

DEMOCRATIZATION IN THAILAND, 1997-2010

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DECLARATION

I declare that the thesis entitled, “**DEMOCRATIZATION IN THAILAND, 1997-2010**” submitted by me for the award of the degree of **Master of Philosophy** of Jawaharlal Nehru University is my own work. The Dissertation has not been submitted for any other degree of this University or any other University.

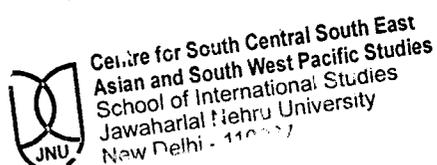
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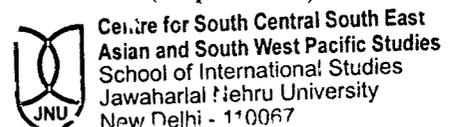
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...DEDICATED TO

*PHRADHAMMAKHUNAPHON (PHIPOON KATAPUÑÑO)
PHRADHAMAMAHAWIRANUWAT (CHALONG CINTĀINDO)
AND MY FATHER WHO PASSED WAY WHEN I WAS CHILD....*

Preface

The Democratization in Thailand has been a key issue for decades. Since 2006, the country has faced immense political instability and confrontation between two political groups. The Democratization in Thailand is not similar to other countries, because of its unique historical background. The birth of democracy in Thailand is very different in its milieu: the King VII, Prajadhipok, introduced plans to give democracy to the country in a phased manner in keeping with the nature of the society the Thai people before 1932 had very high expectations. Although the literacy rates were very low and it was only in urban and some parts of rural areas that it was high. In spite of his good intentions, King Prajadhipok was overthrown by civilians and the military in 1932. This is the origin of the beginning of democracy in Thailand, and since then many questions have been raised by political scientists on the functioning of Thai Style of Democracy which is very different from those practiced in Western Countries. In Thailand, eighteen Constitutions have been formulated so far and it has witnessed seventeen coups till 2006.

The People's Constitution of 1997 was the best Constitution framed in the history of Thailand. This was so due to the input which came from the people and the desire of the people for a clean political system with checks and balances was reflected in the framing of the Constitution. The political system had been crippled by corruption and instability.

The rise to power of the former Prime Minister Thaksin Shinawatra a popular Prime Minister who won the elections with approximately 12 million votes, or around 40 percent of the total votes. He used the populist policy such as health care "30 Baht" scheme, "one million one district" etc., and simultaneously the People's Constitution was undermined by the conflict between the opponents and Thaksin. The former accused the Prime Minister Thaksin of being corrupt, and succeeded in overthrowing him.

The emergence of the People's Alliance for Democracy (PAD) or the Yellow Shirts, was to oppose Thaksin brand of politics. The rise of Yellow Shirts provoked pro-Thaksin forces to mobilize themselves. The emerging of the pro-Thaksin, the National United Front of Democracy against Dictatorship (UDD) or the Red Shirts continue to fight and denounce the government and the "ammat" (aristocratic bureaucrats) of demonstrating "double standards" of law enforcement and judicial decision-making in society in Thailand perpetuated bureaucracy who destroyed the democracy. The confrontation of two groups of people is going on since 2006 inspite of talk's regarding the reconciliation in the society in order to stop the conflict and the crisis. Many leaders, scholars are looking to the way to stop the crisis and conflict in order to carry on with the process of Democratization. In order to solve the problem, efforts have taken the shape of reconciliation, and the dialogue for non-violence has been discussed in Thai society, even in the Buddhist temples.

The introductory chapter attempts to outline the development of politics in Thailand by focusing on Democratization from the beginning of Democracy in Thailand. The following three chapters explain the intricacies of the reforms of politics since 1997, and examine the Thaksin administration during its 6 years in power, and last of all, this study will focus on the course of the legitimacy of crisis of politics in Thailand.

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LIST OF ABBREVIATIONS

CC	Constitute Court
CDM	Constitutional Drafting Assembly (CDM)
CNC	Council for National Security (CNC)
DP	Democratic Party
ECT	Elections Commission of Thailand (ECT)
ECT	Elections Commission of Thailand (ECT)
GDP	Gross Domestic Product
GNP	Gross National Product country's GDP
IMF	International Money Found
NCCC	National Counter Corruption Commission
NESDB	National Economic and Social Development Board
NGOs	Non-Government Organization
NHRC	National Human right Commission;
NCCC	National Counter Corruption Commission
NESAC	The National Economic and Social Advisory Council
NPKC	National Peacekeeping Council
OPO	The Office of Parliamentary Ombudsman
OTOP	One Village One product
PAP	The People's Alliance for Democracy
PPP	The People Power Party
SAC/OAG	State Audit Commission and Office of the Auditor-General
STD	Thai-Style Democracy
TDRI	Thailand Development Research Institute
TRT	Thai Rak (Love) Thai
UDD	The National United Front of Democracy Against Dictatorship

CHAPTER I

**INTRODUCTION: DEVELOPMENT OF POLITICAL SYSTEM IN
THAILAND**

Introduction: Development of Political System in Thailand

This chapter attempts to offer a canvas to the process of development of political system and institutions, as the backdrop to understand the nuances of democratization in Thailand in the contemporary period. It begins with the historical background of Thailand, defining the concepts of democracy and democratization. It delineates the stages of the political development of Thailand in regard to the question of Democratization, Thai Style of Democracy, Bureaucratic Politics and the Role of Monarchy in the Democratization process. The chapter also examines the impact of Thai Economy on the process of political development.

1.1. Historical Background of Thailand

According to history, Thailand in the fourteenth century was relatively unknown and was the subject of much scholarly debate, there is general agreement on the broad outlines of a lengthy migration of Tai-speaking people from China down to Southeast Asia. Only in the mid-fourteenth century does the history of the various Tai principalities begin to emerge with some clarity. By common usage, the Tai who occupied the alluvial central plains of the Chao Phraya River were already known as Siamese. In the early nineteenth century, Bangkok exercised sovereignty over a large area that included present-day Cambodia and Laos and several Malay sultanates. Over the course of the nineteenth century, Siam lost most of these latter dependency areas to French and British colonial encroachment, the modern Siam (the name was changed to Thailand in 1939) crystallized within its present borders in the beginning of the twentieth Century. The modern-day “Thai” referring to the citizens of Thailand, connotes a people and identity that developed over a long period of assimilation among the Tai, the earlier cultures, and the more recent immigrants from China and elsewhere (Robert J. 1994:11-12).

The dominant principality that developed into the first extensive Siamese kingdom, a major power in Southeast Asia, was centered on the glittering capital city of Ayuthaya. In 1767 the Siamese, weakened by internal rivalries, were unable to raise a Burmese siege. Ayudhaya fell was sacked and completely destroyed by the Burmese. The Thais recovered rapidly and established a reinvigorated state. A new capital was established at Thonbury near the mouth of the Chao Phraya River, and then moved in 1782 to Bangkok on the opposite bank. The second monarch of the new state, King Ramathibodi (or Rama I, 1782-1809), was the Chakri dynasty, the royal line has continued as head of state up to present time. (Muscat 1994:11-12)

Thailand is also known the land of smile, the land of white elephants and the land of beautiful temples, Thailand is a country located at the center of Southeast Asian countries. It is border to the north by Myanmar and Laos, to the east by Laos and Cambodia, to the South by the Gulf of Thailand and Malaysia, and the west by the Andaman Sea.

During the golden age of European colonialism in the nineteenth century and the seventeenth centuries, Thailand was the only country in South and Southeast Asia to retain full sovereignty. There were two principal reasons for this.

One was its location as a buffer zone between the France sphere of influence in Vietnam, Laos, and Cambodia, and the British sphere of influence in Malay and Burma. The Thai paid a high price for. However they were forced to cede control of Cambodia and Laos to the French and portions of Malaya to the British.

Second reason for Thai success in retaining independence was leadership. Two Kings in particular stand out in terms of their openness to West, their commitment to modernizing their country, and their wisdom in dealing with the Europeans: king Mongkut (Rama IV), who ruled from 1851 to 1868 and his son King Chulalongkorn (Rama V.) who ruled from 1868 to 1910. (Wood 2004:72).

Thailand is only one developing country who never fallen under Western colonialism. The late nineteenth and early twentieth centuries, during the expansion of Western colonialism in neighboring lands, they expropriated many parts of Thai territories and threatened to take more.

Modernizing reforms in Siam during the period 1850-1932 were led by monarchy. The Chakri dynasty also undertook reforms in many parts of Thailand. Recent Thai history is a story of sweeping transformations and dizzying political uncertainty since the revolution in 1932.

Thailand is the constitutional monarchy with King Bhumibol Adulyadej, the ninth King of the House of Chakri, who reigns since 1946, making him the world's longest serving current head of state and the longest –reigning monarch in Thailand history.

The king is officially titled the Head of State, the Head of the Armed Forces, an Upholder the Buddhist religion, and the Defender of all Faiths. Thailand is the world's 50th largest country in terms of total area, with a surface area of approximately 513,000 sq. km (198,000 sq. mi), and the 21st most-populous country, with approximately 64 million people. The largest city is Bangkok, the capital of Thailand, which is also the country's centre for political, commercial, industrial and cultural activities. About 75% of the population is ethnically Thai, 14% is of Chinese origin, and 3% is ethnically Malay; the rest belong to minority groups including Mons, Khmers and various hill tribes, the country's official language is Thai. The primary religion is Buddhism, which is practiced by around 95% of all the Thais.

1.2 Definition of Democracy

Democracy is a Greek word, which means rule by the people, since the people are rarely unanimous, and democracy as a descriptive term is synonymous with

“majority rule”. In the ancient Greece, and when the word was revived in the eighteenth century, most writers were opposed to what they called democracy. In modern times, the connotations of the word are so overwhelmingly favorable that regimes with no claim to it at all appropriated it. (Mclean and Mcmillan 2009:139).

The term “democracy” derives from a combination of the Greek words, demos , or people, and kratos, or rule, to form demokratia, or rule by people. It is typically contrasted with monarchy (rule by one) and oligarchy (rule by the few). The Yale scholar Robert A. Dahl one of the prominent specialists on democracy regarded responsiveness to the preference of the citizen’s considered as political equals, as a key characteristic of democracy. Such responsiveness requires that citizens have opportunities to (1) formulate their preference (2) signify their preferences to their fellow citizen and government by individual and collective action; and (3) to have weighted with equally in the conduct of the government that is , weighted with no discrimination because of the content of source of the preference (Dahl 1971:2). These three opportunities in turn, are dependent on the following institutional guarantees:

1. The freedom to form and join organizations.
2. The freedom of expression
3. The right to vote
4. The eligibility for public office.
5. The right of political leaders to compete for support and for votes
6. The alternative sources of information
7. Free and Fair election
8. The dependent policymaking institution in government on vote and other expressions of preference.

Democracies are those political systems in which these eight guarantees are to be satisfied. For practical purpose, a condensed definition that summarizes the basic elements of democracy is more useful (Doorenspleet 2006: 14). On this basis, the following definition of democracy will be used in the research:

Democracy is a type of political regime in which (1) there exist institutions and procedures through which citizens can express effective preference about alternative policies at the exercise of power by the executive (competition) ; and (2) there are exists inclusive suffrage or right of participation in selecting national leaders and (participation) (Doorenspleet 2006: 15).

A few of the characteristics of democracy generally put forward by scholars on the subject: Elections to office are open to participate by all citizens Each vote is of equal value Voters have real and free choices Citizens have open access to information There is a rule of law guaranteeing freedom (Alan 2004: 2)

Democracy is based, to some degree, on the principle of human equality. It presupposes that all citizens, regardless of social status economic wealth or political power, stand as equals at that ballot box.

Buddhism was itself founded in part as assertion of equality. Islam as well, reflects a profound sense in the underlying equality of all human beings, Robert A. Dahl, , has identified six major institutional prerequisites for what he calls “full democracy,” Election, officials Free, Fair, and frequent election ,alternative sources of information, Associational autonomy Inclusive citizenship (Wood 2004:11).

1.3Definition of Democratization

Democratization means the process of becoming a “democracy”. The word was first used by Bryce in 1988. Bryce identified the process as beginning with the “French Revolution.” If democracy is equated with the “franchise, the First Wave of democratization was a slow one. It was spreading from France and some states in the United States in the 1790’s to most of the industrialized world by 1918. After both the First and Second World Wars, there were wavelets of democratization.

The Second Wave was encouraged by independence movement in Western colonies, particularly in Africa and in Asia. However, the rise of communism

and fascism rolled back the first; and internal strife in former colonies rolled back the second. So called Third wave of democratization started in the early 1970's. By the year 2000, there were, according to Freedom House, one hundred and twenty democracies in the world, the highest number yet record. The third wave started in Southern Europe with the demise of military dictatorships in Portugal (1974), Spain (1976), and Greece (1976), and then extended to Latin America, Central and Eastern Europe, the Far East, South-East Asia, and Sub-Saharan Africa in the 1980s and 1990s(Mclean and Mcmillan:144-145).

The wave of democratization which is known as “ Jasmine Revolution” , which expands to the Middle East Country, which the counterrevolutionary forces challenging in Egypt, Syria, Libya etc., and the people demonstrated to the their government in order to get the democracy ,because of those countries ruled by authoritarian for many years.

Amitav Acharya, explains the meaning of Democratization and regionalism in many ways he states that the consequence of democratization for regionalism can be examined in terms of a number of hypotheses. First, democratization may alter the domestic political climate on which regional interaction are based. Second, Democratization may call into question the sanctity of existing regional norms and relevance of existing institutional mechanisms. The instability that accompanies democratization has a spill-over effect which may strain the norms of regional institution committed to the principle of non-interference in the internal affairs of state. Democratic rulers, pandering to nationalist sentiments, could become less inclined to resort to collective procedures and practices for conflict management. Finally uneven democratization within a regional grouping could polarize members over key political issues, including promotion of human rights and democracy through regional means. Democratization may also have a number of positive consequences for regionalism. Democratic transition may create unanticipated moments of boldness in foreign policy, which could break long-standing stalemates in regional conflict.

Democratization creates more domestic transparency in ways beneficial to regional understanding and trust. Transition to democracy rule brings in its wake availability of greater information about a state's national security and financial policies and assets. Democratization creates a deeper basic for regional socialization by according space to civil society and accommodating its concern. Most forms of regionalism in the developing world (indeed anywhere for that matter) have been highly state-centric, which in turn invites opposition to their agenda from domestic and international civic action groups. A grouping of more participatory polities could change this and thereby increase the chances for more effective responses to transnational issues. Next, democratization broadens the scope of the regional institutions, permitting a more relaxed view of sovereignty and allowing these institutions to address issues which might have been considered too sensitive to authoritarian states (such as human rights promotion). Newly empowered civil society elements apply pressure on their own governments to find regional approaches to transnational issues such as the environment, refugees and migration. This will increase the overall relevance of regional institutions in promoting regional peace and stability.

Last but not least, democratization may secure better support for regional integration and co-operative projects from outside powers. In the changing international climate, where democracy and human right have become ever more influential international norms, regional groupings of authoritarian states, or principle of non-interference, are unlikely to find sympathy and support from international donors, Increasingly, the aid policies of bilateral and to some extent multilateral donors are specifically tied to the human rights policies and democratic practices of recipient states. Domestic pressure in donor countries makes it difficult for them to support regional groupings perceived to be anti-human rights and democracy. On the other, more aid is now available to regional groupings which promote democracy and human rights (Acharya 2003: 376-378).

