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<table>
<thead>
<tr>
<th>Time Period</th>
<th>Senate Type</th>
<th>Total Senators</th>
<th>Military Senators</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1975-1976</td>
<td>Appointed</td>
<td>44 additional with 26 military (72.5%)</td>
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<tr>
<td>1979-1985</td>
<td>Appointed</td>
<td>100 with 17 military (17%)</td>
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<tr>
<td>1979</td>
<td>Appointed</td>
<td>225 with 193 military</td>
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<tr>
<td>1981</td>
<td>Appointed</td>
<td>225 with 176 military</td>
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<tr>
<td>1983</td>
<td>Appointed</td>
<td>243 with 145 military</td>
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<td>1979</td>
<td></td>
<td>85.7%</td>
<td>1981: 78.2%</td>
<td>1983: 59.6%</td>
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<tr>
<td>1985-1991</td>
<td>Appointed</td>
<td>1979: 260 with 161 military (61.9%)</td>
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<tr>
<td>1987</td>
<td>Appointed</td>
<td>267 with 156 military (58.4%)</td>
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<tr>
<td>1989</td>
<td>Appointed</td>
<td>267 with 161 military (60.2%)</td>
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<tr>
<td>1992-1996</td>
<td>Appointed</td>
<td>270 with 154 military (55.2%)</td>
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<tr>
<td>1996-2000</td>
<td>Appointed</td>
<td>260 with 48 military (18.4%)</td>
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<tr>
<td>2000-2006</td>
<td>Directly Elected</td>
<td>200 with 2 ex-military</td>
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<td></td>
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<tr>
<td>2006-2006</td>
<td>Directly Elected</td>
<td>200 with 0 military</td>
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<tr>
<td>2008-2014</td>
<td>76 directly elected, 74 appointed</td>
<td>150 with 23 military (15.3%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2019</td>
<td>Appointed</td>
<td>250 with 105 military and police (42%) **</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Senates have not always existed in Thailand’s political system since the end of the absolute monarchy in 1932. Rather the Senate is characterized by sporadic appearances and disappearances within Thailand’s political system.

**Among the 145 civilians in the appointed Senate 15 were former ministers in the junta government, 26 were in the junta appointed National Legislative Assembly as well as former members of ‘independent agencies’ known to be hostile to Thaksin Shinawatra*

Senate powers in the 2017 Constitution are more extensive and consequential than in previous constitutions but limited in scope and precision. The 1991 junta Constitution provided for an outsider (non-political party affiliated) to become Prime Minister but the Senate’s role was largely advisory in nature. The 2017 Constitution allows again for an outsider prime minister by having political parties nominate up to 3 persons prior to an election as their prime ministerial candidates should their party form a government (Constitution of Thailand: Article 88). However, this constitution allows for the Senate in a joint sitting of the House of Representatives to choose the Prime Minister by a majority vote of 2/3 of the total 750 members (Ibid: Article 272). This is crucial in that the 250 Senators comprise fully ½ the number of the House of Representatives and essentially acts as an appointing body or in the worst case scenario a veto body. This immense power was demonstrated on June 5, 2019 when both houses of parliament voted for the prime minister which as a contest between opposition politician Thanathorn Jungroongrungkit and Prayut Chan-o-cha. In this vote junta leader Prayut received a majority of 500 to 244 with all Senator’s voting in unison for Prayut with the only abstention the Senate President (Bangkok Post, 2019). In addition to co-selecting the Prime Minister the Senate retains its powers from the previous Constitution in solely confirming members of the extremely powerful and increasingly politically biased independent organizations. These organizations are: Ombudsman, National Counter Corruption Commission, Election Commission of Thailand, Supreme Administrative Court and Constitutional Court. The most important and germane are the Election Commission whose questionable vote controversial party list calculations led to 10 micro-parties gaining seats in the

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57 Constitution of the Kingdom of Thailand 2017 [2560 B.E.]. Article 204.
election with vote counting completed and published a full month after the election (Sirivunnabood, 2019). The second is the Constitutional Court which over the previous decade has banned opposition parties on over 20 occasions, dismissed a sitting opposition Prime Minister and has fully supported the military junta government in all cases since it took power in 2014 (Smith, 2018; Tonsakulrungruang, 2017). The Senate does not have the ability to veto or propose legislation even concerning budgetary matters nor the ability to remove lower house members. This negates the argument of the Senate being a direct oversight body inclusive of being a deliberative body. The Senate term of 5 years is indeed longer than terms of the House by a single year as confirmed by the Constitutional Referendum. However, the view that this contributes to the deliberator nature of the Senate does not hold as the purpose of the Senate is largely to choose and confirm the Prime Minister as will be shown in the next section.

