

SPECIAL ESSAY

# Thailand's 2019 Elections: A State of Democratic Dictatorship?

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**KEYWORDS:** THAILAND; ELECTIONS; DEMOCRACY; MILITARY JUNTA

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## EXECUTIVE SUMMARY

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This essay argues that Thailand's 2019 elections served to institutionalize the military junta that seized power in 2014 in a system of facade democracy.

### MAIN ARGUMENT

Thailand's elections on March 24, 2019, were supposed to restore the country to parliamentary democracy following a military coup d'état in May 2014. The junta repeatedly delayed holding the elections, and the new 2017 constitution deployed an unusual voting system combined with interim provisions that allowed the appointed Senate to share in selecting the prime minister, changes that favored the ruling military clique. An important opposition party, Thai Raksa Chart, was dissolved by the Election Commission during the campaign on highly dubious legal grounds. The pro-military Palang Pracharat Party was created as a vehicle to allow junta members to continue in office beyond the elections, and succeeded in taking away millions of votes from the long-standing conservative and royalist Democrat Party. Meanwhile, the previously dominant Pheu Thai Party—closely associated with former prime ministers Thaksin and Yingluck Shinawatra—was challenged by the upstart Future Forward Party, which attracted huge numbers of younger voters with its anti-junta stance. Ultimately, the Democrats entered a fractious multi-party coalition with Palang Pracharat, made possible only when the Election Commission controversially changed the rules for calculating the allocation of party-list seats. As a result, coup leader General Prayuth Chan-ocha was reappointed as prime minister. The palpably unfair election outcome has effectively perpetuated military rule and left those who had supported opposition parties intensely frustrated.

### POLICY IMPLICATIONS

- Amendment of the 2017 constitution should be explored, especially concerning the mixed-member apportionment voting system that had a distorting effect on poll results.
- Election rules should be clearly defined in advance: the Election Commission should not be entitled to change the formula for allocating party-list seats after polling has closed.
- There is a strong case for preventive diplomacy. The U.S. and other allies of Thailand should closely monitor the unfolding domestic political situation and urge the authorities not to abuse the legal system further to harass opposition parties.

**O**n June 5, 2019, more than two months after the March 24 general election, the 750-member National Assembly of Thailand, which consists of the elected House of Representatives and the junta-appointed Senate, convened to vote for the new prime minister. Two candidates were nominated for the position from either side of the political divide: the incumbent junta leader-turned-premier General Prayuth Chan-ocha was nominated by the pro-junta side, while the seven-party opposition alliance nominated Thanathorn Juangroongruangkit, leader of the newly established, highly progressive, anti-junta Future Forward Party to contest the position. Thanathorn had just been temporarily suspended from his duties due to allegations of breaking election laws. Unsurprisingly, Prayuth was returned to power, with unanimous support from the senators that the junta had previously appointed and from his elected allies from the lower house. The vote was 500 to 244 in favor of Prayuth, a landslide win for the pro-junta forces, despite the fact that anti-junta parties had performed better in the elections.<sup>1</sup> One of his Senate supporters then proudly nicknamed the country a “democratic dictatorship.”<sup>2</sup> Prayuth’s nomination as prime minister was later royally endorsed: the military regime that had governed Thailand for five years was whitewashed through a seemingly democratic process under the auspices of the junta-sponsored 2017 constitution.

Did Thai voters really want to remain under a version of the junta regime? If so, what are the political prospects for a country that was regarded until quite recently as a lighthouse of democracy in Southeast Asia? This essay addresses these questions by examining Thailand’s political structures leading up to the 2019 elections, the election process, and the results and aftermath. It argues that the 2019 elections were hijacked by the ruling military junta, which manipulated polls to secure a mandate for continuing rule. The result is a hybrid mode of governance in which a clique of retired generals holds de facto power, operating in conjunction with a politically subordinated parliament.