1.4 The Thai Economy, 1968 – 2006

The economic history of Thailand can be separated into four periods: the pre-boom period (1968-1986); the boom period (1987 to 1996); the economic crisis (1997 to 1999); and the recovery period (2000-2006). (Perter 2009: 152) From 1968 to 1986, during the pre-boom period, Thailand experienced a higher Gross National Product (GNP) growth rate than any other low- or middle-income countries. Thailand had GNP growth of 6.7 percent per year, while other low and middle income countries had an average GNP of approximately 2.4 percent (Perter 2009: 151). During the boom period (1987- 1996), Thailand's economy became the fastest growing economy in the world (Perter 2009: 151).

Physical capital such as equipment and factories, both domestic and foreign, was the main contributor to this high growth rate, accounting for around 70 percent of the growth rate between 1968 and 1996. In the year from 1958 to 1996 did Thailand experience a year of negative growth of real output per head. Real GDP growth from 1957 to 1997 was around 7.6 percent, and never fell below 4 percent (Thailand Human Development Report 2007: 21)

Following the East Asian financial crisis in 1997-1998, Thailand's growth rate fell to -10percent in 1998, the lowest it had been since before the pro-boom period (Warr 2009: 22). However in 1999, the economy regained momentum and the country's GDP per capita rose from \$5,521 in 1999 to \$7,378 million in 2006, an increase of 33 percent (Thailand Human Development Report 2007 :22)

The Gini¹ coefficient was 0.504 in 1969 and 0.42 in 2002 United Nation University. "World Income Inequality Data Base V.2" May 2008. Throughout these four periods of Thai economic history, the poor suffered more than the others— during the boom period, the poor, especially those in the agricultural

¹The Gini coefficient is a measure of the inequality of a distribution, a value of 0 expressing total equality and a value of 1 maximal inequality. It has found application in the study of inequalities in disciplines as diverse as sociology, economics, health science, ecology, chemistry, engineering and agriculture.

sector did not benefit as much as the rich, whereas during the crisis, the poor were among the worst-hit— millions lost their jobs (Perter 2007:152).

The suffering of the poor contributed to the emergence of Thaksin and the TRT, as their policies professed to offer low- income Thais the opportunity to escape poverty. The economic situation in Thailand from 1968 has important implications in the rise of Thaksin, His popularity grew with the economic growth in Thailand during this period and shifted the government's attention away from the local interests to the national and international economy. It is important to note that Thaksin and Thai Rak Thai (TRT)² benefited from the persistently wide inequality in Thailand because they were able to use their programs as a political tool to appeal to the poor.³

Thailand's economic policies from 1997 to 2006 focused more on improving rural standards of living and reducing rural poverty than trying to expand the economy in urban areas. Even though the government's efforts to reduce poverty, the number of the poor in Thailand, which was high due to the Financial Crisis of 1997-1998, fell from 12.6 million in 2000, to 6.1 million in 2006. While there were improvements in the reduction of poverty since the 1960's when development plans were put in place (as reflected in the fall in the number of the poor and an increase in accessibility to social services), not everyone benefited from these improvements as seen from the inequality in income and in health service provision . According to Thailand Human Development Report of 2007, the level of inequality, measured by income and access to social services, was still high. The income of top fifth amounted to 55.2 percent of the total income, while the lowest was only had 4.3 percent (Thailand Human Development Report 2007:9).

² Thai Rak Thai means Thai Love Thai Part.

³ The gini coefficient was 0.504 in 1969 and 0.42 in 2002 United Nation University. "World Income Inequality Data Base V.2" May 2008.
http://www.wider.unu.edu/research/Database/en_GB/database/.

Moreover, there still remained a significant proportion of the population (6.1 million people in 2006) living in absolute poverty (under the poverty line) with an income less than 1,386 baht (\$42) per person per month in 2006 (see Table 1). It is also worth noting that most people living under the poverty line were farmers and workers in rural areas. These people were Thaksin's main source of votes in both the 2001 and 2005 elections (Thailand Human Development Report 2007:9). After comparing income distribution at the regional level, it is evident that the pattern of inequality in income distribution (2004) was widespread in the North, Northeast, and far South. Thaksin and the TRT's main source of votes came primarily from the North and Northeast regions, where income inequality was the most severe. There was a stark difference between the income per person in the five wealthiest provinces (Bangkok and the Bangkok Vicinity) and the income per person in the five poorest provinces (North and Northeast).⁴ While the average person in Bangkok earned around 29,425 Baht (US\$892) per month, rural people in Mae Hong Son earned only 6,681 Baht (\$203) per month (Thailand Human Development Report 2007:117).

Poverty levels varied significantly by region. Only 2 percent of the population in Bangkok lived under the poverty line in 2004, while over 16 percent of the North and 17 percent of the Northeast lived in poverty (Thailand Human Development Report 2007: 9). Thaksin's pro-poor policies catered to these areas in which the majority of the nation's poor resided; the votes he received corresponded to areas in which poverty incidence was high. Despite efforts to address the inequality between those in urban and rural areas (income, social protection, and access to services) in Thailand, inequality still remains one of the most pressing issues the government must tackle. People in metropolitan areas and those who were closely linked to the international economy received a

⁴ The top five provinces (Bangkok, Nonthaburi, Samut sakon, samut Prakan, and Phuket) and the bottom five provinces (Buri Ram, Nakron Phanom, Mae Hong Son, Nong Bua Lam Phu, and Surin).

higher income and better standard of living than those linked to domestic economy such as people working in the agricultural sector (Perter 2009: 152).

Thaksin and TRT put forward this agenda as their policies were catered towards the poor. Between 1997 and 2006, Thailand experienced a financial crisis, political turmoil, and insurgencies in the Muslim-majority in far South. This contributed to slow development in rural areas, especially in the North, Northeast, and far South. From 1997 to 2006 the differences in household income between urban and rural areas and general income inequality (as shown by the Gini coefficient which measures the inequality in income or wealth), were still wide. Due to the wide inequality gap between the rich and the poor as a result of the growing economy and the financial crisis, Thaksin and TRT picked up these important facts and focused their policies.

1.5 The Political Developments since 1997

The modernization process bred a European –educated elite group which was the main actor in the bloodless revolution of 24 June 1932. Since Thailand became constitutional monarchy in 1932, the country has been on a bumpy road toward democracy with cycles of corruption and coup d'état. A small group comprising military officers and civilians, led by Phibun Songhram and Pridi Phaomyong, seized power in a coup, in subsequent years the military group predominated frustrating Pridi's attempts to introduced democratic government. Phibun became the Prime Minister in 1938, and during the year changed the country's name from Siam to more 'modern' Thailand, in 1840's. Military-led ultra-nationalism entrenched under Phibun, and Thailand participated World War II on the side of Japan, when Japan defeat loomed, parliament rejected government legislation in July 1944, ushering in a turbulent three years of democracy. Ten governments, under five prime ministers, held office in this period, most under the influence of Pridi, who as the head of the king's Privy Council and leader of Free anti- Japanese movement in the war years. This interregnum was ended by a coup in November 1974, masterminded by Colonel

Sarit Thanaret. Back as Prime Minister by April 1948, Phibun's second period in office was again marked by authoritarian rule, and was strong conflict between factions within military. As conflict within the ruling elite intensified, Sarit moved against Phibun in September 1957. He became Prime Minister one year later, he instituted the most thoroughgoing absolutism ever witnessed, ruling by decree, and he brought the young King back to centre-stage, benefiting indirectly from his popularity. After his death, it was discovered that as he had plundered the state for personal profit amounting to -US\$158 million in illegal assets in 1963.

After Sarit's death, Generals Thanom Kitikatchon and Praphat Charusathien eventually permitted a new constitution, and election in November 1969. However, they became impatient with parliamentary system needling and dismissed it in November 1971, the absence of democracy; galvanized resistance from a growing educated, middle class came on. Some students came on to the streets in 1973, which provoked the army leaders and over 100 protestors were killed in an attempt to regain control by force. Government leaders then heeded the King's advice that flees the country.

The student-led uprising was in 1973 that gave a temporary halt to authoritarian regimes, paving the way for the entrance of to politics. It revealed some cracks in the military as an institution that contributed to the downfall of the Thanom government. This period should be understood in the context of emerging new political, economic, the social since the 1960's. However, the hard-won liberal politics was proven to be short-lived. (Praitsuk 2007: 884-885)

The military came back with a vengeance, when in 1976; hundreds of unarmed protesters were killed at Thammasat University by rightist forces backed up by security officers.

Thailand has looked for an emerging democracy. There has been of the considerable political instability, and numerous military interventions followed

the end of the absolute monarchy in 1923. For almost six decades, the country has been ruled by military –led governments, in dominance of the three General –turned – Prime Minister – for instance, Pobul, Sarit, and Thanom.

Michale K. Connors and Kevin Hewison in their analyses of the period 1973-1976, write that the re-emergence of participatory political practices were also one of great instability, with elections failing to produce stable governments. As governments came and went, politically motivated murders and intimidation became increasingly common and the downward spiral of political conflict became a whirlpool (Connors and Hewison 2008: 1).

Thailand has been used the seventeen military coups since the coútry abolished the absolute monarchy. To understand the political instability in Thailand, it is imperative to go into the background of political developments in Thailand starting with initiation of democracy in 1932. Democracy was introduced when common Thai did not understand the meaning of genuine democracy. The absolute monarchy had been overthrew by western educated people and military and adopted the democracy in 1932, in addition, it was only the people of elite origin who had higher education and has been explored to liberal view during their study abroad .

The Institution of political system is not strong and is very week, unfortunately, the democracy in Thailand faced political instability which resulting in as stated earlier in the seventh coups in the unique history of politics. Previously, in the beginning of democracy, Thai government has been overthrown by a military coups and military dictatorship between 1932 -2006; it had the seventh coups and having the eighteen constitutions in this period. Undoubtedly, it had caused concerns and uncertainty in the democratic system of Thailand as long as until now. The military rulers like Field Marshal Sari Thanarat (Prime Minister, 1958-63) and his successor Field Marshal Thanorm Kitikachorn (1963-73) maintained order through a combination of bribes, threats, and coercion,

(Chaianan1990:105) its aims were to end corrupt “money politic” and find a permanent way out of the vicious cycle of frequent coups.

Despite the demonstration of students upheaval of October 1973 in order to fight for democracy in the time of military dictatorship in 1973, this uprising had barely ended, one hundred of students were killed; more than two thousand others fled to join the Communists. The effect of uprising in 1973, the new Prime Minister Sanya formed a new constitution committee for the drafting and promulgation of new constitution during six months in order to reform the political system from the authoritarianism of the past to a new era of freedom and democracy, After the Constitution Drafting Committee finished its draft in January 1974, and established the first people constitution of Thailand. Ultimately, the uprising of students came back again in October 1976.

Although the process of the Democratization has been going out since 1997 the weakness in the democratic process of Thailand continues to face the problems. Thus the history of political reform in Thailand has seen many civilian governments, military dictatorship, and military governments since 1732 has led to political uncertainty and political instability. The political parties were undermined by lack of a stable of party system. Many of the politicians lack good ethics to do well of a stable of party system. Many of these politicians didn't have a good ethic to do good politic and good governance for the sake of the people, In brief; self aggrandizement is main motive of majority of politicians which prevents the development true democracy.

According to Thai political scientist Chaianan Samutwanit that Political parties in Thailand are very weak and are essentially electoral parties rather than grass-roots organization; they will need help if they are to broaden their appeal and create effective organizations (Samutwanit 990:115). The military institution dominated the political system and coups d'état (eleven between 1973) became institutionalized means for political leaders to alternate in power and at the same

time were able to keep popular participatory political institutions under control. Subsequent reforms have advanced in fits and starts.

During the –post- 1980s, new political arrangement was made in model of power sharing was to take place between the military and the civilian politicians of middle class origins. Not willing to challenge the military, elected politicians invited General Prem Tinsulanonda, to take Prime Minister Post. General Prem took office for consecutive eight years (1980-1988). During the Post-1978 period, the process of democratization was constrained by two factors in particular, both of which ultimately formed the necessary political context for the overthrow of the constitutional system in February 1991. One factor was the failure of political parties to institutionalize themselves as true representatives of the people. They also failed to assume the responsibilities of governance in a constructive, clean and efficient manner, and to promote, either in quantities or qualitative terms, voluntary political participation.

The political instability from 2006-2010 has seen the economic growth constrained in recent years. As Sukhumbhand Paribatra, the Thai scholar points out, and the apparent fragility of Thailand’s democratization process was demonstrated when the constitutional system was overthrown in February 1991 by a military junta (Paribatra 1993: 9).

Thai political scientist Chai-Anan Samudavanija is able to write in the inaugural issue of this that his country was “gradually moving toward full membership of the new and larger comity of liberal democratic nations.” But this optimism was confounded by the February 1991 coup, which demonstrated residual military ambitions to dominate the political order (Chai-Anan 1990).

In South-East-Asia, pressures for democratic reforms have been less disruptive to the status quo than in North-East-Asia. The First stage of democratic transformation occurred in the early period of post-colonial independence during

the 1950's. The second stage began with the development of authoritarian regime in the 1960's and 1970's characterized by persistent struggles between elected government and rebel insurgents with a radical communist agenda.

However, Thailand experienced the promise of democratic transformation from the early 1970's. In 1973's, in addition Thailand had experienced dramatic levels of capitalist economic development between 1960's-1990's. Civil society today embraces a dominant capitalist ethos in and increasingly cosmopolitan nation that embraces modernization and foreign investment with vigor (Maidment et al. 1998:289-291). The concept of the bureaucratic polity was developed by Riggs (1966) as Asia and explanation for the elite-dominate political order in Thailand. Riggs and others have argued that the early decades of parliamentary politics in Thailand (1932-1973) reflected the character of the end absolutism in 1932.

In Thailand, the end of the absolute monarchy was not popularly inspired. It was implemented by a small group of bureaucrats, both civilian and military. Whilst Thailand's new power holders used the rhetoric of constitutionalism, and made use of parliamentary and electoral forms of rule, the masses remained disempowered in the new order. The military frequently intervened in this political process, regularly staging coups and rewriting constitutions before allowing parliamentary governments to resume (Maidmen et al. 1998:289-291). Surin Maisrikrod, a Thai scholar, criticized that Democracy in Thailand is relatively institutionalized today. It is measured by the existence of such practices as parliamentary politics, regular elections, freedom of the press and expression, civil rights to organize political activities including opposition, and so forth. However, the road to democracy has not been smooth one, with occasional military intervention, a corruption prone electoral process, and electoral process, and an elected government lacking effectiveness. Various explanations have been advanced to explain Thailand's political development (Laothamtas 1997:141).