In the immediate post general election environment there was speculation that there were irregularities in selecting the appointed Senate members, which had just voted unanimously for the incumbent coup leader cum elected Prime Minister. Prior to the election some parts of story of the Senate selection became apparent. Initially, information was sparse with the Election Commission revealing that there was a multistage selection process involving some 7,210 candidates, whittled down to 505 for the NCPO coup administrators to choose and costing some 1.3 Billion Baht. Following the election, suspicion became rife that the coup administration of the NCPO, which included the Prime Minister and many Deputy Prime Ministers had engaged in ethically questionable acts concerning Senate selection with Deputy Prime Minister of Legal Affairs Wissanu Kruangam stating that the “public did not the right to know who was part of the selection committee”, thus attracting a fierce public backlash. Under pressure Wissanu finally relented in principle and admitted NCPO members were members of the selection committee such as Air Chief Marshall Prajin, General Chatchai, General Tanasak, Admiral Narong, Police General Adul and Mr Pornpetch, Prawit Wongsuwan; all members of the junta government and NCPO. However, in consolation to unnerved reporters and the general public he stated that when these members names came up for consideration for Senate appointment they left the room and came back after selection. Yet, even though the NCPO members left the room they were lucky enough for their NCPO colleagues to select them for Senate appointments where they currently are employed by the Thai state earning twice the monthly salary as their House of Representative colleagues.

Only in December 2019 did it finally become public that all 10 members of the selection committee were part of the coup government and all ministers of the coup government with Deputy Prime Ministers Prawit Wongsuwan and Wissanu Kruangam each selecting their brothers and Prime Minister Prayut Chan-ocha selecting his younger brother. The only member with the decency to resign was Pornpetch Wichitsachai who was later selected as a Senator himself, ending up as Senate President. The full list of Senators need not be gone over in detail on an individual basis, but, needless to say many former coup installed National Legislative Assembly members, former coup government Cabinet Ministers and related family members were appointed by the military junta.

58 Bangkok Post, December 6, 2018. At exchange rates of the time this equaled some $42 million.
60 Bangkok Post, June 13, 2019.
61 Komchadluk, December 10, 2019
Ilaw.or.th December 8, 2019
government. Put simply the coup makers chose family members, friends and trusted associates into this powerful institution in an unethical manner in contravention of all customary decency and against their own constitution.

If one is to take this dominant narrative at face value then a consideration of the role of Thailand’s Senate post general election, both in composition and powers is essential. The Senate composition is of crucial interest outside of the nepotistic practices by the NCPO selected Senate committee, six of whom chose themselves but who handpicked the Senate.\(^6^2\) While the selection of brothers, family members and friends was not particularly surprising the cut and thrust of the Senate can be found in the number of military personnel 104 out of 250, ex junta National Legislative Assembly persons and the ‘embedded military’ footprint of ex officio six seats reserved for the Armed Forces heads, National Police and Permanent Secretary of the Army. Fully, fifteen members of the junta cabinet were appointed Senators signaling the conservative continuation of the previous five years of military rule.\(^6^3\) Not only is the composition of the Senate compromised due to the questionable selection process but its enhanced powers of exclusive right to confirm powerful Courts and Constitutionally independent bodies provides structural protection for the continued military led government. The Senate now has exclusive powers to choose the Election Commission of Thailand (Constitution of Thailand; Article 222), Ombudsman (Ibid; Article 228, National Anti-Corruption Commission (Ibid; Article 232), State Audit Commission (Ibid; Article 238, National Human Rights Commission (Ibid; Article 246) and the politicized and powerful Constitutional Court (Ibid; Article 204).\(^6^4\) The purpose of the Senate has been made clear in the period post Prime Ministerial selection where Senators attendance in parliament has been averaging less than one-third.\(^6^5\) The role of the Senate has been made abundantly clear as being vehicle to anoint the military’s designated Prime Minister, after which attendance is no longer needed.

