



The Thai Elections of 2019

The Rise of the Illiberal Middle Classes

Thailand's Prime Minister Prayuth Chan-ocha. PC: Voice of America.

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In early 2019, Thailand's military junta held elections for the first time since removing the elected Prime Minister Yingluck Shinawatra from office five years earlier. The elections took place under a new constitution, which gave the coup leader Prayuth Chan-ocha an insurmountable advantage. Ironically, some of Prayuth's strongest supporters were the same middle classes that fought in the streets for democracy in the 1990s. The result is a Thai polity that can only be described as constitutional authoritarianism.

On 24 March 2019, five years after a military group removed Thai elected Prime Minister Yingluck Shinawatra from office, the Southeast Asian country held new elections. While the event might have seemed like a return to electoral politics, few in Thailand shared this impression.

The election, in fact, took place under a new constitution, drafted and ratified by a parliament fully appointed by the coup leaders, which established that only the 500 members of the lower house would be elected, while the 250 members of the Senate would be appointed directly by the military and the palace. In other



Former Prime Minister
Yingluck Shinawatra.
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words, coup leader Prayuth Chan-ocha and his newly-formed Palang Pratcharath Party only needed to obtain 25 percent of the vote to be able to control parliament and elect himself as the new Prime Minister of Thailand.

Even on this uneven playing field, ahead of the election many doubted that Prayuth would be able to obtain the necessary popular support and predicted a split result, in which his party would obtain the votes to elect a Prime Minister but not to pass laws in parliament. For those hoping for this result, however, the March election came as a cold shower.

Against most predictions, Palang Pratcharath obtained 8,413,413 votes, i.e. 23.74 percent, which, in the byzantine electoral system that the junta devised, translated into 116 of the 500 non-assigned seats in Parliament. Those, added to the 250 seats that the military automatically controlled, gave Prayuth not only the possibility to elect himself as Prime Minister, but also the opportunity to create a coalition that gave him a solid parliamentary majority. Prayuth, who had risen to power with tanks and military force, could now claim an electoral victory which he used to retroactively legitimise the coup.

To confirm the impression that this election would not mark a return to democratic politics, Prayuth was sworn into his new job on 16 July omitting a central piece of the constitutional oath. According to section 161 of the Thai Constitution, his oath should have been: 'I ... swear I will be loyal to His Majesty and perform my duties honestly for the benefits of the country and the people. I will also uphold and comply with the Constitution of the Kingdom in every aspect.' However, Prayuth omitted this last sentence and replaced it with the word 'forever', de-facto swearing allegiances to the King but not to the Constitution.

While the opposition attempted, without success, to invalidate his premiership, the voters who supported Prayuth—mostly urban, from central Thailand, and middle classes—seemed untroubled by his disregard for constitutional procedures and democratic representation. At first glance, this is not surprising. After all, if they voted for him they must have known what they were going for. However, what is particularly striking is that many of these voters are the same people who two decades ago took to the streets to remove a similar military coup leader, opening the era of democratisation in the country. When seen under this light, the March 2019 elections beg one haunting question: why is it that the same middle classes who demonstrated, struggled, and campaigned for democratisation in the 1990s are now supporting an authoritarian regime and accepting this kind of disregard for constitutionalism?

The Spectre of Constitutional Authoritarianism

In 1848, Karl Marx opened his *Manifesto of the Communist Party* with an eloquent phrase: ‘A spectre is haunting Europe—the spectre of communism.’ Almost two centuries later, Laos and Vietnam are among the fastest growing economies in the world and the Chinese Communist Party is now in charge of the largest capitalist economy in the world. The spectre of communism that had materialised in East Asia in past decades is now little more than a faded ghost, which no longer haunts anyone. Instead, another presence has beset those lands: the spectre of authoritarianism, this time not supported by the proletarian masses but by office workers, small entrepreneurs, and state employees.

The events taking place in Thailand are not isolated. On the contrary, they are part of a wider trend that is pushing multiple Asian countries towards forms of authoritarian radicalisation, both in countries used to democratic electoralism and others accustomed to one-party systems. Whether in Xi Jinping’s attempt to turn his presidency into a lifelong office, Duterte’s systematic refusal to apply *habeas corpus* in the Philippines, or Thailand’s new forms of electoral dictatorship, a new wind of authoritarianism is blowing across East Asia, supported by the same middle classes who were supposed to be the heroes of democratisation. Contrary to theories of ‘end of history’ or ‘democratic transition’, this wind does not blow against the will of the middle classes—rather, it has their full support.