1.6. The Concept of Thai-Style Democracy (TSD)

The armed forces have a powerful influences in the politics of Thailand in recent years, in addition, many popularly elected governments which were corrupt have been overthrew by the armed forces with and a promise to return the country to democracy. This kind of “vicious cycle” was prevalent in Thailand during the 1970’s - 1980’s, when the oscillation between brief parliamentary politics and military takeovers were more frequently. As Surin Maisrikrod point out what is most interesting concept is that the emergence of the idea of a “Thai-style democracy “(TSD) as a legitimate alternative to Western - style democracy. The Thai and Western analysts of Thai politics have not paid enough attention to over the past 74 years. The notion of a TSD is emerging along the debate the merits of the coup among Thai intellectuals, Thai debates in accordance with topics, First, the role of the monarchy has been highlighted more then ever before. Second, the coup is seen as a riposte by the old guard traditionalist or some might say royalist-traditionalists against a formidable Thaksin led political alliance comprising various power groups and the capitalist class –who had during past five years marginalized the former. Thirdly, the coup could pave the way for return to the “bureaucratic polity” that was dominant in Thai politics after 1932 but had fad in the past 15 years or so on. Fourthly, the role of electoral politics in Thailand, particularly its role as a legitimizing mechanism for political office-holders had been debated (Maisrikrod 2007:340-341).

According to Surin Maisrikrod, appears to be founded on a cultural model of moral and king-centered politics, as opposed to a “rule based” Western paradigm. Surin’s characterization of this “TSD” views draws on the cultural –relativist rationales of academic apologists for the People’s Alliance for Democracy (PAP)’s “New Politics” and some Thai academics who have reacted defensively to their Western colleagues condemnations of the coup. It finds further justification in the common view, apparently endorsed by Surin himself;

the elections are not adequate grounds for legitimatizing government in Thailand, because rural and less-educated voters are not sufficiently politically mature. The STD model is further consolidated by the equally familiar argument that “Western-style” electoral –based on democracy that will always be compromised by Thailand’ s corrupt politicians (Maisirikrod 2007: 354).

As the Thai political scientist and columnist Thitinan Pongsudhirak remarked “Thaksin ultimately monopolized the electoral system, manipulated the constitution, and exploited its inner working to the point of usurpation” (Prasirtsuk 2008:178).

As Anek Laothamatas pointed out that Thailand has two contrasting visions of democracy, one rooted in the rural areas and one is the urban. The urban middle class, having higher levels of education and greater exposure to information, tends to vote for parties with high-profile politicians and sound policy platforms, rural dwellers, meanwhile, tend to cast their votes based on the personal patronage networks of individual politicians, regardless of personal profiles of policy platforms. Vote buying, in fact, is the norm in most rural areas (Prasirtsuk 2008:178).

In this connection, four different periods in contemporary Thai political history have been chosen:

1. The 1973-76 period (between the 1973 student-led uprising and the military coup of October 1978)
2. The 1977-79 period (during the premiership of General Kriangsak Chomanan);
3. The 1980-88 period (during the premiership of General Prem tinsulanond); and.

4. The 1988-92 period, which covers the premiership of General Chatichai Choongavan, the 1991 coup, the 1992 pro-democracy uprising and the premiership of Chun Leekpai (Prasirtsuk 2008: 143).

In this system, non-elected Prime Minister Prem Tinsulanond, a retired General, presided over as elected parliament with military approval. Technocratic elite in the bureaucracy was permitted to make policy. In the late 1980's, this "semi-democracy" evolved into short-lived full democracy, after July 1988 general election – the third during his premiership – Prem was more or less politically discredited. He was stepped down in August 1988, although Chatichai's tenure was often characterized as being a period of "full democracy", given the fact that parliamentary politics was prevailing, it could not sustain itself and eventually suffered a democratic reversal. Thus Chatichai Choonhavan, an elected politician heading the then largest party, fitted perfectly into middle class scheme. He rode on the wave of the middle class pro democratic sentiment to the post of the country's chief executive. Ironically, it was this group who joined the anti-Chatichai chorus premier's downfall in the coup of February 1991. Although corruption in Chatichai's Cabinet –dabbled "buffet Cabinet" –was used by the military as the main justification to topple the government, government was widespread (Prasirtsuk 2008: 143).

The rise of money politics fuelled by the country's remarkable economic growth undermined the credibility and legitimacy of the elected Chaichai Choornavan government. Accordingly, Banjerd Singkaneti, the Thai political scholar, placed the Thai-style political parties at the centre of the country's problems with parliamentarism. He analyses that political parties were merely constitution-based companies established by politicians to pursue their self-interest. Since these organizations monopolized the path to state power, and since they were controlled by "capital," democracy had become a dictatorship by political parties, or "dictatorship by capital." Thailand had a parliamentary dictatorship by nation capital (Askew 2010:122).

In 1991, a military junta calling itself National Peacekeeping Council (NPKC) overthrew the democratically elected government, accusing Chaitchai of presiding over a phenomenally corrupt cabinet. The NPKC claimed that it was a “dictatorship of parliament called democracy”. Once the government was clean up, the constitution rewritten to prevent further corruption, the council pledged to hold new elections. The Anan Panyarachun was a prime minister who supported by coup. Thus when a military coup overthrew a fledgling democratic regime in 1991, it led to middle class protests in 1992 that ejected the junta and put Thailand firmly on the path to democratic consolidation (Englehart 2003: 253).

1.7. Bureaucratic Politics in Transformation

Traditionally, the American scholar, Fred Riggs explains the concept of bureaucratic politics was first developed in Thai politics between the 1930's and the 1960's, the later his ideas were taken up by other scholars working on Thailand, Riggs and many other observers noted in the minimal role of representative institutions such as parliament, political parties and interest groups in public policy –making in Thailand, the key decisions were taken by military and civilian – who rose to executive power as a power of successful of coups or because of the support they received from the armed forces. Political and bureaucratic power in these two nations was often was fused as government leaders came mostly from the ranks of military or civil bureaucrats, not professional politicians as in Western countries. A number of developing countries have authoritarian regimes which are headed by official mass-mobilizing parties or charismatic leaders, not the military –bureaucratic elite. Many Western scholars expected that the business and middle classes created in Thailand by the process of economics development would quickly assert themselves politically, forcing government to become more accountable to their interests. In Thailand, business activity came to be dominated by the immigrant community of ethnic Chinese.

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In Thailand, the modern political system was introduced in 1932 when a group of Western-educated, middle-ranking civilian and military bureaucrats successfully seized power to change from the old absolute monarchy to a democratic country. Although these civilians tried to install absolute constitutional monarchy, in reality the post-1932 regime succumbed rapidly to the rule of the bureaucratic polity. The political supremacy of the military of the military-bureaucratic elite continued almost uninterrupted for over four decades from 1932-57. It can be divided into two periods of classic bureaucratic politics years; the first from 1932-1957, in which some electoral activities were tolerated; and the second from 1957-73.

In many other Third World countries the struggle against colonialism served to mobilize much of the population, stirring people into mass political action and providing the foundations for popular political participation following independence in Indonesia, for example, there was a range of political parties vying for power during 1950s. In Thailand, however, as late as 1955 a foreign observer could say:

The contented Siamese, traditionally uninterested in politics and with an ingrained talent for obedience, have never shown the slightest desire for democracy – a phenomenon disconcerting to well-intentioned western visitors. If they are now to enjoy the benefits of democracy it is clear that these will have to be imposed from above (Mackerras 1995: 432-433). In this more open and stable political environment, business began to emerge as a major political force. A legion of highly educated and 'Thaiified' Chinese businessmen poured into parliament and the cabinet. Between 1983 and 1988 there were more than three times as many parliamentarians with business backgrounds as with bureaucratic backgrounds, even more evident of the business strength was the fact that, among the 206 cabinet members serving under Prime Minister Prem between 1980 and 1988, as many as 88 members (i.e. about 43 per cent) came from the business community. By contrast, of the 174 members under Sarit and Thanom

between 1959 and 1973, only five had a business background (Mackerras 1995: 432-433).

1.8. The Contribution of the Monarchy to Democracy

The institute of Monarchy is the important institute of Three institutions, that are nation, religion and monarchy, the monarchy have been relative in the hearts of to Thai people since 800's years ago . The revival of the Thai monarchy in the late 1950's and 1960's, after the long period of eclipse following the overthrow of the absolute monarchy in 1932, was due to the reservoir of good will and royalty that Thai public had for this traditional institute, to the Sarit –Thnanom-Prapas military leadership's support, and to the fact that the royal family was able to benefit from the process of modernization in Thailand and at the same time “modernize” the monarchical institution itself. The rapid expansion of communication system allowed King Bhumibhol and Queen Sirikit to gain access to their subjects throughout the country in a way that their predecessors had never been able to do. Moreover, the royal couple made the monarchy a working institution, relevant to the needs and aspirations of their subjects. They have visited one village after villages in order to help the poor people and to hear people's grievance and gauge their needs. They initiated and established many projects (the current ones numbering more than 1,000) aimed at improving conditions, in rural area.

The royal couple's charisma, gained from meritorious deeds in their past and present lives, have given them a very special position in the hearts and minds of the People, which in turn allowed the monarchy to exercise a moderating influence in political matters and help preserve the constitutional system (Paribatra 1993: 887).

In February, 1991, Chatchai government overthrew by military junta, it was the apparent fragility of Thailand democratization process was demonstrated, then military junta, which called itself the National Peace- Keeping Council (NPKC).

The armed forces, who under the leadership of the Class 5 officers, who by the early to late 1960's held almost all the top positions in the military, were able to capitalize on a vast reservoir of public disgust with corruption among politicians in general and within the Chatchai government in particular. A technocrat-dominated civilian government under Anand Panyarachun was appointed and, in a 14 month period before the restoration of constitutional rule administered the country in a constructive, efficient, and honest manner. After election on March 1992, it was able to create a favorable correlation of one of its own members for the premiership. In April Supreme Commander General Suchinda Kraprayoon became prime minister, but in less than 50 days the Suchinda government collapsed, replaced in June by the second Anand administration. The April-May 1992 protests against General Suchinda represented a new phenomenon in Thai politics. The 1992 movement stood up to three days of the most violent use of force against civilians in Thai history. Its participants appeared ready to withstand more until the King's intervention on the fourth night of the crisis effectively ended violence.

The role played by the monarchy in 1992 demonstrated both the strength and the weakness of the monarchy at this juncture in the Kingdom's political development. The king's acts served as a reminder of Thailand's good fortune in having a traditional institution of a living embodiment of that institution to provide guidance in time of trouble and help lead them out of quagmires of political conflict. On the other hand, many are troubled by the thought that, after 60 years of attempting to build democracy, the Thai have not been able to develop institutions as effective frameworks and mechanisms for the exercise of the reason in the conduct of political life. Some 60 years after overthrow of the absolute monarchy, the Thai still have to rely upon the central institution of the ancient regime for their political welfare and progress. Given the importance of the moderating role of monarchy in the present time, the question of the greatest relevance to Thailand's future political development is perhaps how far and how long the monarchy can play the role (Paribatra 1993: 887).

CHAPTER II

POLITICAL REFORM IN THAILAND SINCE 1997

Political Reforms in Thailand since 1997

This chapter has dealt with the process of democratization in Thailand since 1997. It focuses on the process of political reforms and the origin of the People's Constitution. In this Chapter an effort is made to answer the eventual questions like- how the People's Constitution had helped to the evolution of the system of checks and balance in Thai politics and to check the corruption? It examines the role of military in Thai politics and its impact on the process of democratization in the country.

2.1. The Development of the Constitutions in Thailand

After the monarchy was overthrown by the civilians and military in 1932, Thailand has had eighteen charters and constitutions, the constitutions were rewritten again and again by the many coups, who abolished many governments in the last seventy nine years since 1932. It had been reflecting the high degree of political instability and the frequency of military coups faced by the nation. It is the country to practice the democracy in order to develop the advantages of democracy for the people in the region of Southeast Asia. Many coups abrogated existing constitutions and promulgated new ones.

Thailand's constitutional history has been tumultuous, as the eighteen Constitutions it has been adopted- usually under control the military and monarchical networks-surely attest. Since the country become a constitutional monarchy in 1932. Constitutional drafting has generally been part of a vicious cycle of elections, instability and military coups which the political elites in power used constitutional reform to legitimize whatever the regime they put in place, according to Thai history there had been a Constitutions as follow:

1. Temporary Charter for the Administration of Siam Act 1932
2. The Constitution of the Siam Kingdom 1932

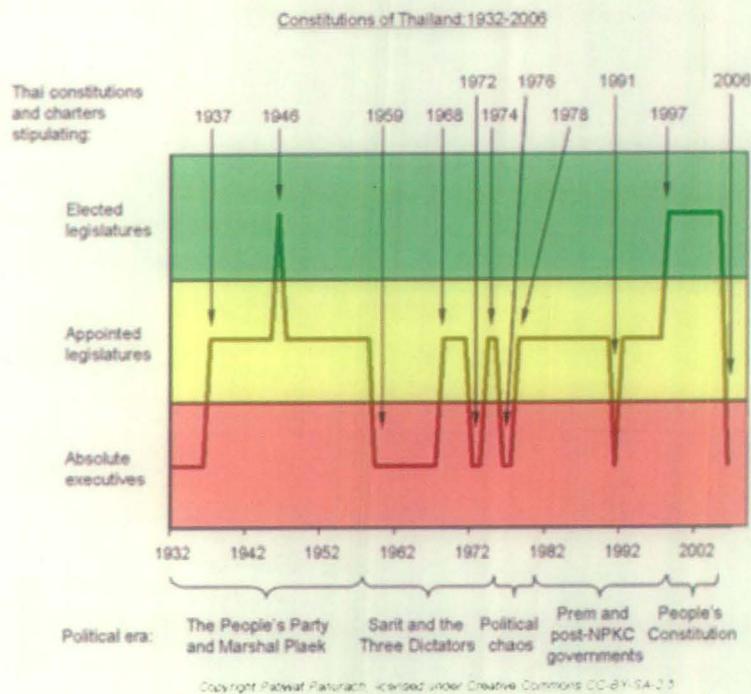
3. The Constitution of the Kingdom of Thailand 1946
4. The Constitution of the Kingdom of Thailand (Temporary) 1947
5. The Constitution of the Kingdom of Thailand 1949
6. The Constitution of the Kingdom of Thailand 1932 (Revised 1952)
7. Charter for the Administration of the Kingdom 1959
8. Constitution of the Kingdom of Thailand 1968
9. Temporary Charter for Administration of the Kingdom 1972
10. Constitution for the Administration of the Kingdom 1974
11. Constitution for Administration of the Kingdom 1976
12. Charter for Administration of the Kingdom 1977
13. Constitution of the Kingdom of Thailand 1978
14. Charter for Administration of the Kingdom 1991
15. The Constitution of the Kingdom of Thailand 1991
16. The Constitution of the Kingdom of Thailand 1997
17. The Constitution of Kingdom of Thailand (Interim) 2006
18. The Constitution of the Kingdom of Thailand 2007

Charters have traditionally been temporary instruments, promulgated following military coups. However, some charters, for instance the 1959 Charter of military dictator Sarit Dhanarajata, were used for years at a time. The 2006 coup resulted in an interim constitution rather than an interim charter. The great number of charters and constitutions is indicative of the degree of political instability Thailand has faced in its modern history. The majority of charters and constitutions were the direct or indirect result of military coups. Charters and constitutions for much of Thai history can be thought of, not as instruments of the people to control the government, but as instruments by which a government controls its people.

All of Thailand's charters and constitutions have allowed a constitutional Monarchy. Widely varying, however, have been the strength of the legislature, the extent to which the legislature is appointed vs. elected the power of the monarch, and the strength of the executive. These parameters have been

support from the king and the palace. For instance, the 1959 Charter gave Sarit Dhanarajata absolute power over the executive and the legislature, which reflected the overwhelming strength with which he executed a coup over Plaek Pibulsonggram as well as his strong support from the palace.