Considering the process and composition the Senate under the new military drafted Constitution the narrative of ‘good people’ governing is one of military personnel choosing other military personnel as well as confidants and friends. When one considers the enhanced powers of the Senate it becomes clear that the Senate has two primary political roles. First, is to ensure the appointment of junta leader Prayut Chan-ocha as Prime Minister for a second term. Second, is to oversee, veto and control any civilian government not of the military’s choosing. In essence, the logic and discourse of ‘good people’ is one of unelected, unaccountable military aligned political bodies, or direct military composition of such bodies. The five-year term of the Senate is a stopgap measure to ensure a military facilitated executive after the expiration of House membership in four years or in the event there is House dissolution and early elections organized during the first four-year House term.

These actions concerning selection and composition of the Senate thus negate the last argument of the Senate being an oversight body of the lower house as nepotism, cronyism and self-selection were the organizing principles and substantive decision-making regarding Senate members. The acts of the Senate since taking public office have consisted of selecting the previous junta Prime Minister who selected them for their Senate membership. Essentially, given the composition,

\(^6^2\) Khaosod. (2019, June 13). 6 Senate Selection Committee Members Now Senators Themselves.

\(^6^3\) Khaosod. (2019, May 15). Newly Appointed Thai Senate Includes Many Soldiers, Police.

\(^6^4\) Constitution of the Kingdom of Thailand 2017.

\(^6^5\) Bangkok Post. (2019, July 16). Absent senators to get meeting alerts.
powers and selection method, the Senate of Thailand’s purpose can be instrumentalized as body to facilitate the continuation of junta led politics in the transition phase of Thai politics from dictatorship to semi-democracy. The Senate’s purpose is very narrow but highly influential. It is a confirmation body for a certain Prime Minister and alternatively a veto body over a non-military aligned Prime Minister. Secondly, it is an appointment chamber for Constitutionally independent organs such as the Election Commission whose neutrality and independence is questionable. It’s interactions with the lower house concerning legislation and budgets is incongruent making it a body in and of its own with the aforementioned limited mandate.

5. General Election Results and Poaching Opposition Party Members

A key part of the military party Palang Pracharat Party’s strategy was to poach as many established politicians from other political parties prior to the election. This strategy was widely reported and various methods were used to ‘entice’ these politicians into the ‘receptacle’ military party and included recruiting influential regional and provincial politicians who were formerly close to exiled Prime Minister Thaksin Shinawat and his Thai Rak Thai and Puea Thai Parties.66 Final election results gave the military sponsored Palang Pracharat Party 97 district seats and 18 party list seats for a total of 115 parliamentary seats of 500 total parliamentary seats. The military backed junta party emerged as the second largest parliamentary party behind Thaksin’s Puea Thai Party which won 136 total parliamentary seats, all from district level with no party list seats.67 The previous election results of the Palang Pracharat Party deserve a deeper level of interrogation to decipher three primary points. What is the nature of this military sponsored party? Is this a ‘normal’ Thai political party? How did this party achieve its electoral success after being established for only one year?

To answer these questions reference to comparative election outcomes in the macro sense by considering raw data such as total votes, total seats and percentage of vote total provides insight into the possible popularity of military rule translated into electoral success over the previous 5 years. Second is the ‘naturalness’ of the military led Palang Pracharat Party. This is easily deciphered by viewing the regional scope of electoral wins by the party in question. Considering regions of Thailand as a proxy for organic support representing a grassroots political base of electoral support is highly relevant, perhaps more so than considering voting demographics, class orientations or rural/urban divides. Regions here act as a proxy for disproving the organic nature of these respective parties. The reason being all medium to large Thai political parties are geographically centered on a regional power base. Some of these are family centered but nonetheless have a core geographic space is an indicator of voter base clustering. In this case these parties are non-geographically spaced which is indicative of a lack of organized organic support but rather of fabricated origins. For instance, the Puea Thai Party has its base in the North and Northeast, Democrat in the South, Palang Chon in Chonburi Province, Chartthaipattana in Suphanburi Province, Bhumjaithai in Buriram Province.