Much has been written about the relationship between new forms of authoritarianism in Thailand and the geopolitical changes that see China and the United States ever closer to a war of influence in Southeast Asia—for now mostly on commercial and political grounds. These explanations, though important, often fail to see a central element of this

new authoritarianism that is clear to anyone spending time with white collar workers, business leaders, and elites in this part of the world: the growing popularity of authoritarian ideology among the local middle classes, a popularity that finds its roots in shifting local meanings of concepts that were traditionally part of the toolkit of democratisation processes in the 1990s, particularly the concepts of corruption and rule of law.

Like all of Southeast Asia, Thailand in the 1990s saw a plethora of popular uprisings led by the middle classes with the aim of putting an end to despotic government, often using grievances about corruption as a weapon for popular mobilisation. During the last decade, however, the meaning of the word ‘corruption’ among the Thai middle classes has undergone a radical transformation. Corruption today no longer refers only to officials who abuse their public roles for private gain. The semantic universe of the word has expanded to include three different meanings: first, the traditional idea of corruption as an exploitation of one’s position to accumulate power and wealth; second, a new moral conception of corruption, linked to the alleged intrinsic immorality of specific people; and finally, a completely new vision of so-called ‘electoral corruption’ that interprets any form of redistributive policy as vote-buying. According to this tripartite conception of corruption, Prayuth could run his campaign on an anti-corruption agenda, claiming that elections themselves have become, in the eyes of entire sections of the middle class, a corrupt practice that favour populist leaders who, through redistributive policies, obtain popular support without necessarily producing ‘good governance’.

These semantic changes may seem to be pure sophism, yet without understanding these transformations it is hard to grasp how the same social classes that in 1992 fought in the streets of Bangkok, risking their lives to have elections, today line up at the ballots to keep in office a dictator who took power through a military coup. Clearly, even if they take specific forms in different contexts, these transformations do

not happen in an international vacuum. The previous authoritarian phases in Thailand, especially in the period between 1945 and 1992, were supported, both economically and ideologically, by the United States and its anti-communist rhetoric. However, since the coup d'état in 2014, the junta has turned to China for such support.

The Role of China

The increasing closeness between the two governments has been the result of changing geopolitical and economic alliances. Yet, ignoring its ideological components, particularly in relation to concepts of corruption and rule of law, means underestimating its historical significance. Since the Sixteenth Congress of the Chinese Communist Party back in 2002, China has increasingly focussed its ideological debate on a new rhetoric of legalism, conceptualised as the most efficient system to allow equity and participation in the Chinese state.

Political scientist Pan Wei, in a famous article that took the shape of a political manifesto for legalism, went to great lengths to show that rule of law can exist outside democracy. Such a system, he argued, is preferable and superior to electoral democracy and more appropriate to China. In his words: 'The power base of democracy consists of elected law-making offices, mainly parliament and the elected chief executive. The institutional power base of rule of law consists of non-elected law enforcement offices, mainly civil service and the judiciary' (2003, 8). In this sense, he continued, 'rule of law directly answers the most urgent need of Chinese society—curbing corruption in times of market economy. Electoral competition for government offices is not an effective way of curbing corruption; it could well lead to the concentration of power in the hands of elected leaders' (2003, 33).

Although not as sophisticated as Professor Pan, and without the same ability to govern as the Chinese Communist Party, Prayuth is trying to establish a similar polity: a legalistic system in which appointed officers create and enforce the law, ratify the names of candidates, and certify their 'morality', asking people simply for an ex-post ratification of their decisions. This system is legitimised by a basic principle: the superiority of 'good unelected citizens' over elected politicians in preventing corruption. It would be easy to think of these changes as a temporary setback and an interregnum in which, paraphrasing Gramsci, 'the old is dying and the new cannot be born' (1971, 276). Unfortunately, the reality in Thailand is much more disturbing. Something new is being born out of the recent elections, but it may not be what we hoped for. ■