Based on the degree by which the legislature is elected, Thailand's 17 constitutions and charters can be categorized into 3 groups:



Thailand's current constitution was promulgated in 2007, replacing an interim constitution promulgated in 2006 after an army-led coup. The 2007 Constitution was written by a junta-appointed group of drafters, but was approved by a public referendum. Prior to the referendum, the junta passed a law making it illegal to publicly criticize the draft. Controversial features in the constitution included a partly appointed Senate and amnesty for the leaders of the 2006 coup (http://en.wikipedia.org/wiki/Constitution_of_Thailand).

2.2. The Role of Military in Thai Politics

Military is the one impotence institution of Thailand, which was interference in political in Thailand in the begging of democracy in Thailand, when the absolute monarchy overthrew by the civilians and military in 1932. this was the turning point of political in Thailand, by the armed forces interfered in Thai political, it was different from the colonial countries in Southeast Asian, traditionally, the military have been influence on political in Thailand until nowadays. This has resulted in a long history of conflict, experiment and constant rewriting of the constitution. Within this context, the military emerged as one of the major focal points of political power. Military leaders have occupied the prime minister's post for the majority of years since 1932. In addition, the military has consistently disrupted the development of parliamentary politics by a succession of coups, and has successfully retarded the development and acceptance of an alternative power-system based on election and parliamentary responsibility. Since at least the 1950's, major military figures have appeared prominently on the board of private companies and there is widespread acceptance of the fact that companies need to build such political links and provide rewards appropriately.

From the 1960's onwards, the military budget expanded very rapidly as a result of the Indochina crisis and the rise of communist insurgency within the country. Initially the US supplied a large part of the budget required for purchasing modern armaments, but after the US withdrawal in 1975 the total cost fell on the local budget. It is widely believed that arms purchase deals generate large commission payments which constitute a significant portion of the "black" funds controlled by senior military officers for personal as well as political purpose (Phonpaichit and Piriyaransan Pasuk1994: .9-10).

The last Thaksin's government overthrew by military on the 19th of September 2006. It was Thailand's the seventeenth military coup since the country abolished the absolute monarchy and adopted democracy in 1932. After the

Chatchai's government overthrown by the sixteenth military junta on February in 1991. Nobody believes that the military junta will come back again on the 19th of September 2006. Undoubtedly, the institution of political party is very weak, and politicians so much corrupted in many projects of administration in many governments. This becomes big issues for the military who interfered in political again and again.

According to Sukhumbhand Paribatra that during the post-1970 period, the process of democratization was constrained by two factors in particular, both of which ultimately formed the necessary political context for overthrow to the constitutional system in February of 1991. One factor was the failure of political parties to institutionalize themselves as true representatives of the people. They are failure to assume the responsibilities of the governance in a constructive, clean, and efficient manner, and to promote, either in a quantitative or qualitative terms, voluntary political participation (Paribatra 1993:881).

Indeed, most Thai military officers seemed to reject many fundamental tenets of a Western-style liberal democratic system, although they claimed to be, and probably were committed to safeguarding and promoting the "democratic system of government with the King as its head." From their point of view, there was no guarantee, and they saw political parties to be basically no more than "trading companies," corrupt and bent on pursuit of power and self-interest.

Ukrist Pathmanand characterizes the 2006 coup as an event that was more than a simple case of the Thai military again seizing power. The coup is assessed as having been intimately connected to the monarchy. The "royalist military" legitimated the coup by using the royalist discourse that was generated by the anti-Thaksin movement and the more generated to propaganda associated with king's reign. Ukrist takes up the question of the military's corporate interest in extended fashion by contrasting the 2006 coup and 1991 coup groups he offers insights into the unformed nature of the 2006 coup group indicating that its rush

to power was a product of circumstance and palace-based beckoning. He also recounts a fascinating story of intra-military competition between Thaksin supporters and palace supporters directed by Privy Councillor General Prem Tinasulanonada. While he indicates that the 2006 coup group did not have the same common business and military academy interest as the 1991 group, Ukrist notes that once in power the coup group has moved to shore up its corporate interests in a range of state enterprises and elsewhere. Ominously, the coup group has moved to ensure strong internal security mechanism that grants greater power to the bureaucracy and the military including a strong homeland security organization and reintroduction of appointed senators (Kevin and Michale 2008: 7).

In fact, Thailand's unstable political condition has offered a convenient rationale for the military to exercise increased and proactive involvement across the country, a role which has been institutionally enhanced as a result of the 2007 Constitution. According to a number of prominent Thai military analysts, including Sarachart Bamrungsuk, such increased powers could prove dangerous for Thai democracy since it may well allow "Thai politics, in the future, to be a mechanism under the control of solution" (Askew 2009:197).

Accordingly, Thai civilian control is increasingly being overshadowed by military influence, then it is feasible to claim that "Thai democracy in correspondingly becoming de-consolidated of defective", are:

System of political power, that boasts the existence of a meaningful and effective universal "system elections" regulating access to political power. At the same time, however, they significantly limit the functioning of institutions that the secure basic political and civic participatory rights and freedom, restrictions of the horizontal checks and limitations on power, and /or limitations on the effective political power of democratically legitimated authorities.

Where are military sway or tutelage accounts for democratic de-consolidation, such defective democracies can be called tutelary or domain democracies. In describing the Thai military's growing authority vis-à-vis civilian control, this chapter argues that Thailand is indeed moving toward domain democracy.

The "military" is defined here as that permanent state organization authorized by law to apply coercive power in order to provide security to the state, primarily against external threats. The military appears as homogenous formal institutions and yet informally it is as they are heterogeneous entity.

From semi-democracy headed by an unelected Prime Minister (General Prem Tinsulanonda, 1980-88) to military dictatorship (1991-92) to the fifteenth year of elective parliamentary democracy (1992-2006) to another period of military control (2006-07), Thailand's form of government seems to have followed a chaotic path indeed. During that time, the number of military (active duty or retired) seated in the cabinet plunged from 23.9 per cent (1988-91) to 10.5 per cent (2005-06), while active duty or retired soldiers in the Senate diminished from 60.2 per cent (1989-91) to zero per cent (2006). The new 2007 Constitution stipulated a half allowed greater political space for the armed forces. Indeed, since senatorial elections in early 2008, 15-3 per cent of the entire Senate is now composed of retired military officials. Among the 74 appointed senators, 14 were ex-soldiers, representing 9-3 per cent of all non-elected Senators (Marc 2009: 200). Within the military organization today we see enhanced armed force's control, specifically in budgeting and the appointment of Senate military officers.

Under the 2006-2008 military - imposed Surayud government, armed forces spending spiraled higher and higher. According to the news report, Surayud's first budget (for fiscal year 2007) comprised a 60 per cent increase in military spending. In the following year, the defense budget grew by a further 18 per cent (Askew 2009:201).

The return of elected government in December 2007 actually saw a continuation in the growth of military spending. Within the pro-Thaksin Prime Ministers Samak Sundaravej and Somchai Wongsawat did not attempt to restrain military request for greater appropriations. Surprisingly, the anti-Thaksin Democratic – led government of Prime Minister Abhisit Vejjajiva insisted on cuts in the military budget request for fiscal year 2010, though this partly owed to the global economic crisis. Military expenditures continued to rise from US \$ 3,333 million in 2007 to US\$ 4,190 million in 2008, to US \$4.500 million in 2009, and a request for over US \$ 5,000 million for 2010 (though the last year’s projection has been pared down to US\$4,400 million). The appointment of top military officials, who is always take a political decision in Thailand. Although, there are other factors like matters of seniority military class, proven loyalty, ability and professionalism which are also significant considerations. The 2006 coup led to drastic change in the senior military appointments system. On December 20, 2007, just six days prior to the election of pro-Thaksin Prime Minister Samak Sundaravej , the junta-crated National Legislative. Assembly passed a decree which vastly reduced the power of elected civilians over the military reshuffle power. The new law required that appointments of high-ranking officers be vetted by a committee whose members were to include the army commander, the navy commander, air commander, the supreme commander and the permanent defense force secretary as well as the civilian defense minister and prime minister. Previously, the defense and prime minister had the ultimate say on appointments (though these needed endorsement by the King) (Askew 2009:202).

2.3. Military’s Role and Thai Politics in 2008

In the election over, solders now took a back seat to those groups leading the change against the pro-Thaksin PPP government, indirectly contributing to its demise. They did so on three occasions during 2008, first the armed forces under Anuphong, pleading neutrality from “ political” affairs, put little effort into protecting Samak’s government from unruly PAD crowds which took over

Government House (August–December) , blocked Parliament House (October) and occupied two international airports (November-December 2008) . In essence, the army under Anuphong was refusing to protect Thailand's chief of government –the prime minister. Such behavior demonstrated a military refusal to maintain internal security for elected governments in Thailand. At the same time the army commander also refused to launch a coup against the government (Askew 2009:213).

Second, the military at least twice called on Prime Minister Somchai to resign. This happened once on October 16, when Anuphong, at the head of contingent of Thailand top brass, appeared on Thai television to call for prime Minister Somchai Wongsawat's resignation to take responsibility for the bloodshed of October 7. Anuphong again called on Somchai to either dissolve the Lower House or resign to avert the political storm, rather than face down the PAP demonstrators. Unfortunately, the Constitutional Court managed to finish off the Somchai government, forcing the dissolution of the Power of people Party (PPP), pro-Thaksin MPs clearly had the numbers to reconstitute a new ruling coalition, though factions were beginning to wave.

Third, in early December 2008, elements of the armed forces again entered the fray. Military involvement owed to the fact that the military, dominated now by the virulently pro-Prem Queen's Guard and help negotiate into office a government opposed to Thaksin. This they did by facilitating the formation of the anti-Thaksin coalition government of Democrat Abhisit Vejjajiva (Askew 2009:213).

Accordingly, the Thai army still have strong influence from the beginning on Thai political until now by interfering to Thai political in order to protect the monarchy, the nation, and clean the corruption on many governments and established the draft of constitutional committee to rewriting a constitutions and promulgated as long as in Thai history.

2.4. The process of Democratization in Thailand Since 1997

Although the military ruled in 1947, the democratic spirit and expanded education resulting from the 1932 revolution contributed to the student - led uprising against the military in 1973. While the military resumed its rule after the suppression of students in 1976, the military's grip on power and legitimacy gradually waned with the rise of the middle class. In the meantime, because of the spread of materialism and consumerism coupled with a curriculum that emphasized rote learning, the student's role in the reform movement faded. Thus in the resistance to military rule in 1992. It was not only the students in 1973 but also the middle class who led the fighting.

Since the end of the absolute monarchy in 1932, Thai politics has undergone numerous political 'reforms' often accompanied by constitutional revisions, and shifts in the location of power. The uprising of students led against military authoritarianism in October 1973 was a breakthrough in Thai politics, in spite of the arising grassroots agitation in order to change the demonstrating of the potential for political. The bloody restoration of authoritarianism in October 1976 illustrated the residual strength of conservative forces. Since 1977, during the two premiers Kriangsak and Prem Tinsulanond, Thailand saw a gradual process of liberalization: parliamentary politics appeared to be progressively institutionalized (McCargo 2002:1).

Accordingly, the emerging of reform political arisen in first time for development of political in Thailand when a student uprising in October 1973 toppled Prime Minister Thanom and led king Bhumibol Adulayadej, Thailand's constitutional monarch, to name Sanya Dhammasak, one time chief justice of the Supreme court and rector of Thammasat University , as the new premier. The new democratic regime, however, suffered from an extremely low level of political institution, while the "opening up" of politic soon resulted in an overload of fresh demands on the system (Samutwanit 1990).

According to Chaianan Samutwanit that I found myself named to the 18-member committee that was draft a new constitution, in my several meeting with Prime Minister Sanya at around this time , he expressed his concern over the lack democratization and recommended that the drafting and promulgating of the new constitution. The goal was to ensure that Thailand could effect a smooth transition from authoritarianism of the past to new era of freedom and democracy. After a draft of new constitution had been passed by the 299 delegated elected National Assembly in October 1976 , a year after the new constitution was promulgated, the military staged the bloodiest coup d'état in Thai history, this is the uprising the first of people constitutions of Thailand (Samutwanit 1990).

The second of people constitutions emerging in the aftermath of the “Black May” of 1992 when a middle-class revolution” toppled the military regime led by General Suchinda kraprayoon. The 1997 Constitution was the culmination of this reform movement. Following the events of May 1992-when troops shot dead score of unarmed protesters in the streets of Bangkok-there were strong pressures from various groups in Thai society for a fundamental overhaul of the political order.

The coup 1991 coup had briefly raised unsatisfied expectations that corruption could be curtailed and quality of politics improved. These pressures for change were acknowledged by the first Chuan Leekpai government 1994 by establishing the Democratic Development committee (DDC) under Dr Prawase Wasi in order to devise proposals for political reform (McCargo 2002:1-2).

In 1994, when the chairperson of the Democracy Development Committee, Prawase Wasi, listed the main points of political reform, “money politics” was right at the top. It was followed by the monopolization of politics by a small number of people, the recruitment of good people into the political system, corruption, “parliamentary dictatorship” chronic conflict and lack of political

stability, lack of executive and legislative quality, and lack of political leadership (Askew 2009: 121).

Since then, politics has been in the hands of civilian politicians who are engaged in playing money politics. Vote-buying, abuse of power, corruption and inefficiency are rampant. The Asian financial crisis occurred in 1997, Thailand has defied two pieces of conventional wisdom. The first is that financial crises tend to undermine democracy-at least in the short run-by checking the activities of those opposed to a new constitution. The second is that the activities of international capital tend to undermine democracy, preferring undemocratic governments or “low-intensity democracy” that can provide stable, predictable pro-business economic environment (Englehart 2003: 254).

According Ammar Siamwalla, the one of Thailand’s most senior professional economists and almost unique in being independent of both government and the financial sector, Ammar traced the crisis to two main cause: bad firms and bad technocrats, The bubble blew up, he argued, because Thai firms borrowed too much debt. The bust was so disastrous because bank debt could be withdrawn easily. Thai firms relied so heavily on bank debt because most were family business and because of “the reluctance of family businesses to cede control outsiders” These firms had also plunged enthusiastically into the newly vibrant stock market, but this had not changed their overall stance “During the stock market boom, equity was raised merely to leverage more debt” (Pongpaichit and Baker 2000:8).

Dr. Prawes argued that the crisis resulted from bad development policies which undermined the foundations of society. The idea of development which originated from the West promoted capitalism, industry, and greed. In doing so, it destroyed the “foundation of society, which were local communities, the natural environment, morality, and society” which were local communities, the natural environment, morality, and social harmony: “in search of big money, we

do not hesitate to oppress, exploit, or destroy just about anyone and anything that we cannot turn into money” (Pongpaichit and Baker 2000:11).

According to Erik Martinez Kuhonta that Thailand drafted a new constitution that was poised to make far-reaching reform in the quality of its democracy, with ambitious goals, the “People’s Constitution” sought to structure a democratic system that would consolidate a strong check and-balance system, strengthen political parties, and uphold political, social, and economic rights. A full elected Senate, a party list system, and creation of numerous independent watchdog agencies were key element of the new Constitution (Kuhonta 2008: 374).