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<sup>1</sup> “House, Senate Elect Prayut Thailand’s New Prime Minister,” *Bangkok Post*, June 5, 2019 ~ <https://www.bangkokpost.com/thailand/politics/1689860/house-senate-elect-prayut-thailands-new-prime-minister>.

<sup>2</sup> “O jo ratthasaat Thammasat sut ngong son nansue sip pii yang mai khoei dai yin phadetkaan prachatipattai” [Thammasat Political Science Professor with Ten Years Teaching Experience Puzzled by Unheard-of Democratic Dictatorship], *Khaosod*, June 5, 2019.

## THE ELECTIONS: FLAWED FROM THE START

### *Politics Ahead of the Elections*

Prayuth led the Royal Thai Armed Forces to stage a coup in May 2014 that ousted the Pheu Thai Party-led government associated with former democratically elected prime ministers Thaksin Shinawatra and Yingluck Shinawatra, whose parties had won every Thai election since 2001. The excuse was to restore peace and order to Thai society after almost a decade of political conflicts between largely pro-Shinawatra antiestablishment “red shirt” and pro-establishment “yellow shirt” protesters. The coup in May 2014 was bloodless, though it was followed by extremely harsh repressive measures that were highly effective in curbing dissent.<sup>3</sup> Resistance was virtually nil in the provinces, especially in the north and northeast where antimilitary red-shirt activists had been strongest before the coup. Although pockets of small-scale resistance arose occasionally, mostly by the same groups of Bangkok-based activists focusing on symbolic, nonviolent protests against the junta, these attempts did not grow into full-blown street rallies. This was because the junta’s main weapon in silencing critics was the ability to deploy the draconian Article 44 of the interim constitution, which granted it unlimited powers for the sake of national security. In August 2016, the junta staged a referendum on a new draft constitution, which was endorsed by 61% of those who voted.<sup>4</sup> However, the junta tightly controlled the referendum process and prevented campaigning against it. The new constitution was eventually ratified in April 2017.

It was not until March 2019, after multiple delays and broken promises, that the Thai people finally had a chance to elect a new government. Yet in the end, although the Pheu Thai Party won the largest number of members of parliament (MPs)—136—this was nowhere near the 250 seats needed to form a government. The second-place, junta-backed Palang Pracharat Party instead assembled an administration, claiming to have won the popular vote.<sup>5</sup> Over

<sup>3</sup> See Saowanee T. Alexander and Duncan McCargo, “Exit, Voice, (Dis)loyalty? Northeast Thailand after the 2014 Coup,” in *After the Coup: The National Council for Peace and Order Era and the Future of Thailand*, ed. Michael J. Montesano, Terence Chong, and Shu Xun Mark Heng (Pasir Panjang: ISEAS–Yusof Ishak Institute, 2019), 90–113.

<sup>4</sup> See Duncan McCargo, Saowanee T. Alexander, and Petra Desatova, “Ordering Peace: Thailand’s 2016 Constitutional Referendum,” *Contemporary Southeast Asia* 39, no. 1 (2017): 65–95.

<sup>5</sup> Palang Pracharat secured 8.4 million votes; Pheu Thai finished second with 7.9 million votes nationwide. But Pheu Thai only fielded candidates in 250 constituencies, while Palang Pracharat put up candidates in all 350 constituencies.

three months later, Thailand finally had an unprecedented nineteen-party coalition government, led by former junta leader Prayuth.<sup>6</sup>

### *Constitutional Advantages*

“This constitution was designed for us,” said Somsak Thepsuthin, a core leader of Palang Pracharat, when he addressed fellow party members at an election preparation meeting in November 2018. He later explained that he wanted to give moral support to candidates, arguing that “us” referred to parties new to Thai politics, not to Palang Pracharat per se.<sup>7</sup> As it turned out, the 2017 constitution did indeed give the pro-junta party electoral advantages.