Khaosod, November 19, 2018.
Nikkei Asian Review, September 1, 2019.
67 The Diplomat, May 10, 2019.
However, regions alone are not sufficient as an independent variable for organic or natural party support. This can be further teased out by using successful and unsuccessful politicians (both incumbent and non-incumbent) defecting from other parties to Palang Pracharat and from which party they defected as an independent variable. This would shift regional variation of electoral success to a dependent variable to demonstrate that the military formed and led Palang Pracharat Party derived electoral success by poaching politicians from other parties (namely Thaksin’s Puea Thai Party) to achieve its success directly through winning candidates and non-winning vote contributions to the party list. In order to answer the final question of how did the party achieve success in such a short period of time after being established. This is varied and difficult question to answer parsimoniously as the methods and persons in consideration all had different motivations for their choices. That being said, anecdotal evidence from a short case study of the province of Chonburi will demonstrate the carrot and stick method which the junta government used to possibly entice a clan of provincial politicos to defect from their previous senior coalition party partner, the Puea Thai Party to the military Palang Pracharat Party. To infer the possible causality in this decision media reports and primary government documents will be drawn upon to show means, method and timing which will frame the decision prior to the election as well as political appointments post-election to reinforce the previous statement.

Following will be an elaboration on the tables and election statistics and how they define the previous questions pertaining to the Palang Pracharat Party. Table 1 demonstrates a comparative view of the elections of March 1992 and May 2019. This shows the two contemporary examples when the military after a successful coup set up a political party to contest elections and legitimize their rule through electoral politics. Proportionally these two military influenced elections produced quite similar results for the military party vehicle. Namely, when considering total popular votes for the military party these comparatively remain stagnant at a mean of nearly 8.5 million votes. The total vote percentage of possible voters is nearly 5% greater for the current junta party. However, when one considers the total voter turnout as a percentage of voter interests and participation the current military party fared significantly worse 15% greater turnout as indicative of voter interests in the popular political process.

Table 2 and 3 show the regional variation in district level winners. The distribution is spread out over the entire country except for the 1992 election in Bangkok and the 2019 election in the North. These are easily explained as the popular uprising of May 1992 was Bangkok based showing the displeasure towards the generals cum politicians. The 2019 Palang Pracharat showing in the North can be explained due to the North being the political power center of Thaksin Shinawat and his Puea Thai Party. The highly disparate and non-singular regional center is indicative of a hodgepodge political party which represents opportunism rather than an organic coalition (given the time frame) or a party with a natural vote base consistent with all other successful Thai parties. Table 3 is important in two respects, namely the ability of the military led Palang Pracharat Party to entice local politicians to defect from other parties and elevate them to national level electoral success. This demonstrates the party’s ability to bridge local political networks as well as leverage over a 1 million votes towards the party list as there is a single ballot representing both district and party list representation.
Comparative Election Results 1992 and 2019

<table>
<thead>
<tr>
<th>Total</th>
<th>Seats Won</th>
<th>Total Votes</th>
<th>Vote % Won</th>
<th>Turnout</th>
</tr>
</thead>
<tbody>
<tr>
<td>1992</td>
<td>360</td>
<td>79</td>
<td>8,578,529</td>
<td>19.3%</td>
</tr>
<tr>
<td>2019</td>
<td>500</td>
<td>115</td>
<td>8,413,413</td>
<td>23.74%</td>
</tr>
</tbody>
</table>

Table 2: Regional Geographic Scope of Voting Constituency Level Candidacy Winners

<table>
<thead>
<tr>
<th>Party</th>
<th>District Level Seats Won</th>
<th>North</th>
<th>Northeast</th>
<th>East</th>
<th>West</th>
<th>Central</th>
<th>South</th>
<th>Bangkok</th>
</tr>
</thead>
<tbody>
<tr>
<td>Samakhitham</td>
<td>79</td>
<td>20</td>
<td>32</td>
<td>9</td>
<td>1</td>
<td>14</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Palang Pracharat</td>
<td>97</td>
<td>3</td>
<td>32</td>
<td>11</td>
<td>12</td>
<td>35</td>
<td>13</td>
<td>12</td>
</tr>
</tbody>
</table>