Duncan McCargo analyses: “Thailand has suffered from serious failure of political leading with a handful of exceptions; Thailand’s leading politicians during the final two decades of the twentieth century were unimpressive and parochial individuals with negligible international standing. Capable and upstanding figures were rarely attracted to the murky world of the Thai politics, which was rife with electoral fraud and corruption (McCargo 2002:6).

The Constitution of 1997 had been heralded as a “constitution”. The constitution was “popular in two main senses. The first involved the composition of the Constitution Drafting Assembly, 73 of whose 99 members were provincial representative who had been chose by a complicated nomination process. In reality, however, politicians had the final say concerning the selection of these people’s representatives

The second popular dimension was the emphasis on the public consultation and debate, including a series of “people hearings” across the country. Yet Prawase himself lamented the fact that genuine popular participation was very limited (McCargo 2002:6).

2.5. Anti-Corruption Constitutional Mechanism in Thailand

Instead of making Thai politics more stable, the 1997 Constitution had the opposite effect—it delegitimized the political orders. The constitution shifted the political landscape of Thailand and helped big business dominated the political scene, allowing Thaksin and his cronies to establish a party with the largest budget in Thai history. “Money-politics” was criticized by both political and those who wanted political reform in Thailand. As a result, conservative academics called for a new draft of the constitution in the early 90’s, which attempted to decrease political corruption and create the conditions for a more stable government. Also, the conservative academicians wanted people to have a greater voice in the political process by being a part of the constitution-drafters. The 1997 Constitution was supposed to put a stop to vicious cycles of vote-buying and pork-barreling, and to promote more accountable legislative and executive branches. However, this was not the effect it had.

The attempt to bring in senators, party-list MPs, and local MPs failed as many reelections for both parliament and senate seats frustrated voters. As Michael Connors, a leading scholar on Thai politics, believes, the 1997 Constitution was “a tentative victory for liberalism among the Thai elite.” This constitution was significant because it was the first constitution in Thailand to be drafted by the people—the drafting body consisted of representatives from 76 provinces in Thailand. The 1997-1998 East Asian Financial Crises is also integral to understanding how Thaksin and his party raise to power. The crisis caused many big business families to enter politics to protect their interests. These big business families joined the TRT in 1998 when the party was first established (Phongpaichit and Baker 2009:97).

The purpose of People’s Constitution was to consolidate the political institution and establish the check and balance system, the political and parties as follows:

The 1997 Constitution was the culmination of this reform movement. The Charter was hailed as the most progressive and democratic that the country had. The main features of the institutional reforms included the following:

Promotion of people's participation in the political process and policy –making
: including strengthening the rule of law and human right ; freedom from speech, religion, and assembly; rights to receive health care and 12 years of education at the state's expense; and the right to access public information in possession of government agencies. Other constitutional provisions in this area included the requirement for a minimum of 50,000 eligible votes to directly submit a draft bill to the parliament or to petition for an impeachment of political office-holders suspected of corruption or abuse of power. The Constitution emphasized decentralization of government powers and functions to local people at provincial, district, and sub-district levels. It required all members of local government bodies to be elected and empowered them to make decisions on finance, taxation, and personnel management. The Charter also recognized the role of community organizations and non-government organization (NGOs) in policy-making in areas such environmental protection and monitoring national election.

Establishment of a stronger checks-and-balances system to hold the government and the bureaucracy accountable for their action:

The constitution prescribed measure to prevent conflicts of interest to ensure political and bureaucratic integrity and accountability and to promote the people's participation in scrutinizing the use of state power at all levels. Office-holders were prohibited from receiving any concessions from the state, from holding share of more than 5 per cent in a company, and were required to declare their assets and liabilities as well as those belongings to their children and spouse –up assuming, when leaving, and one year after leaving office. In case of individuals found to be “unusually rich” the National Counter – Corruption (NCCC) was required to report them to the office of the Prosecutor

to initiate court proceedings in the Supreme Court. Those found guilty would be barred from politics for five years.

The key of institute of mechanism for check and balance of politicians as follows: Elections Commission of Thailand (ECT) ;National Counter Corruption Commission (NCCC);Constitute Court(CC); Administrative Courts(AC); the Office of Parliamentary Ombudsman (OPO); National Human right Commission (NHRC); State Audit Commission and office of the Auditor-General (SAC/OAG); the National Economic and Social Advisory Council (NESAC); and the National Broadcasting and telecommunications Commissions (NBC and NTC).

Prevent of unstable coalition governments and the fostering of a strong executive to ensure smooth and uninterrupted implementation of government policy, especially in the area of economic development: This was to address government instability that characterized Thai parliamentary politics in the past three decades of so. In addition, the Constitution also prescribed measures to bring about political parties, and a more effective National Assembly.

Reform of the electoral system to ensure clean elections:

The Constitution tried to bar incompetent, corrupt, and crooked politicians from parliament. One of the major changes was a new composition of the House of Representatives, the Lower House. It was to have two types of members-100 elected on a party –list system. And 400 members elected from smaller single-member constituencies in the country's 76 provinces. Constituencies were made smaller: it was thought that a smaller geographical area would require less money for electioneering, thus allowing poorer, but qualified candidate to contest seats.

For the Senate, its 200 members were directly elected for the first, using the simple majority, under the 1997 Constitution, the elected Senate was entrusted

with more powers of checks and balance to ensure government honesty, transparency, and accountability (Maisrikrod 2007: 342-344).

The new Constitution was implemented. Unfortunately, it was failed due to Thaksin's premiership's interference and his manipulations. The Election Commission ran two general elections in 2001 and 2005, and was to a reasonable degree able to apply new electoral requirements to rid elections of irregularities including vote-buying and other forms of fraud.

McCargo, after the first general election under the 1997 constitutions, observed, "Thai politics has in many ways changed a little. Money still decides who wins elections and gets cabinet seats. Politics remain largely the preserve of opportunists and hustlers rather than representatives with a modicum of sincerity and public spiritedness (McCargo 2002: 342-344).

Many scholars have differed in their answers to the question as to why the 1997 Constitution failed. Some consider the political reform coalition, which brought together an unusual mix of liberal academics, reform-oriented technocrats, and civil society activities, to have been unstable. The coalition, which had to overcome considerable resistance from conservative elements, not only produced a somewhat contradictory draft but also failed to sustain the reform momentum after the Constitution was promulgated, leaving it with little support beyond the urban reform constituency.

Other scholars consider the institutional framework to have been too ambitious, if not an outright design for failure. They cite the dysfunctional working of oversight agencies, particularly the Senate, which through supposedly neutral quickly became a home to the wives, children and relatives of leading politicians, a development that effectively neutralized any checks and balances on the executive branch (Dressel 2009 :298).

In September 2006 popularly elected Prime Minister Thaksin Shinawatra was ousted in a military coup after weeks of protest in the capital about executive abuse and allegations of corruption the later.

On 19 August 2007, a public referendum approved a new Constitution. The Council for National Security (CNC), the military junta that had launched the coup but promised to return democracy to Thailand within a year, had appointed a Constitutional Drafting Assembly (CDM) to prevent further erosion of constitutional practice. The process was far from being as consultative as the previous exercise has been, but public approval of the CDA draft paved the way for parliamentary elections in December 2007, ending the coup interregnum and returning Thailand to formal democratic, though under a drastically different Constitution to understand the political reforms before the Thaksin's Prime Ministership emerged, it is relevant in order to knowing the key issues arising from the coup, and accompanying malice like the money politics, corruption, and cronyism.

CHAPTER III

THAKSINIZATION OF THAI POLITICS

Thaksinization of Thai Politics

This chapter attempts to analyze the policies of Thaksin Shinawatra's administration and its impact on Thai politics and economy. The populist policies of Thaksin and his party Thai Rak Thai for the poor people residing in rural and urban areas such as the health care scheme, a pilot scheme, and the scheme of village funds are critically examined. In this Chapter, an effort is made to examine the role of Thaksin in the evolution of democratic system, as well as the impact of corruption charges, and monopoly of political parties, which resulted into the Coup of 2006 are discussed in detail.

3.1. Background of Thaksin Shinawatra

This section provides more information on Thaksin's own personal history, as he is the central figure and a main focus of this study. Historically, he is significant in that he was the first prime minister in Thailand to implement policies appealing to the rural masses. Thaksin often portrayed himself as someone who had risen from poverty to billionaire status. He used this image to convince the poor that he was someone who understood them, because he was once been just like them. It is vital to be familiar with Thaksin's life in order to understand the motivations behind his implementation of pro-poor policies.

Thaksin was born in 1949 to a well-off Thai-Chinese family in Chiang Mai. He first pursued a career in the national police and later received a scholarship to complete his PhD in criminal justice at Sam Houston State University in 1979 (McCargo 2002:115). Because his wife's father was a top police official, Thaksin managed to get a concession to sell computers to the Royal Thai Police department (McCargo 2002). Later, he left the police force and established his own business in 1987 dealing with mobile phones, telephone directories, and satellite. This business made him a successful entrepreneur in Thailand,

especially during the boom period from 1986 to 1997. Thaksin's business flourished as he received concessions and licenses to sell his products to the government. In 1994, Thaksin entered politics, after realizing that he needed political connections to compete against his top competitors. He joined Chamlong Srimuang's Palang Dharma Party. During that period, Thaksin served as the foreign minister in the first Chuan Leekpai's government from 1994 to 1995. With the retirement of Chamlong Srimuang, Thaksin took over as leader of the party. However, in the 1996 general election, his party lost many seats. So Thaksin and his party joined the Chavalit government, which at the time needed to bolster its image. During the Financial Crisis, Chavalit's attempt to hold on to power was short-lived, and a new government was formed after re-shuffling of political parties to form the government. The Democrat Party became the new party in power. During this period, Thaksin left the Palang Dharma party and set up his own political party, TRT in 1998. Thaksin became the Prime Minister of Thailand in 2001, after his TRT party won by a landslide, with approximately 12 million votes, or around 40 percent of total votes. Thaksin was famous for his populist platform, which aimed to attract the votes from the poor. He put forward the slogan "Think New. Act New," represents himself as a new breed of politician who truly wanted to give back to a nation struggling from financial crisis. In 2001, however, Thaksin was faced with allegations that he intentionally concealed assets. In 2000, the NCCC voted 8:1 in favor of punishing Thaksin, as they saw that allegations that Thaksin was hoarding his assets (and had distributed them to his housekeeper, driver, and gardener's bank accounts) were true. Nevertheless the case was never brought to trial. Once Thaksin became Prime Minister, great pressure was put on the Constitutional Court to decide whether Thaksin was guilty of this crime or not. If convicted, Thaksin would not be allowed to hold the position of Prime Minister and would have to stay out of politics for five years (Phongsudhirak 2009:33).

Thaksin's rushed implementation of populist policies was intended to pressure the Constitutional Court into exonerating him. He believed the Court would be

inclined to let him go out of fear of mass protest, as Thaksin had garnered much public support. The verdict was 8:7 in favor of not guilty.⁵

After another landslide victory in 2005, with more than 42 percent of total votes, Thaksin's regime began to falter. The decision to sell his company, Shin Corporation, in January 2006, sparked one of the biggest demonstrations in Thailand for over thirty years (Phongpaichit Baker :260). The Shinawatra family sold 49.61 percent of its share to Temasek Holdings, a Singapore government investment company, for 73.3 billion Baht (US \$ 1.7 billion) (Phongpaichit Baker :261, Baker 2009; Laothamatas 2007).

The demonstrations began because the family paid no tax on this sale and days before the transaction was made, the Telecommunication Law was changed to extend foreign ownership from 25 to 49 percent. The sale of Thaksin's company to foreign investors galvanized many people into action who were already skeptical of Thaksin's ethics. This led to the decision to hold new elections in 2006, but a military coup ousted Thaksin before this could happen. Since the Thaksin and his parties were immensely popular in rural areas, especially in the North and Northeast regions. In these regions, 24 schools kept symbolic torches burning until the end of 2006 to show their opposition to the coup. Although many economists at Thailand Development Research Institute (TDRI) and several academics at Chulalongkorn and Thammasat universities (such as Worawan Chandoevmit, Ammar Siamwalla, Somchai Chitsuchon, Pasuk Phongpaichit, and Anek Laothamatas) have described Thaksin's policies (Chandoevwin Ashakul 2008; Ammar Chitsuchon 2007; Phongpaichi and Baker 2009; Laothamatas 2007).

They have yet to provide a systematic analysis of their effects. Scholars who have inquired into the effects of Thaksin's policies are divided. Some have

⁵ Noted that the 8 judges who issued a not guilty verdict, four claimed that the court did not have jurisdiction, while the other four claimed that Thaksin did not know about the concealment of his assets. However, if this trial were to be held in 2006, the result would be 15:0 in favor of guilty.

concluded that the policies did not help the poor, (e.g. the poverty incidence was not lowered and people incurred more debt), while others such as Robert Townsend and Joseph Kaboski have asserted that Thaksin's policies were effective in reducing poverty and easing the problem of inequality.

3.2. The Thaksin Government

After the Asian Financial Crisis broke out in mid-1997, Chuan Leekpai from Democratic Party formed a coalition government to pull the nation out of doldrums, notwithstanding the economic failed to pick up quickly and evenly, the Chuan government was criticized as being a too docile disciple of the IMF, implementing many neoliberal polities that emphasized market forces but allegedly hurt domestic capital and worker alike. Thaksin wanted to break with such neoliberalism and make a difference. Consequently, Democratic –bashing and IMF-bashing become important campaign features for the Thai Rak Thai Party (TRT) during the 2001 election. And also the TRT election campaign insisted that the only successful businessman like Thaksin could lead the country in a globalization and competitive world, not torpid old –generation politicians and bureaucrats. Thaksin promised easier credit for business on populist policies toward the rural masses, including the Village Fund (one million one baht each), the 30-baht Medicare Program, Farmers' Debt Moratorium, and Bank for the Poor (Pasuk Baker2002:128).

As the result, the campaign worked very well as TRT won the elections with a majority of seats and with the image of its millionaire leader as pro-poor intact de to populist policies. Thus TRT was able to defeat the Democratic Party. As the TRT won the election overwhelmingly defeating the Democratic Party with the image of millionaire tycoon and his populist policies. Thaksin was able to narrowly escape immediate impeachment on the charge of asset concealment at the ruling of the Constitution Court. With the split vote of 8-7, some judges admitted that they considered public opinion in ruling in favor of Thaksin. Accordingly, the main agenda of Thaksin government was to promote economic

growth in order to recover from the 1997 crisis. Thaksin's administration stressed it even more, almost to the point of turning growth into a fetish. The GDP growth would help boost image of the government as one capable of delivering what it had campaigned on.

The way to reach high GDP was through so-called "Thaksinomics". First termed by President Arroyo of the Philippines, "Thaksinomics" referred to a dual-track policy that promoted both domestic demand and foreign exports with the aim tapping both national and global markets. As Pasuk and Baker criticized that "Thaksinomic is a growth-oriented strategy to drug Thailand out of the 1997 crisis and to make leap towards first-world status" (Pasuk and Baker 2002:128). The Thaksin government launched many schemes such as One Village One product (OTOP), the 30-baht Medicare Program etc, the Thaksin administration extended the populist policies to the urban poor by policy to give a cheap housing and taxi schemes.