First and foremost, the writers of the draft charter—handpicked by the junta<sup>8</sup>—created the ruling entities and structures, including an unelected 250-member Senate that included 104 retired or serving military and police officers. The 2017 constitution gave members of the Senate votes to elect a prime minister, a move that directly led to Prayuth’s reappointment.<sup>9</sup> During the 2016 referendum process, the general public knew very little about the draft constitution. Attempts to disseminate its contents were barred, and the state tried every way possible to encourage voters not only to vote in the referendum but also to ratify the draft constitution.

Another major problem with the constitution was the use of the unusual mixed-member apportionment system for selecting party-list MPs. Under the previous 2007 constitution, each voter cast two distinct votes: one for a constituency MP and the other for a party-list MP. By contrast, the new charter stipulated that the number of party-list MPs gained by each party would be calculated by subtracting the number of constituency MPs from that party’s MP entitlement quota, which is calculated by dividing the total number of valid votes for the entire election by 350 (the total number of MPs). The number of party-list MPs is then contingent upon all three figures. As a result, the more constituency MPs a party had, the fewer party-list MPs it

<sup>6</sup> “New Government Ready to Announce Policies,” National News Bureau of Thailand (NNT), July 13, 2019 ~ <http://thainews.prd.go.th/en/news/detail/TCATG190713135110876>.

<sup>7</sup> “Ratthathammanun nii thuk disai maa phuea phuak rao” [This Constitution Was Designed for Us], Channel 3, November 20, 2018 ~ <http://news.ch3thailand.com/politics/82092>.

<sup>8</sup> “Krai raang nan samkhan chanai? Priapthiap khanakhammaathikaanyokraangratthathammanun yisip pii yonlang” [How Important Are Constitutional Drafting Committees? A Comparison of the Constitutional Drafting Committee in the Past Twenty Years], iLaw, September 15, 2015 ~ <https://www.ilaw.or.th/node/3846>.

<sup>9</sup> For a detailed analysis of the problems with the current constitution and its drafting and referendum processes, see “Roadblock to Democracy: Military Repression and Thailand’s Draft Constitution,” International Federation for Human Rights, Report, August 2016 ~ [https://www.fidh.org/IMG/pdf/fidh\\_report\\_thailand\\_roadblock\\_to\\_democracy.pdf](https://www.fidh.org/IMG/pdf/fidh_report_thailand_roadblock_to_democracy.pdf).

would obtain. To maximize the chance of getting a large number of votes, parties needed to field candidates in all 350 constituencies. An unprecedented 80 parties appeared on the ballots, many of them hoping to secure one or two party-list seats by gaming the new election system.<sup>10</sup> On average, around 35 candidates ran in each constituency.

### *The Campaign Process*

Leading members of the largest opposition party, Pheu Thai, began pre-election tours of the provinces as early as December 2018, though the election date was not yet officially set.<sup>11</sup> Speakers were careful to avoid saying anything that could be construed as a violation of election laws; they typically emphasized popular policies of previous pro-Thaksin parties, such as subsidized healthcare, and contrasted the booming economy under previous governments with the more depressed current conditions. Opposition election posters appeared only in mid-February 2019 after candidates had already registered with their respective provincial offices of the Election Commission of Thailand (ECT). By contrast, the newly formed, junta-backed Palang Pracharat Party erected campaign signs in public places introducing its prospective candidates in early January 2019. Its campaign events started much later than Pheu Thai's, but both parties' activities predated the candidate registration day in early February.<sup>12</sup> As the party of the ruling junta, Palang Pracharat's choices reflected its lack of concern over potential election law violations.