Table 3: Local Politicians not previously affiliated to Palang Pracharat Party winning national districts election 2019

<table>
<thead>
<tr>
<th>Region</th>
<th>Number of Politicians</th>
<th>Total Votes Won</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>5</td>
<td>1,177,485</td>
</tr>
<tr>
<td>Northeast</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Central</td>
<td>17</td>
<td></td>
</tr>
<tr>
<td>Bangkok</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>East</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>South</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>35</td>
<td></td>
</tr>
</tbody>
</table>

70 It should be noted that the electoral systems between the two elections are different, hence the focus only on constituency level. The 1992 election utilized a multimember plurality voting system whereas the 2019 election utilized a single ballot constituency and party list apportionment electoral system. See Nelson 2015 for details.
71 Local politician refers to non-national level politicians such as mayors, district councilors etc. It should also be noted that all of these local politicians came from two major parties; the Democrat and Puea Thai parties.
### Table 4: National level politicians defecting and parties defected to and from

<table>
<thead>
<tr>
<th>Moved from</th>
<th>Moved to Palang Pracharat</th>
<th>Thai Raksa Chart</th>
<th>Bhumjaithai</th>
<th>Action Coalition for Thailand</th>
<th>Chartthai Pattana</th>
<th>Puea Thai</th>
<th>Democrat</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Puea Thai</td>
<td>28</td>
<td>18</td>
<td>6</td>
<td>0</td>
<td>4</td>
<td>0</td>
<td>0</td>
<td>56</td>
</tr>
<tr>
<td>Democrat</td>
<td>9</td>
<td>0</td>
<td>0</td>
<td>6</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>16</td>
</tr>
<tr>
<td>Chartthai Pattana</td>
<td>1</td>
<td>2</td>
<td>6</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>10</td>
</tr>
<tr>
<td>Bhumjaithai</td>
<td>6</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>8</td>
</tr>
<tr>
<td>Palang Chon</td>
<td>5</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>Matubhum</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Chartpattana</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Chart Pattana Puea Pandin</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>50</strong></td>
<td><strong>20</strong></td>
<td><strong>13</strong></td>
<td><strong>6</strong></td>
<td><strong>5</strong></td>
<td><strong>3</strong></td>
<td><strong>1</strong></td>
<td><strong>98</strong></td>
</tr>
</tbody>
</table>

### Table 5: Palang Pracharat Party district candidate winners from other parties

<table>
<thead>
<tr>
<th>Puea Thai</th>
<th>Democrat</th>
<th>Chartthai Pattana</th>
<th>Palang Chon</th>
<th>Bhumjaithai</th>
<th>Chatthai Pattana Puea Pandin</th>
<th>Palang Prachachon(^{73})</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>6</td>
<td>5</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>38</td>
</tr>
</tbody>
</table>

Table 6: Palang Pracharat district candidates coming from other parties that won but lost in 2014 general election and lost again but contributed votes to Palang Pracharat Party for Party List

<table>
<thead>
<tr>
<th>Puea Thai</th>
<th>Chartthai Pattana</th>
<th>Democrat</th>
<th>Bhumjaithai</th>
<th>Chartthai Pattana Puea Pandin</th>
<th>Palang Chon</th>
<th>Social Action</th>
<th>Raksanti</th>
<th>Pracha Santhi</th>
<th>Total Votes</th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>1</td>
<td>14</td>
<td>11</td>
<td>9</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1,441,418</td>
</tr>
</tbody>
</table>

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72 Thai Raksa Chart Party was an offshoot party of the Puea Thai Party to increase seat allocation due to the voting/electoral system. The party was dissolved and leaders banned prior to the election by the Constitutional Court for nominating Princess Ubonrat as its PM candidate.