The middle class also gained somewhat from the Thaksin administration and also raised the salary for civil servants across the board. Such schemes for the middle class were not surprising as Thaksin attempted to form a grand coalition to support the TRT. Thaksin always rode on the current of nationalism, particularly when declaring liberation from the IMF upon Thailand's completion of its debt service in 2004.

The Thaksin government promoted "strategic industries," focusing on five sectors: food, fashion, automobile, tourism, and computer graphics, and also the government extended this emphasis to cover medical care and logistics as well. The government focuses on exports, and remained subscribed to the idea of protecting and promoting domestic industries. On the other hand, the Thai developmental country under Thaksin resembles 1960s Japan that emphasized GDP growth and promoted target industries. On the other hand, Thaksin wanted

the stable of government for policy continuity and a good economy similarly to Singapore's Lee kuan Yew or Malaysia's Mahathir in mind.

In the first three years in power, Thaksin presided over a return to good time; he took the reigns of government just as a global pick-up in growth was fuelling rising demand of Thai exports, practically in agricultural commodities, which have impact of economy. Consumers fed up with three years of austerity went on a spending spree, reassured by their optimistic new leader that worst of the country's problem were behind them and it was safe to spend again. Thaksin also moved quickly to fulfill his promise to the rural poor, and those programs pushed cash out into the countryside. According to Pasuk Phongpaichit and Chris Baker , the authors of a biography of Thaksin, his aim was to transform Thailand into a fully-fledged "developmentalist state" that would activity promote and protect companies –especially those linked to his government all in the name of catch-up economic growth and a national leap to first-world status (Kazmin 2007:216).

Notwithstanding the peak popularity of Thaksinomics in 2003 with the GDP growth reached 6.7 percent, his administration went downhill after 2004 when several crises emerged simultaneously (Pasuk and Baker 2002:128). On the economic front, the petrol price hikes and the avian flu were threatened the growth prospects of Thai economy. On the political hand, The Thaksin government faced several problems of its own making. First, the separatist insurgency in the Malay Muslim majority south intensified in early 2004. Second, the issues of human right violations become more acute with the "war on drugs" campaign and the mishandling of insurgency in the south. Third, Thaksin was accused of lese majesty after he presided over a ceremony at the Temple of Emerald Buddha, a royal site for state ceremonies of the King and royal family. Fourth, corruption among the cabinet became more visible. Throughout the Thaksin government, a new type of corruption, "policy corruption," emerged due to the conflict in interest among tycoon businesses.

Well known case include the amendment of telecom concession in favor of Shin Corp. the last straw was the sale of Shin Corp stocks to Singapore's Temasek without paying a penny of tax in early 2006. Thaksin's family managed to use the loophole of the security exchange law to evade tax.

By this result, the country is very much divided between rural and urban who support Thaksin on the one hand, and the middle class and bureaucrat elite whose oppose Thaksin o the other. The 1997 Constitution was the culmination of this reform movement. The Charter, hailed as the most progressive and democratic the country in order to put the place key measures and institutions for further democratization of Thai politics. The main features of the institutional reform include the following:

Promotion of people's participation in the political process and policy –making: included strengthening the rule of law and human right; freedom from speech, religion, and assembly; rights to receive health care and 12 years of education at the state's expense; and the right to access public information in possession of government agencies. Other constitutional provisions in this area included the requirement for a minimum of 50,000 eligible votes to directly submit a draft bill to the parliament or to petition for an impeachment of political office-holders suspected of corruption or abuse of power. Thaksin government has recently implemented the most extensive reforms of the Thai bureaucracy since King Chulalongkorn sought to modernize it in the 19th century , an attempt to reform a bureaucracy it see as unresponsive, inefficient, and unwieldy, as a barrier of democracy.

3.3. Thaksin Government at the Grassroots

Once in power, Thaksin strengthened his position further by the following way:

1. Consolidating one –party rule
2. Using political power to strengthen his business interest and expand his support base in the business community

3. Promotion and co-opting security agencies
4. Seeking to influence the accountability institutions. Including the Constitutional Court, the Elections Commission, and Senate: Somkiat Onwimon, one of the senators critical of Thaksin said, “The parliament is weak the house of Representative in under the control of political parties
5. The Senate is very fragmented.
6. Timing the media and marginalizing civil society forces (Maisrikrod 2007:346-347).

3.4. Thaksin and Democracy

The 1997 Constitution prescribed a Western medicine for the political ills in Thailand. Thaksin did not use it. Despite riding on the democratic wave, Thaksin revealed that he was not interested in promoting democracy. As he said “Democracy is just a tool, not our goal.” What he wanted instead was “still politics” a kind of politics that would not be burdened by a strong system of checks and balances, or other counterbalancing forces like a free press and a strong political opposition (Maisrikrod 2007:346-347). Suchit Bunbongkarn hailed as a virtually unqualified success the political reform process that had culminated in the promulgation of the 1997 Constitution (Bunbongkarn, 1999:55).

As Dunca McCargo Arguing that the onset of the Asian economic crisis in 1997 had boosted popular awareness of the need for greater democracy and good governance, he felt confident that the new institutions and procedures introduced that year would in the long run loosen the grip of money on politics and clean up the Thai political order (Bunbongkarn 1999:55).

The power shift of political agents is evident with the involvement of tycoons in politics. Certain tycoons came to dominate politics at the expense of bureaucrats and even provincial politicians. In fact, Thaksin made clear his aim to dismantle the power of these two groups. In an early speech, Thaksin pinpointed three

problems in Thai politics as their career, as a way to make money. They invested in vote buying to win the election, and then looked to recoup their money plus huge profits through corruption. Second, the Thai bureaucracy was too powerful, too vertically oriented, too show and too ignorant of the business world. Third, both politicians and bureaucrats were not modern, failing to keep up with globalization. He emphasized the 1997 Financial Crisis as evidence of how bureaucrats and old groups of politicians were inept and incapable (Prairtsuk 2007: 881-882).

Bureaucracy was the first group falling pray to Thaksin's predatory politics. The bureaucracy came to lose much of its autonomy, as politicians intervened more extensively both in terms of policy and personnel affairs. Administration become top-down even more than before , as bureaucrats had to serve politically –oriented agendas more that before (Prairtsuk200 7: 882). As pointed out by Pasuk and Baker, with the rise of TRT, money politics has been replaced with “big money politics.” Politics came to be operated by the funding of leading bin businessmen whose roles become more prominent than provincial politicians. Thaksin thus was able to fill cabinet posts with more of his close associates, including Promin Lertsuridej, Poontham Vetchayachai, Suwan Walaisatien, and Pongthep Thepkarchana. Business-oriented cabinets became interventionist in bureaucratic affairs, significantly reducing bureaucrats' role in managing the country (200 Prairtsuk 2007: 883).

Thaksin was elected by offering populist policies to the rural majority, But he was posed by a military coup in September 2006, allegedly because of corruption and because his government was said to be disloyal to the monarchy. Thaksin denied any such disloyalty, but while he remained in exile after the coup, a court decision banned him from political activity in Thailand and disbanded his Thai Rak Thai political party from alleged electoral fraud.

The administration of Thaksin in the first year was only a warm up to his consolidation of power. In late 2001 and in 2002, serious events occurred that

both pushed Thaksin toward an authoritarian perspective and provide him with the opportunity to indulge his increasingly intolerant and dictatorial style.

Thai Rak Thai's slogan was "New Thinking , New Ideas," who had money and the political smarts to recognize that Thailand was ready for an American-style media campaign, used his wealth to plaster the airwaves with his party's messages .many of these messages were populist promises designed to distinguished Thai Rak Thai From the Democrats.

A few months into his term, political commentators already were nothing that Thaksin saw himself as Thailand "messiah." Indeed, despite controlling a huge number of seats in parliament. Thaksin quickly brought three smaller parties into Thai Rak Thai' governing coalition, giving almost dictatorial control of the legislature, he removed members of his cabinet who dared to disagree with him. More broadly, Thaksin demonstrated disdain for the rule of law, for the country's democratic institutions, and for the government bureaucracy. Historically it was staffed by lifetime civil savants relatively free of political interference.

Independent Thai economists Ammar Siamwalla, one of the country's most respected commentators, warned that Thai Rak Thai's policies would boost Thailand's already enormous national debt and resuscitate the businessmen and business practices that led to the financial crisis (Kurlanizick 2003:287) .

Thaksin's machinations have prevented the consolidation of Thai democracy and have reinstalled conservative politicians such as Chavalit and Snoh Thienthong, a man who rose to power during the dictatorship era and warned that "too much freedom" would hurt Thai society. These politicians never supported the 1997 constitution.

The rule of law in being weakened, too, As Thaksin's actions undermine anti-graft measures and financial and political institutions. Order in Thailand has

been compromised by the drug killings and other measures reminiscent of the years before the 1990's.

Thaksin mode government –which some describe as “presidential” –was criticized as authoritarian, centralizing and illiberal. His economic policies were increasingly viewed as serving his own business interest and those of his cronies. Beside this he threatened powerful interest in his efforts to control and transform the state. As the Thai political scientist and columnist Thitinan Pongsudhirak remarked “Thaksin ultimately monopolized the electoral system, manipulated the constitution, and exploited its inner working to the point of usurpation (Pongsudhirak 2010:10).

The Thailand's academician and intelligentsia and columnists openly critiqued the 2006 coup and the constitutional/judicial rearrangements that followed it. In their view, the democratic achievement represented by the historic 1997 Constitution was sabotaged by a reactionary street movement, conservative elites, and a military who manipulated royalist and nationalist sentiment to destroy a popularly –elected government.

Though acknowledge that Thaksin's rule was seriously flawed, they argue that the reemergence of the military as an arbiter in Thailand's political conflict was deeply destructive act, severely compromising Thailand's political and constitutional development, describing it variously as “democratic reversal,” or “political regression” (Pongsudhirak 2010:10).

As Prawase Wasi, a reform political thinker, seemed to have lost all hope on the Thaksin Shinawatra, he said: The parliamentary system in Thailand in not true democracy but dictatorship, because in a democratic parliamentary system, the MPs must be independent, and not be subordinate to any power group. Since the Thai parliament is under the command of an individual person. The parliamentary system is no solution (Askew 2009:121).

CHAPTER –IV

CRISIS OF LEGITIMACY IN THAI POLITICS

Crisis of Legitimacy in Thai Politics

This chapter has dealt with the crisis of legitimacy in Thai politics. It examines the role of the opposition led by the People's Alliance for Democracy (PAD) or the Yellow Shirts. In addition, an effort is made to assess the growing role of the pro-Thaksin, the National United Front of Democracy Against Dictatorship (UDD) or the Red Shirts with reference to their impact on the ongoing political crisis. The Chapter deals with the legitimacy crisis, the confrontation between Yellow Shirts and Red Shirts, and reconciliation efforts of the leaders which are destined to prove the turning point of Thai society.

4.1. The Origin of Crisis of Legitimacy

As in its basic terms, "political legitimacy" refers to the "right to govern" and its conditional foundations in consent, norms and law (Coicaud 2002:1). To be sure, political legitimacy is frequently negotiated and tested (Alagappa 1995:1). In Thailand case, conflict pivoting around the right to rule and the model of such rule has reached chronic proportions. In an electoral democratic system, one key measure of the system's legitimacy is that losers in the competition for government power consent to their loss (Anderson 2002:1).

Obviously, Thailand has been crisis of legitimacy since the Thaksin government overthrown by the coup on November 2006, It divided into two groups of people, the first is the Anti-Thaksin, including the elite, the middle class and military, on the other , it is Pro-Thaksin , which supported by the poor people in the rural and urban and former member of TRT.

On 19 September 2006, the military rolled its tanks onto the streets of Bangkok; it was Thailand's seventeenth military coup since the country abolished the

absolute monarchy and adopted democracy in 1932. General Sonthi Boonyaratglin, leader of the coup, rationalized the military intervention by stressing. “Thai society has become polarized as never before, with mass confrontations between supporters and opponent of the former prime minister threatening to turn violent. Sonthi was referring to the demonstration of the PAP which began in late May 2006 against Thaksin (Chachvalpongpun2010:333).

It clear that a large proportion of the Bangkok –based middle class, the elite, a swathe of political activities, some business people and large numbers in the south believed that the military conducted a “good coup” to rid the country off the Thaksin government and to rescue them from authoritarianism. Representative of such former liberal Foreign Minister Surin Pitsuwan “ The Sep 19, 2006 coup in Thailand was necessary-a corrective measure- in that saved the country from the clutches of authoritarianism. More recently, Nitya Pibulsonggram, Foreign Minister in the junta-appointed government, described the coup as a temporary “glitch” on Thailand’s road to democracy (Pitsuwan and Pibulsonggram 2007:4).

Undoubtedly, for millions more, largely from the north and north-east , this was a “bad coup” for it removed from office the one government that had largely delivered on it electoral promises and provided them with a political voice. As attested by his remarkable re-election landslide in 2005 and the support TRT received in the voided election of April 2006, the rural massed and urban poor were strong supports of Thaksin and TRT.

Anak Laothamamtas, Thai scholar, argument that Thai democracy is a tale of two democracy: where the rural masses elect vote –buying politicians, and the urban middle class, frustrated by the corrupt and inept nature of such government rally to bring them down by weigh of social sanction, protest and persuasion (Laothamamtas 1996:201-223).

The Allure of Anek's widely accepted model has been especially evident in post-coup discussion of how the masses were misled and /or bought by Thaksin and TRT (Laothamantas 2007). A problem with the two democracies thesis is that the 2006 coup came at the time when Thailand's capitalist class had been rescued from the jaws of destruction during financial crisis and had for the first time taken political power into its hands. Thaksin was Thailand's most prominent capitalist and he was prime minister at the head of a government that looked rather like the executive committee of the bourgeoisie (Connors and Hewison 2008:4).

Oliver Pye and Wolfram Schaffar analyse the events prior to the coup, examining the genesis and development of anti-Thaksin movement that quickly developed into mass protests against the billionaire Prime Minister Thaksin Shinawtra in the early months of 2006. Hundreds of thousands of people took part in demonstrations that brought about a deep political crisis and forced Thaksin to call snap elections. While this crisis was partly a result of intra-elite conflict, the anti-Thaksin protests opened up political space that was soon filled by a range of organizations that railed against Thaksin government policies promoting Free Trade Agreements, privatization, and authoritarian, corporate-dominated politics. Pye and Schaffar pointed out that, while Thaksin did develop considerable popular support through "populist" policies, these policies were in fundamental contradiction with the government's "post neo-liberal" capitalist restructuring project (Connors and Hewison : 2008:5).

Pasuk Phongpaichit and Chris Baker look to the Latin America experience with populism in assessing Thaksin's progression from being businessmen trying his hand at electoral politics to a populist politician. They saw that Thaksin was not a populist when he rose to power but that through stages over the next five year Thaksin's populism went beyond the redistributive policies associated with the TRT to include a rhetorical rejection of Thailand's political elite and denigration

of liberal democracy in favor of “personalized authoritarianism” (Connors and Hewison 2008:6).

Thaksin’s populism can be seen as a response to the demands of the poor that resulted from decades of capitalist development. The author’s exploration of the social bases for Thaksin’s electoral success provides a compelling analysis of the direction of Thaksin’s politics. By illustrating Thaksin’s tentative and then full embrace of populism in the context of Thailand’s political economy and class structure. Pasuk and Baker demonstrate that for all of its apparent strength there was fragility to Thaksin’ rule. Pasuk and Baker also alert us to the fact that Thaksin’s brand of populism came to be feared by the urban middle class who were mobilized against him and his party in the lead up to the September 2006 coup (Connors and Hewison 2008:6).