The lead-up to the elections was generally less lively than during other recent campaigns. This was partly due to the ECT's strict enforcement of the election laws. Normally on candidate registration day, supporters of the various parties gather in front of local ECT offices to cheer on their candidates. Fearing legal problems, many candidates from the anti-junta camp went to register unaccompanied, while Palang Pracharat campaigners and canvassers filled the ECT compounds, exuding the impression that Palang Pracharat was the favorite to win.<sup>13</sup>

<sup>10</sup> For statistics on contending parties and constituency candidates in the past five general elections, see Hathai Kan Tri Suwan, “Lueaktang 2562: Thiisut thi khun aat yang mai ruu kon khao khu haa” [Elections 2019: The Most You May Not Know before Entering the Booth], BBC, February 18, 2019 ~ <https://www.bbc.com/thai/thailand-46902175>.

<sup>11</sup> Saowanee T. Alexander, “On Thailand’s 2019 Election: The Isaan Red Shirts Have Returned, but Where Is Godot?” Isaan Record, January 24, 2019 ~ <https://isaanrecord.com/2019/01/24/on-thailands-2019-election-the-isaan-red-shirts-have-returned>.

<sup>12</sup> Authors’ field notes, Thailand, December 2018–January 2019.

<sup>13</sup> Authors’ field notes, Ubon Ratchathani, February 2019.

Many new parties organized their election campaigns via social media. The upstart Future Forward Party developed a fan base drawing on policies that attracted younger generations, such as abolition of military conscription, a cut in military budgets, and most importantly, a bold stance against the junta—thus creating a sensation.<sup>14</sup> Strong performances in nationally televised debates also helped Future Forward as well as smaller opposition parties such as Seri Ruam Thai and New Economics. For anti-junta parties, online campaigning was often livelier than the actual campaign trail, partly because physical events were usually closely monitored by authorities. Thailand has extremely high levels of Facebook penetration, and Twitter and Instagram are also very popular. Younger politicians proved adept at deploying these platforms as campaign tools.

As in past elections, campaign rallies for popular parties such as Pheu Thai had an energetic atmosphere with fiery speeches, songs, and huge crowds. Given its past popularity, Pheu Thai appeared to be viewed by the junta as an archenemy in this electoral race. That the party's campaigns were marked with challenges posed by the state was not at all a surprise. Pheu Thai candidates reported having been monitored by unidentified men who they believed were plainclothes police or army officers. In more serious cases, uniformed officers visited canvassers' houses or surrounded a house owned by a candidate.<sup>15</sup> Using state-owned facilities such as schools and stadiums for campaign events became a struggle for opposition parties. In one northern province, Sudarat Keyuraphan, a Pheu Thai campaign strategist and prime minister candidate, complained about not being allowed to use a government compound to host her party's campaign rally, while Palang Pracharat freely used a similar facility nearby.<sup>16</sup>

As Palang Pracharat's founders were tied closely to the junta—some of its leaders were cabinet ministers—they exploited their privileged status to considerable advantage. For instance, in Ubon Ratchathani, Palang Pracharat held rallies in different districts in rapid succession. Leaders sped between rally by using a motorcade with a police escort—a privilege that other parties could not enjoy.<sup>17</sup> Palang Pracharat was able to campaign freely: there were

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<sup>14</sup> For commentary and background information on Future Forward, see Duncan McCargo, “We Are Grown-Up Now and Can Choose for Ourselves,” *New York Times*, March 29, 2019 ~ <https://www.nytimes.com/2019/03/29/opinion/thailand-election-thanathorn-future-forward-youth-vote.html>.

<sup>15</sup> Authors' interviews with candidates, Thailand, March 23, 2019, and April 9, 2019.

<sup>16</sup> “O bo cho Phayao sang loek duan! Wethii prasaii prak Pheu Thai kongchia maiyom haelom ropruep [Phayao Province PAO Axes Pheu Thai Rally Plans! Defiant Fans Flock to Site], *Khaosod*, January 10, 2019 ~ [https://www.khaosod.co.th/breaking-news/news\\_2067446](https://www.khaosod.co.th/breaking-news/news_2067446).

<sup>17</sup> Authors' field notes, Ubon Ratchathani, January 26, 2019.

local stories about the party using money to entice voters, but these reports did not make national news.