73 Palang Prachachon was the Thaksin Shinawat political party vehicle after his Thai Rak Thai Party was dissolved and banned by the Constitutional Court and is currently incarnated as the Puea Thai Party, hence indicated a former Thaksin affiliation.
Table 4 and 5 demonstrate the nearly asymmetrical poaching of national level politicians to both stand for election and win district seats from Thaksin’s Puea Thai Party. Furthermore, the while the largest number of politicians came from Puea Thai the Democrat Party was also a victim of its support for the coup and success of Palang Pracharat. The Democrat Party lost national level politicians from itself and a split in the party which saw former Deputy Prime Minister and party Secretary Sutep Tueksuban defect and set up his own Action Coalition for Thailand Party. Furthermore, most local politicians defecting in Bangkok and the Central region which won national seats came from former Democrat Party representatives as seen in table 4. Lastly, defecting politicians which did not win district seats still contributed to the Palang Pracharat party list as evidenced by early 1.5 million votes in table 6. Tables 4-6 show the generic nature of the Palang Pracharat Party as it is composed largely of defecting politicians seen at the district level and especially in the party list which is composed exclusively of defecting politicians. These tables further buttress the assertions made previously from the tables 1-3 showing regional variation and local poaching against the backdrop of similar low popularity in 1992 and 2019.

The two previous sections bring together a central argument of the author, which is that this current junta led political incarnation is an updated and applied version of its previous brazen attempt to hold onto power after a successful coup in 1992. This updated version of its failed comparative counterpart is demonstrated in four critical and interlinked mechanisms. Both junta’s drafted a junta friendly constitution. However, the latest incarnation has adapted to the need for perceived legitimacy in the contemporary world, thus holding a public referendum. This referendum differed substantively from the very first public referendum held after the coup of 2006 to legitimize the then junta’s constitution by applying strong coercive measures of the state against all would be adversarial opposition voices, thus securing its political purpose. The Senate composition is inextricably linked to the military formed Palang Pracharat Party. The Senate was appointed by the junta leaders and stacked with family members, friends, colleagues and embedded with 6 armed forces heads and the Permanent Defense Secretary. Senate powers are substantial but pointed and not broad in scope. The Senate can be seen as a chamber out of popular control appointed by the military junta but will guard a military led friendly government and be antagonistic and control any unfriendly opposition government by controlling powerful and largely biased constitutionally Independent Organs such as the Constitutional Court, Supreme Administrative Court and National Counter Corruption Commission. The Senate further serves as a legitimacy enhancer for the military led Palang Pracharat Party as the military is embedded within an institution largely out of public sight and scrutiny. The public face of the military junta, the Palang Pracharat Party is filled with ranks of familiar national and local level politicians who defected from other parties and where only two ex-generals are present, Thus, the military face is secondary to a civilian face of the military party. This serves the twin purposes of weakening opposition parties while
strengthening the military party and leaving the military out of the public firing lines of daily public scrutiny.

6. Case Study of an Eastern Province and its Powerful Political Family

This final portion will highlight the case of a powerful political clan, who have their political powerbase in an Eastern seaboard province. This portion of the paper will advance a single argument which leads off the previous section’s claim of the military led Palang Pracharat Party being a cobbled together coalition with a core of defecting politicians who; some with pressure and rewards as a motivating factor, rather than a ‘normal’ organic Thai political party. To prove the claim that this family and its political affiliates defected due to this method the author will draw on media sources to situate a powerful motivation, government rewards brought together with timing and post-election political appointments for core political family members. The family and members are anonymized for various reasons.

The military established the Palang Pracharat party as its electoral vehicle on March 2, 2018 only a year before the scheduled general election. Consequently, with such little time to prepare for an election the novice party set out to lure and entice established civilian politicians from other political parties to join its ranks in order to make it a feasible ersatz party. A well-known and very influential political family is located in an Eastern seaboard province. The family’s scion was a Kamnan [village headman]. He began his political career as a headman of single village of Sean Suk sub-district in 1968. Later he became village headman of the same sub-district and a vote canvasser for the Social Action Party (a national level political party) headed by Aristocrat Kukrit Pramot in 1983. Five years later after the county was incorporated he began the elected mayor in 1988 and again in 1996 where he remained until the year 2000. He switched political allegiances a number of times until finding a stable political ally in Banharn Silpa-archa’s Chart Thai Party where he claimed “we are all for our phuak [crowd of friends] and not for any phak [party]. In rural areas this is how it has to be…I support people, not parties. He utilized these national party connections from his days with Social Action through Chart Thai to get his friends and family into national politics in his home province.