As Somchi Phathrathananunth also analyze the issue of election, in this case, in the TRT stronghold of north-eastern Thailand. The populous north-east has about one-third of the country’s electors and so is crucial for the national electoral success of any party, and Somchai examines TRT success there in 2001 and 2005. He discusses the debate over whether TRT’s electoral success was based on the appeal of its policies or the power of Thaksin’s money (Connors and Hewison : 2008:8).

The crisis of political started from the Thaksin government overthrew by military coup on 2006. It is going on until nowadays. Three years on, in a move to resolve the protracted political deadlock, Prime Minister Abhisit Vejjajive called on his Cabinet members and all Thai to do their duty to help return Thailand to a society in harmony, Abhisit said, “Everyone should think of what we can do to enjoy normally again,” (Michale Kevin: 2008:333). In reality the gap between the two opposing political camps, one that Anti-Thaksin, on the other, it supports Thaksin, has remained wide and is still fighting each other for

their benefit of political, is indeed threatening the much –celebrated Thai discourse of “unity”

4.2 The Genies of Street Demonstrations during Thaksin Regime

Today, a semblance of normality has returned to Thailand. But the battle for the country is far from over, and its future remains uncertain. The fractures that led to the confrontation in the first place have yet to mend. Thai society has become deeply polarized, with deferent elite jockeying for power and the northeast against Bangkok and south, and the poor against the rich (Lintner 2009:108). Thailand’s democratic institutions remain weak and vulnerable to interference by unelected institutions, such as the military and the judiciary. Meanwhile, the government led by the coup makers installed by a former army chief and a number of the king’s advisory body failed to live up to the expectation of the anti-Thaksin movement. Following more than year of rule by a military – appointed government, new election was held. The People Power Party (PPP) won majority overwhelming the Democratic Party, the coalition government led by The People Power Party (PPP), the successor to Thaksin’s TRT.

The People’s Alliance for Democracy (PAD), reestablished itself in March 2008. It led demonstration in May 2008 to protest the government’s proposal to amend the constitution in a way the PAD thought would benefit and perhaps pave the way for Thaksin’s return to power. In August 2008, tens of thousands of Yellow Shirts occupied the compound around Government House in Bangkok. After that, the PPP’s first Prime Minister, Samak Sundarvej, was forced to resign when the courts ruled that his participation in a television cooking program violated the Thai constitution. He was succeeded by Somchai Wongsawat, Thaksin’ brother -in-law, the antigovernment demonstrations came to protect almost daily. They culminated in November 2008 with the PAP protester’s by occupy the Bangkok airports. The PPP was again dissolved by the courts like TRT. It was convicted of electoral malfeasance and Somchai was forced to resign. The protesters vacated the airports, a now government coalition led by

the Democrats and the member of parliament who defected from the dissolved PPP, which swung to Democrats, as well as some smaller parties in order to form the government, took over in December 2008, led by the Oxford graduate Abhisit Vejjajiva.

The political crisis has also been described as a battle between the traditional urban elite, represented by monarchic institutions such as the military and the bureaucracy, the rural poor, whose interests Thaksin supposedly sought to advance. The pro-Thaksin UDD has exploited the plight of the poor, whereas the PAP has rejected representative democracy for fear it would give the rural population too much political clout. The UDD's speakers rallies talk of a class war, on the other hand, it has been the regional conflict between urban and rural particularly in North and Northeast area who supported the Thaksin.

As David Fullbrook, an author and observer of the political scene in Thailand, states that the conflict has been simmering since the rise of the "new money" much of it in the hands of Sino-Thais, such as Thaksin thanks to surging exports and modernization. Thaksin and his new-money cronies inevitably came to compete with "old money," represented by the monarchy and the traditional elite (Fullbrook 2009:113).

According to scholar Kevin Hewison, Thaksin and the palace were competing for the same things: societal supremacy and the hearts and minds of the masses (Hewison 2009:113). As a result, had the country had become deeply divided, not only between the old and the new elite but also between Thaksin's strongholds in north and northeast and his opponent's in Bangkok and the south. Pasuk Phongpaichit and Chris Baker, two of Thailand's scholars on the social issues, have pointed out the regional divide to the north's and the northeast's sense of exclusion and disadvantage, the legacy of a highly centralized state system and persistent neglect (Phongpaichit Chris Baker 2009:114).

However, Thaksin was successful in portraying himself as a champion of the poor, mainly in the northeast, where he cleverly marketed his rural-development policies, inexpensive health care, generous monetary support for villages, and other populist policies. On the other hand, in the north, where Thaksin comes from, local residents know the Shinawatra as Sino-Thai business family who came from many generations. So, the TRT's election campaigns there never focused on poverty elimination but instead focused on provincialism, emphasizing that Thaksin was "a native of the north" As one Bangkok –based analyst put it "This is not a class war but a regional conflict" Phongpaichit Chris Baker (2009:114).

It is true that his money would be transfer to his housekeeper, driver, and gardener's bank accounts. Nevertheless the case was never brought to trial. Once Thaksin became Prime Minister, great pressure was put on the Constitutional Court to decide whether Thaksin was guilty of this crime or not. If convicted, Thaksin would not be allowed to hold the position of Prime Minister and would have to stay out of politics for five years.

4.3. The Yellow Shirts

Thaksin was also widely accused of manipulating the democratic system to make billions for himself and his family. In January 2006, a firm owned by the Singapore government bought 49.6 percent stake in the Shin Corporation for nearly \$ 2billion without paying tax to the government. After the deal was announced, more than 100.000 protesters gathered near the old Royal Palace in Bangkok to demand Thaksin's resignation and impeachment.

A month after, the controversial sale - Thaksin's opponent groups who's the lowest common denominator was the opposition to Thaksin's government. They see Thaksin and his cronies as a treat to the monarchy and the country's unity. The PAD's members are referred to as the Yellow Shirts, Thaksin's followers, who are known as the Red Shirts; call themselves the United Front for

Democracy Against Dictatorship (UDD). But neither side could accurately be described as democratic. In February 2005, because of Thaksin's administration, the emerging of the demonstration of street politics, which the People's Alliance for Democracy (PAD) began its attempt to bring down what critics had labeled the "Thaksin regime" by organizing prolonged public mass protests. They became part of a chain of struggle for power that found a preliminary end in the military coup that finally toppled Thaksin in September 2006. Despite this the PAD felt challenged again in Samak Sundaravaj, under Thaksin's self-confessed "nominee" and also tried to amend the coup-initiated 2007 Constitution, in addition, the PAD resumed its protest on May 25, 2008, as the PAD called it, had to be expelled. The protests lasted 193 days and included the protracted blocking of key public roads, the occupation of the Government House compound, and the occupation and closure of Don Mueang and Suvarnabhumi airports. After the Constitution Court had dissolved the PPP on December 2, 2008, the PAD protests ended (Askew 2009:119).

The PAD advocates something it calls "new politics," whereby the elected parliament would be replaced by an assembly consisting of both elected and appointed members, many of those living in Thailand's rural areas, the PAD believes, are not sophisticated enough to take part in general elections and are likely to sell their votes to the highest bidder.

The key players of PAD are two persons: the Sonthi Limthongkul and Chomlong Srimuang. The core leader of PAD, the tycoon media, Sonthi Limthongkul, who's Manager Media Group initially hailed Thaksin as the best Prime Minister Thailand had ever had. The parallels between the two careers are striking. Sonthi, alias Lin Ming Da, was born to an immigrant Kuomintang family in Bangkok in 1947. His father, a former officer at the Whampoa Military Academy, set up a publishing company to sell Chinese works to fellow settlers. Sonthi's elite education included a French missionary boarding school, Chinese and mechanical engineering courses in Taiwan, then history at UCLA and Utah

State University. Returning home in 1973, he became executive editor of the left-leaning Prachathipatai (Democracy) at the age of 27. By 1983 he had launched a string of publications, and succeeded in getting Manager Media Group listed on the booming stock market in 1990.

Briefly in exile for his opposition to the military coup of 1991, Sondhi positioned his group at the forefront of the post-1992 celebration of the ‘new economy’, propagating the rapidly fashionable talk of globalization, the information revolution, knowledge society, and so on. Sondhi himself not only glibly talked the new talk, but also—recklessly—walked the new walk. With the enormous loans secured on his overpriced shares, he went on a buying spree of it firms, publishers and magazines, invested heavily in a joint satellite project with the Lao government to beam digital TV to an audience of two billion in the Asia–Pacific region, and planned to enter the cut-throat cell phone market. On the eve of the 1997 crash, the jet-setting, heavy-tipping aspirant ‘Media Mogul of Asia’ was reported by Fortune magazine to be worth \$600m. When the crisis hit in July 1997, Sondhi’s overextended business empire was 20bn baht in debt while Sondhi himself owed 1.5bn baht to the Krung Thai Bank and was declared bankrupt for three years. Blaming his misfortunes on the Chuan Leekpai government under IMF tutelage, he swung his Phoojadkan Raiwan newspaper behind Thaksin in 2001 and saw an almost immediate reversal of fortunes, owing in no small measure to the long-time friends and colleagues who now staffed the government’s inner circle. Thaksin’s new Commerce and Finance Minister was Somkid Jatusripitak, co-founder of the Manager Media Group and columnist for Phoojadkan Raiwan. His chief policy adviser was Pansak Vinyaratn, editor of Sondhi’s now defunct *Asia Times*. The president of the Electricity Generating Authority of Thailand was Chaianan Samudavanija, resident intellectual of the Manager Media Group and head of several of Sondhi’s foundations. The executive director of Thai Airways International was Kanok Abhiradee, head of one of Sondhi’s companies, and the CEO of Krung Thai Bank was Sondhi’s former banker Viroj Nualkhair. Big advertising money

from state enterprises started to pour into the Manager Media Group. Most of the 1.8bn baht debt to Krung Thai Bank was generously forgiven. Manager Media Launched a satellite TV service (ASTV) in Taiwan, to serve the Asia-Pacific region. A state TV channel allotted airtime to Sondhi's hard-hitting, pro-government weekly talkshow (Tejpiras: 2006:27).

Chumlong Srimuang, had his own genealogy of "new politic" in an interview with the Nation, he traced it back to his own long-defunct political party, Palang Dharma. Palang Dharma actually practiced the so-called "new politic" which has been heralded by the PAP, even back before 1988, when the party was established in 1990, an American professor (sic) who did his doctoral on Srimuang and the New Politics, he guess it was then that the new politics was first recognized. The most authoritative voice is PAP core leader Sonthi Limthongkul. In an interview in which he outlined his ideas for "The new politics," he defined the core problem as follow:

Nowadays, political parties are limited companies. They depend on who holds the majority shares. The Democrat Party is perhaps better, because it has a more varied set of shareholders. Still, however varied it is, there are major shareholders. The People Power Party has only one single main shareholder, who thus directly to is the owner. This group of people gives money to the cliques of electorates to stand. This is not politics. It is investing in the business of democracy. That is not politics; it is investing in the business of democracy. That is the establishment of political party companies in order to take over Thailand (Askew 2009:122).

The PAD, which had ceased its activities after the coup-its goal of toppling Thaksin had been achieved –reestablished itself in March proposal to amend to constitution in a way the PAD thought would benefit Thaksin and perhaps pave the way for his return to power; the PAD believed the PPP government was

merely a proxy for Thaksin. In August 2008, tens of thousands of Yellow Shirt occupied the compound around Government House in Bangkok.

4.4. The Emergence of the Judicialization of Politics

The judicial activism came to sentence on many cases on political, the concept of “judicial activism” defined as “the transfer of decision making rights from the legislature. The cabinet or the civil service to the courts,” as evidenced in the finding against Samak Sundaravej for hosting two cooking programs on television , showed the potential of the courts for serious disruption, leading to the argument that they were acting as proxies for a counter-government . Thai critics have utilized the term “tulakanphiwat” as an equivalent to “judicialization,” highlighting in the hands of unelected courts. As Piyabutt Saengkanokkul of Thammasat University has been one of a number of law academics which is increasingly concerned with the interventionist role of the Thai courts since 2006, in April 2008, he wrote: The power and independence bestowed on the judiciary by a legal state is meant to be used to protect the legal state and democracy, not to destroy a legal state and democracy if the judiciary performs its duties with bias or devotes itself to serve the purpose of purging come someone’s enemies, its credibility with decline and eventually no one will accept verdicts delivered by the court (Saengkanokkul 2008:13).

4.5. The Red Shirts

Despite the coming to power of a new Democratic Party –led coalition on the ashes of the Somchai government saw no end to the confrontation. When Abhisit Vejjajiva’s government took office, the PAP stopped their rallies, only to be replaced by the Red Shirts, who accused the Abhisit government of lacking legitimacy as it was formed through intervention by the military and was a puppet government under the control of the military and the Yellow Shirts. The Red-Shirts movement which opposed the coup and supported Thaksin, staged a comprehensive mass action against the new government.

In 2008, Thailand is currently crisis facing a political without precedent, with the country increasingly by political disagreement and social polarization. The Yellow Shirts and the Red Shirts are engaged in a stand-off and are prepared for violence. The causes of crisis still are remaining and unreasoning, but the heat of the problem lies on the Thaksin issue. The political crisis began in 2005 with demonstration against then-Prime Minister Thaksin Shinawtra and finished by the coup d'état that deposed him in September 2006. The coup leaders promised to give a drafting of a new constitution and the convening of general election for the House of Representation in late the 2007. As in the election, the former Thai Rak Thai (Thai Love Thai) Party, reborn as the Palang Prachachon Party (People's Power Party, PPP) that gained the majority. The Samak Suntaravej, a sharp-tongued veteran politician with a firm commitment to Thaksin, became a prime minister. By the PPP formed a coalition with the other five parties, the Cabinet, filled with detested minister, and was unpopular—particularly among the urban populace. Two additional factors contributed to the new round of political crisis in 2008. First, in spite of insurgency in the south and economic problems resulting from the hike in oil prices, the Samak government focused on the proposing a constitutional amendment to protect official's political interest. The PAP's renewed efforts were also stirred by Thaksin 'return to Thailand in February after 17 months in exile. In May, the crisis escalated further when the government mishandled the Preah Vihear Temple case, leading to a territorial conflict with Cambodia. The dispute began when Thai Foreign Minister Noppadon Pattama signed a joint communiqué supporting a Cambodia proposal to have the ancient Angkor temple listed as a world heritage site. Thailand and Cambodia had bitterly disputed rights to the temple in 1959 until the International Court of Justice ruled in favor of Cambodia. Although the mountain on which the temple is located in Thai territory, Cambodia came to building the temple in Thai territory. Thailand had no choice but to grudgingly accept the court's decision at the time. The problem becomes more acute when the United Nations Educational, Scientific, and cultural organization (UNESCO)

in 2008 approved the Cambodian proposal to list the Preah Vihear Temple as a world heritage site.

As Anek Laothamatas points out that Thailand has two contrasting visions of democracy, one rooted in the rural areas and another is in on the urban. The urban middle class, having higher levels of education and greater exposure to information, tends to vote for parties with high-profile politicians and sound policy platforms; rural dwellers meanwhile, tend to cast their votes based on the personal patronage networks of individual politicians, regardless of personal profiles of policy platforms. Vote buying, in fact, is the norm in most rural areas (Saengkanokkul 2008:7).