### *The Election Commission and Other Influences*

The ECT itself put pressure on anti-junta candidates. Pheu Thai candidates reported that an official contacted their sign makers and asked about the numbers of signs produced and their locations. Election laws included strict rules about the number of signs permitted and assigned installation locations, but these were not applied to Palang Pracharat or certain other parties—a clear example of the double standards that are a long-standing complaint of the red-shirt movement.<sup>18</sup>

The ECT also demonstrated partiality with its move to dissolve the Thai Raksa Chart Party on charges related to its controversial nomination in February of former princess Ubolratana as a prime minister candidate. At first the ECT accepted the decision, but just a matter of hours after a royal announcement was made the same day criticizing the nomination, the ECT was quick to reverse its position and accused Thai Raksa Chart of violating traditions and tainting the royal institution by making an inappropriate political move. It soon submitted a case to the Constitutional Court of Thailand to consider a dissolution of the party. With a track record of ruling in favor of the establishment, the court unsurprisingly announced the party's dissolution.<sup>19</sup> Pheu Thai's closest ally was disqualified in an instant. This was a major blow to pro-Thaksin forces, as Thai Raksa Chart had a strategy to collect party-list votes by running in constituencies where Pheu Thai was relatively weak. Thailand's "independent agencies" once again confirmed their alignment with the establishment.

The military, too, meddled in the elections. Commander in chief of the Royal Thai Army, Apirat Kongsompong, appeared in the news regularly during the campaign period. At the height of the tension in January over delays in announcing the election date, protesters started to hold rallies. Apirat was quick to tell them that they should not "cross the line," citing concerns over trade and tourism being affected by such protests, and that

<sup>18</sup> For background information about the red-shirts and their 2010 protests, see Michael J. Montesano, Pavin Chachavalpongpun, and Aekapol Chongvilaivan, eds., *Bangkok, May 2010: Perspectives on a Divided Thailand* (Pasir Panjang: Institute of Southeast Asian Studies, 2012).

<sup>19</sup> "Thai Raksa Chart: Sarup kham winitchai saan ro tho no sang yup tho so cho 'so kron bon thamlai' sathaaban pramahaakasat [Thai National Guard: Summary of the Ruling of the Constitutional Court Ordering the Dissolution of the "Erosion, Corruption" Monarchy], BBC, March 7, 2019 ~ <https://www.bbc.com/thai/thailand-47465782>.

“the security forces will...do their job.”<sup>20</sup> He also announced at an important meeting of top military leaders that military units should support Prayuth’s government.<sup>21</sup> Apirat lashed out over Pheu Thai’s proposals to reform the military, one of the party’s important campaign platforms.<sup>22</sup> And he publicly vowed to support only a government that was loyal to the king, implying that he would not tolerate any government he regarded as disloyal.<sup>23</sup> Apirat’s constant appearances in the lead-up to the elections amounted to an overt political role and positioned him as a supporter of the junta.

### *Advance Polling and Election Day*

On March 17, 2019, advance voting began both in Thailand and overseas. In a number of countries, overseas voting was not well managed.<sup>24</sup> In Thailand, many people spent two to three hours waiting in the hot sun before they could cast their votes, while others were confused about where to vote. But despite such problems—including staff shortages at many polling stations—the day was remarkable for one important reason: voters appeared strikingly enthusiastic and determined to vote. Many of them were young and first-time voters. News reports of a large turnout among advance voters seemed to trigger concerns among members of the establishment.<sup>25</sup>

On the eve of the main election day came a royal announcement urging the electorate to vote for *khon dee* (good people), which was broadcast again in the morning before the polls opened.<sup>26</sup> This was an unprecedented intervention by the palace. The term “*khon dee*” could only have been interpreted as those vowing to be loyal to the king (in other

<sup>20</sup> Riyaz ul Khaliq, “Thailand: Military Chief Warns Pro-Election Groups,” Anadolu Agency, January 16, 2019 ~ <https://www.aa.com.tr/en/asia-pacific/thailand-military-chief-warns-pro-election-groups/1366088>.