He was later charged and convicted in absentia of two crimes, murder for contracted killing of another Kamnan in 2003 which he received a 25-year sentence and graft for the illegal sale of forest land for a landfill site for the city of Pattaya in 1992 which he received an additional 5-year sentence. He went into hiding after being charged and was finally arrested on January 30, 2013.

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74 Thairath Online. (2013, January 30). ประวัติสมชำย คุณปลื้ม ข้อมูลล่าสุดของสมชำย คุณปลื้ม [History of Somchai Khunpleom].
He was subsequently sent to prison for both charges which he was previously convicted. It should be noted that scholars have seen this period of time as one where Thaksin as Prime Minister attempted to undermine provincial godfathers and his being charged with these crimes is considered to be political motivated to undermine the family political power base and supplant them with Thaksin’s political machine in this province (Praditsil and Khrueanuan, 2016).

They were able to be part of various elected governments from 2005 onwards in coalition governments. This family was able to exercise considerable political independence and seek power at the local, provincial and national level through its political vehicle the Palang Chon Party established in 2010 which consistently won elections in this single province, eventually finding their cabinet apportonment in the Culture Ministry after the 2011 elections. Government coalitions they were party to were with Thaksin’s Puea Thai party as the lead party, hence it could be inferred they were in an uncomfortable alliance with the party and persons responsible for imprisoning the family scion and threatening their political powerbase. That being said the eldest son of the Kamnan had been elected as mayor of Pattaya City prior to the 2014 coup and was in control until NCPO order 6/2560. On 16 February 2017 ejected the family by order of the junta and was replaced by a junta friendly Police General Anan Charoenchatri thus disempowering to a great degree this family’s political position (NCPO Order 6/2560).

However, the family fortunes began to turn later in 2017 when the family scion imprisoned for life for murder was released from prison and remanded to house arrest under ‘special circumstances’ by order of Justice Minister Chief Air Marshall Prajin Junthong due to being the final stage of cancer and being over 70 years of age (Mathichon 2017, Thairath 2017). Only 4 months later in April 2018 both of the kamnan’s sons were appointed to political advisory positions by PM Prayuth. The former Pattaya Mayor was appointed as a political advisor to the PM while the younger brother was appointed as assistant to the Minister of Tourism and Sports (Bangkok Post 2018). By September of the same year fortunes of the family seemed to have been restored when the NCPO and PM Prayuth issued a decree which relieved Police General Anan Charoenchatri from his position as Pattaya Mayor and reinstated the former Mayor who had been relieved only a 19 months earlier. This person is the eldest son of the kamnan who was appointed as political advisor to the PM in April of 2018 (Bangkok Post 2018a, NCPO Order 15/2561). In an interesting turn of events just 3 days after his reappointment the Mayor assured the public that the family would pay Pattaya City the original loss of damages of 100 million Baht which was incurred by his father’s illegal land deal concerning the landfill site in 1992 (NationTV 2018). This is highly beneficial to the family as they are only paying the principle and not the accrued interest over 27 years which would put the bill well over 800 million Baht.

The new mayor laid out his vision for Pattaya which included being instrumental in support of the government’s plans for the flagship special economic zone, the Eastern Economic Corridor (Bangkok Post 2018b). This is highly relevant as the family’s construction company Bangsaan
Mahanakorn, which derives 90% of its business through government contracts was listed as a ‘special contractor’ by the Highways Department and given exclusive contracts to build all public infrastructure in the EEC which includes all roads and water supplies (Matichon 2018). Later in preparation for the election the family’s Palang Chon party moved all its members and electoral candidates to the military Palang Pracharat party in November of 2018, thus completing the allegiance to the PM (Thaipost 2018). As predicted this faction did well in the 2019 general election winning 5 of 8 districts in their province, but oddly enough the youngest brother lost his election to a Future Forward Party member (Matichon 2019). Nonetheless, despite his election loss he was appointed by PM General Prayuth Chan-ocha as Minister of Culture in July of 2019 (Government Relations Department 2019).

The timing of this power political family’s defection to the Palang Pracharat party coupled with the stick of immediate removal from power via junta decree and the carrots of benefits which quickly accrued back to the family would indicate, at least circumstantially strong motivational factors paralleling timing. The family’s ability to reconsolidate its political base via military party connections and expand its commercial enterprises while limiting its historical liabilities would show a strong connection between defection of political actors, the setting up of the military’s political party, general election performance and political appointments.