Pasuk and Baker note that from Democracy in 2008, the increasing involvement of people in Red –Shirt activities highlighted that “the main issue was less about Thaksin as political figure, and more about fundamental issues of how democracy should work” (Pasuk Baker:2009:9).

The Red –Shirts movement increasingly represented more than just a street lobby for the aggrieved Thaksin, This point was strongly emphasized by Surachart Bamrungsak shortly after the demonstration of April 2009. He pointed out that the Red-Shirt movement comprised three broad groupings: Thaksin’s supporters, lower class beneficiaries of his populist policies; and anti-authoritarian activists (Askew2009:9).

Somchai Phatharathananuth, a student of rural grassroots movements in the northeast, argued that the Red-Shirt movement signaled a real revolution in political consciousness and organization in the countryside, a trend deflecting cumulative changes towards a post-peasant society (Askew 2009:9). Borwornsak Uwonno stressed that the current political conflict has its roots in “structural inequalities” that need urgent and comprehensive attention (Askew 2009:9).

4.6. Violence in Thai Politics

The PAP brought the Preah Vihear case by the Nationalist sentiment movement pot to the Samak government and increased the crisis between Thailand and Cambodia. On the other hand, when Interior Minister Chalerm visited the southern province of Krabi, he was faced with fierce booing and picketing by PAD demonstrators and had to return to Bangkok. The regional conflict became increasingly clear.

The first violence took place and demonstration broke out in Udonthani, Northeastern of Thailand, where the pro-government mob attacked the PAD demonstrators, the police remained on the sideline. PAD members, in turn, armed themselves by recruiting their own volunteer guards, who used wooden sticks, golf clubs, and helmets. The PAD's rhetoric became more militant, including anti-police sentiment (Prasirtsuk 200:176).

The PAD members occupied Government House and it their main stage. Samak had to use the Office of the Supreme Commander in Chief instead. Hardcore PAD demonstrators in the southern provinces also besieged airports at Phuket and Krabi in an attempt to pressure the government to resign (Prasirtsuk 200:176). The PAD leaders demanded that Samak step down and two basic changes can be made. First, the proportion of the Parliament that is elected should be limited to 30 percent, the rest appointed by the elite. Second, they demand the possibility of a Prime Minister who was not an elected Member of Parliament. The PAD pointed out that the two most respected Prime Minister of recent decades, Prem Tinsulanonda and Anand Panyarachun, were not elected but appointed by the King. The position of the PAD was thus a rejection of one-person-one-vote elected democracy (Askew 2009: 10).

The second major instance of violence erupted on the night of September 1, 2008; it goes along with a deeply divided society. It was certain to prove a challenging time. Reds and Yellows demonstrators came into confrontation on

several occasions. When a UDD mob clashed with PAD demonstrators on Rajdammoen Avenue, near Government House, One person was killed and several were injured. Amid high tension and mounting pressures for Samak to step down, the Constitutional Court ruled him disqualified for the premiership in early September, cutting the payment he received to host a weekly TV cooking show. The Samak administration came to an end on this point. With the majority in a parliament, the PPP successfully held in coalition parties together and installed Somchai Wongsawat, Thaksin brother in law, as the new prime minister in mid-September. As a proxy of Thaksin, Somchai government was attacked by the PAP to step down again (Prasirtsuk 200:180).

The third major incidence of violence took place on October 7, again, when the PAD demonstrators surrounded the Parliament to protest the newly established Somchai government during its first policy address. The demonstrators were this time faced with fierce opposition by anti-riot police. Without warning, the police fired tear gas grenades into the crowds. The Chinese-made tear gas grenades proved fatal, as they contained stronger explosive elements. Gunshots and a car bomb aggravated the situation further. As a result, two people were killed and more than 40 injured critically (Prasirtsuk 200:180).

Finally, the PAD escalated their pressures by seizing both major airports in Bangkok (Suvarnabhumi and Donmuang) on November 26 in a blackmail strategy to paralyze the Somchai government. The police failed to act and the military remained on the sidelines. In response the Reds threatened to use force themselves to free the airports. Amid the heightened tensions, the Constitutional Court rendered rulings on December 2 to dissolve three government parties-PPP, Chart Thai, and Matchimathipatai on charges of vote buying during the 2007 election. The PAD found a reason to withdraw from the airports and Government House (Prasirtsuk 2009:180).

In 2009, ex- Prime Minister Thaksin Shinawatra, who was ousted by the coup d'état and now who lives in exile, still influences the political situation in

Thailand. The country has been unprecedentedly divided between anti- and Pro-Thaksin camps. The Yellow Shirts charged that Thaksin's level of corruption and challenge to the monarch earned him punishment via the coup and through a court's sentence. On the other hand, the Red Shirts argued that the coup was unconstitutional and the subsequent court ruling was unfounded. They wanted that Thaksin should be able to return home without guilt (Prasirtsuk 2009:180). The pro-Thaksin camp has been supported by rural residents in majority of the poor north, northeast and the poor in the urban regions. The anti-Thaksin camp consists largely of middle class Thai, the military, bureaucrats, and people from urban areas and Southern part of Thailand.

The new Prime Minister, the Oxford educated, Abhisit Vejjajiva from Democrat Party, started a new coalition government with the Newin Faction of the Pue Thai (For Thailand) party broke away to help form a five-party coalition government in the late 2009. Consequently the Pue Thai party is still majority in the parliament. The Democratic Party was seen as illegitimate by Pro-Thaksin. This has become a cause of protests against Abhisit to resign. Pro-Thaksin proclaims to justice court used the double standard for Thaksin and his party such as prime ministers (Samak and Somchai) were dislodged from power by Constitutional Courts rulings. Both of the Yellow Shirts and the Red Shirts claimed intermittently broke the law and resorted to violence in order the police to use force for get righteousness to the public.

The year 2009 was marked by the loss of law and order in Kingdom. This was highlighted by April incidents in which a series of scheduled summits linked to the Association of Southeast Asia Nations (ASEAN) was aborted as fierce pro-Thaksin protesters stormed into the venue's hotel in Pattaya. The Reds claimed that the government organized mobs wearing blue shirts to deter and harm them. The pro-Thaksin destroyed the meeting (Prasirtsuk 2009:180).

4.7. Multi-Colours in Thai Politic

The Yellow Shirt frights to stepped down the Thaksin by demonstration on the street which backed by middle class in urban, on the other hand, the Red Shirt is Pro-Thaksin proclaimed to fright for democracy in order to get back ex-Prime Minister Thaksin to country by support of poor people in north and northeast in rural reigns (Prasirtsuk 2009:206).

In 2009, when the Yellows regularly staged protests against the pro-Thaksin governments, it was the Reds who took center stage this year, trying various means to get Thaksin back home without legal threat and also topple the Democrat-led government. Apart from continuing the mass protests, in August the Reds tendered a royal pardon request for Thaksin to King Bhumibol, sparking a big controversy over whether it was appropriate. After the court verdict on Thaksin's irregular assert asset gains that might order confiscation of all his assets, amounting 76 billion Baht (\$2.2 million).

By the close 2009 the Democratic-led government was judged to have failed in the task of promoting "reconciliation", Further, the Democrats have dragged their heels on the process of amending the constitution .Outside parliament, the red shirts continue to denounce the government and the "ammat" (aristocratic bureaucrats) of demonstrating "doubles standard" of law enforcement and judicial decision -making .

The Yellow Shirts

The Yellows decided to play by parliamentary rules, Setting up their own "New Politic Party" and vowing to crate clean politics. Sonthi Limthongkul, a vocal leader against Thaksin , was elected as party leader. On the other hand, some segments in the PAD become extreme in their nationalist agenda, mobilizing protest against Cambodian over the disputed Preah Vihear temple and demanding that the Cambodian community and military evacuate the area soon.

The Blue Shirts

There was time for the emergence of new shirts. It called the Blue Shirts; they assembled in order to counter the Red mob, usually with violence. In fact, there was more confrontation between the Yellows and Reds than in the previous year. And several clashes occurred between the Red Shirts and Blue Shirts. The Blue were allegedly organized by Navin Chidchob, a former pro-Thaksin political boss well versed in mob-against –mob tactics as well as former hardcore members of the Red Shirts. The Blue Shirts were seen merely paid thugs, articulating no ideology but wreaking violence on the Reds. This group founded their own Bhumjaithai (The Pride) Party. Masterminded by Newin, the Bhumjaithai spearheaded several counter-measure against pro-Thaksin activities.

The White Shirts

During the Songkram festival, there was violence occurred by the Reds, a peace campaign emerged led by the Thai Journalist Association and some moderate scholars. It campaign people to wear the White Shirts to symbolize their disapproval of violence by any group. This later developed into an “I Love Thailand” Apparently, people become increasingly disenchanted with the never-ending conflict, with no clear public benefit.

In 2010, even worse, the Red Shirts came back to step up their pressure on the anti-Thaksin government in early 2010, demanding immediate parliament dissolution so that a general election could be convened. The Reds believed that the pro-Thaksin party would win a swift election and would resume power. They then occupied some parts of Rajdamnoen Avenue as their stage, while mobile groups went to protest and to intimidate key government politicians at various government agencies. Importantly, groups of red protestors threateningly poured liters of blood at the Prime Minister Office and also at his private house. After months of stand off, the first clash broke out in April between the red protestors and the military at Rajdamnoen Avenue, resulting in many casualties, including

the death of high-rank military officers. The Red Shirts then relocated to occupy the central business in downtown Bangkok. The government tried to negotiate several times, offering to dissolve the Parliament within five months, but most red leaders remained staunchest in their stance demanding outright dissolution and a swift general election. The siege went on for about a month until the military gradually encroached to take back the occupied areas by force, which was responded fiercely by armed and unarmed protestors. After the red leaders surrendered themselves to the police and called off the protests, some furious and unyielding protestors went on rampant and set fire damaged shopping malls nearby, particularly the Central World Shopping Center. Several city halls in provinces were also burned in protest by local reds it took several days until the situations subsided with the military control. Over all, the incidents of April and May 2010 consummated in 91 deaths (civilians, officers, and foreign news reporters) and more than 2,000 people injured.

According to Kiti Prasirtsuk, the Red Shirts emulated the Yellow Shirts tactics but with more aggressiveness and violence. Central of issues is the loss of law and order, which caused by both the yellow and the red groups, despite the fact that each group always claimed itself as pro-democracy movement. More importantly, they seemed to believe that such actions were legitimate for their purposes, whatsoever to bring down corrupt governments, to bring back democracy, or to protect the monarchy (Prasirtsuk 2009:9).

Chapter-V

Conclusion

CONCLUSION

The political situation in Thailand has been in severe crisis since the government of ex-Prime Minister Thaksin Shinawtra was overthrown by a military coup in 2006. Consequently, Thailand was divided into two groups; the first is pro-Thaksin, comprising particularly the poor rural and urban people who live in north, northeastern and some Central parts in the country. They profess the populist policy which TRT party had advocated for them, especially the “30 Baht” health care scheme, “one district one million” etc. Another group, called “yellow shirt” is anti-Thaksin and resides in the central and Southern parts of Thailand. They accused Thaksin for corruption and disrespect to the monarchy. The political crisis is not only in the capital, but the violence has also occurred in Southern of Thailand. It started when the Prime Minister Thaksin was still in power during 2004. It has continued since then and more than 4,000 people have been killed in clashes between rebels and the military. On the other side, the territorial border conflict between Thailand and Cambodia has become more acute when the United Nations Educational, Scientific, and cultural organization (UNESCO) in 2008 approved the Cambodian proposal to list the Preah Vihear Temple as a world heritage site.

The concept of Thai Style Democracy confirmed that the Western Style Democracy is different from Thai Democracy. Thailand remains unique for its eighteen Constitutions for rule. Seventeen coups abolished many governments in the last seventy nine years. The gap between the poor and the rich people has widened 50:1 as per Gini records. The politics of Thailand has been in the hands of civilians, elites, and business classes throughout its turmoiled history. The urban and western educated elite of Thailand advocated Democracy and abolished the absolute monarchy in 1932. In the process of Democratization

many coups took place between 1932-1970. There was short period of full democracy after the uprising of students during the period of 1973-76. The country reverted back to the authoritarian rule in 1978. Consequently, there was semi-democracy from 1988 to 1992. After the very short period of democratic experience, military regime was back in power.

Thailand could not sustain the democratic regimes as the institutions that act as foundations of democracy were not strong. Even the rural people were not politically conscious and participative. The politics was influenced by the rich and the business class. They had strong control over the political parties and were not able to deliver the demands of the people. Neither, the education system of Thailand failed to sensitize the young educated youths for strengthening the norms and objectives of democracy.

The military has played a decisive role in Thai politics both directly and indirectly. Thai military was not fully professional like that of its neighbouring countries such as Malaysia and Singapore. A small faction of military officers and western educated young civilians wanted to abolish absolute monarchy and desired to play a greater role for ushering democracy. This led to the confrontation between them and the military over power sharing. Consequently there were attempts for genuine democratic transition.

In 1932, Thailand adopted constitutional monarchy after abolishing absolute monarchy through a bloodless coup. During this period, its neighbours were under colonial powers. Though, Thailand get to taste the democracy before its neighbours, Thailand has not been able to achieve stable democratic government

Democratisation in Thailand has brought to the fore the important role of the army and its influence even when not overtly in power. A glance at some of those who became Prime Ministers from 1932 till 2008, shows that they had

military connections. During this period, some civilians did manage to become Prime Ministers for some years.

Therefore, the Thai military is not generally seen in the role of providing territorial security, but see themselves as a strong power to provide checks and balances against corruption. Since in Thailand many governments, and many politicians have been accused of corruption during their stint in many governments, on the military has used this many times to overthrow civilian governments. This has now become a common phenomenon in the political history of Thailand. The power of the Thai military can be seen in the budget for defense. During 2006-2008 military –imposed Surayud government, armed forces spending spiraled higher and higher. Surayud’s first budget (for fiscal year 2007) comprised a 60 per cent increase in military spending. In the following year, the defense budget grew by a further 18 per cent. By comparison to other countries, such as the United States, , the defense budget increased by 4% , the defense budget of China grew by 2.0%, Germany grew by 1.3%, Indonesia grew by 1.0 , Japan grew only by 0.9% , in Thailand , which in comparison is a small country , the defense budget increase by 1.8% of GDP, and the defense budget increased by 50% in 2009-10., As long as the military remains politicised Thailand will not able to develop and protect Democracy. Also, the gap between the rich people and the poor people is very vast, twenty per cent of the total population has higher income, and they occupy seventy per cent of the total national property, on the other hand, the rest of the population is living at the lowest level. The level of economic inequality in Thai society, has become a crucial cause of inequality in education, health care, the right of living etc., because of the above mentioned causes, the process of democratization is very slow, and it does not match the process of democratization in other countries of the world.

Fundamentally, the root of political parties is not strong; the people at the lowest rung of economy can not reach to the higher positions in political parties, which are just limited to the business families or elites. Above sixty percent of

politicians come from business background and vote buying is still in practice in Thai elections.

The business politicians can control the political parties and misuse the power in their favor. Because of vote buying, the foundation of the political party is very weak. The political situation in the country is not stable and still looking toward democratic consolidation in coming years.

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