7. Conclusion

The article has argued that the Thai military and its brand of conservative authoritarianism is substantively different in scope and practice vis-à-vis prior military interventions in politics. The difference exists not in the military taking an overtly direct role in political affairs after a general election but rather setting the stage for behind the scenes role of legal manipulation (constitution drafting), proactive agenda setting (referendum), and institutionally structuralizing its political preferences (Senate) and creating a public political vehicle (Palang Pracharat Party). This approach is novel in the Thai coup context as the military has seized the ‘moral high ground’ from over a decade of political conflict to structurally embed itself for the medium to long term using an applied approach where it is present but not front and center as in past post-coup circumstances. This allows the military to apply its preferences while not having to take full contact blame for any backlash. The next portion of this series of articles will explore the applied civilian approach of the military’s latest attempt to hold onto power by demonstrating how the military built a near fully civilian comprised political party within one year and a couple case studies of the methods used by the military to partially dismantle other political parties to fill its own ranks using a carrot and sticks method of political pressure. The two phenomena alluded to in the tile of the paper has been demonstrated in an unprecedented coalition government of over 16 political parties that took over 3 months to form following the general election which is indicative of herding cats and how the military junta cobbled together a party of defecting politicians through various means, howling dogs. The larger question of what this means for the future of Thai politics and Thailand at large is
an open question fraught with danger and dark days ahead. What has become clear after 5 years of military rule and the event highlighted in this paper, authoritarianism is deeply entrenched in Thailand’s politics and the previous deep divisions in Thai society have been opened again.

References

Thai Government Sources


Election Commission of Thailand. ктд.แจง กรม.ไม่ได้ก่างณาให้ส่งรอง ขณะ.ทุกครัวเรือน แต่มิ่งลงสารแจ้ง เจ้าบ้าน [ECT: No Legal Obligation to Send Copies of Charter Draft to All Voters, Leaflets to be
Herding Cats & Howling Dogs: The Thai Military, Applied Authoritarianism and the Election of 2019


Bangkok Post. (5 October 2015). Thailand: Junta nominates Constitution Drafting Committee members following rejection of draft constitution in September.


Bangkok Post, (10 October 2018). Sontaya lays out priorities for Pattaya. Available at:

Bangkok Post. (3 July 2019). Pheu Thai turns to EC on ‘poachers’.

Bangkok Post. (6 December 2018). Dire need for elected Senate.

Bangkok Post. (15 June 2019). Wissanu blasted over Senate picks process.

Bangkok Post. (13 June 2019). Govt relents on Senate selectors.

Bangkok Post. (2019, July 16). Absent senators to get meeting alerts.


Wiki: กำรเลือกตั้งสมำชิกสภำผู้แทนรำษฎร_ครั้งที่_25_วันที่_23_ธันวำคม_2550


Matichon, 2018. ยธ.แจง พักโทษ "ก้านไม้ป่า" ไม่มีวาระช่วยเป็น บดซ่า "บิ๊กตู่" เจรจาสัญญามือถึงหลายทุน "บิ๊กตู่" แลกพักโทษ. มิติข่าวออนไลน์. Available at: https://www.matichon.co.th/local/crime/news_802937 [Accessed March 6, 2020].


Matichon Online. ‘บิ๊กป้อม’ ห่วงประชาชนมีอิสระทางความคิด สงกรานต์ไม่ได้นำประชำเมธิม ย้ำให้แค่รัฐ.แจ้ง [Prawit says public has the right to opinion, orders ban on informing as only Constitutional Drafting

Matichon Weekly มติชนสุดสิปตาร์, (4-10 November 2018. เปิดอาจารจิก "คุณปลื้ม" กังสิ...หมื่นล้านแข็งแกร่งทั้งพลังทุน-การเมือง. Available at: https://www.matichonweekly.com/column/article_99206 [Accessed March 6, 2020].


Nikkei Asian Review. (1 September 2018). Pro-junta groups poach opposition politicians before Thai election.


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The Guardian. (2016, July 24). This article is more than 2 years old Thailand: Police charge eight-year-olds with obstruction in run-up to referendum.