<sup>21</sup> “Big Daeng kho thaahan nun kanthamngan Big Tu ya hai thi tham maa sia Khong” [Big Daeng Calls for Soldiers’ Support for Big Tu, No Things Done to Go to Waste Nor Back to Zero], Matichon Online, February 13, 2019 ~ [https://www.matichon.co.th/politics/news\\_1361767](https://www.matichon.co.th/politics/news_1361767).

<sup>22</sup> Wassana Nanum, “Army Chief Sees Red over Pheu Thai’s Defence Budget Cut Plan,” *Bangkok Post*, February 18, 2019 ~ <https://www.bangkokpost.com/thailand/politics/1630926/army-chief-sees-red-over-pheu-thais-defence-budget-cut-plan>.

<sup>23</sup> Teeranai Charuvastra, “Army Chief Swears to Only Back Gov’t Loyal to King,” *Khaosod English*, March 7, 2019 ~ <http://www.khaosodenglish.com/politics/2019/03/07/army-chief-swears-to-only-back-govt-loyal-to-king>.

<sup>24</sup> Jintamas Saksornchai, “Thai Election Gets Messy Start Overseas, Voters Complain,” *Khaosod English*, March 11, 2019 ~ <http://www.khaosodenglish.com/politics/2019/03/11/thai-election-gets-messy-start-overseas-voters-complain>.

<sup>25</sup> Authors’ and research assistants’ field notes, Bangkok and Ubon Ratchathani, March 17, 2019.

<sup>26</sup> “Thai King Urges Support for ‘Good People’ Hours before Polls Open,” *Straits Times*, March 24, 2019 ~ <https://www.straitstimes.com/asia/se-asia/thai-king-urges-support-for-good-people-hours-before-polls-open>; and authors’ field notes, Ubon Ratchathani, March 24, 2019.

words, pro-junta parties). Voters immediately took to Twitter, which is popular among Thai youth for political topics because it allows posters to remain anonymous. Tweets went viral with the hashtag “We are grown-ups and will choose for ourselves” (*to laew lueak eng dai*), demonstrating a strong rejection of paternalism by the younger generation.<sup>27</sup>

The voting process on election day itself was relatively uneventful, but some serious issues arose during the counting, including reports of counting errors.<sup>28</sup> Out of 51 million eligible voters, 38 million took part in the elections; the 75% turnout was almost exactly the same as the previous general elections in 2011.<sup>29</sup>

## THE RESULTS AND AFTERMATH

### *Determining the Results*

Despite all of the junta’s attempts to stop Pheu Thai from winning, it secured the largest number of seats, but its share was much reduced compared with previous elections.<sup>30</sup> This was the first time that Pheu Thai decided not to contest all constituency seats, fielding only candidates for 250 seats and letting its sister party—the disbanded Thai Raksa Chart—run where support for Pheu Thai was weak.

Unlike in previous elections, the allocation of party-list MPs was determined only after the constituency votes were counted. It took the ECT two months to calculate and announce the official results. While it was initially assumed that parties would require around 70,000 votes to gain a party-list seat, the ECT came up with a new formula that assigned party-list seats to eleven micro-parties—mostly seats that would otherwise have gone to Future Forward.<sup>31</sup> The revised formula

<sup>27</sup> McCargo, “We Are Grown-Up Now and Can Choose for Ourselves.”

<sup>28</sup> Authors’ and 56 research assistants’ observations of the voting activities in different provinces, March 2019.

<sup>29</sup> Masayuki Yuda, “Thai Election Turnout at 75% with Pro-Junta Ahead in Popular Vote,” *Nikkei Asian Review*, March 28, 2019 ~ <https://asia.nikkei.com/Politics/Thai-election/Thai-election-turnout-at-75-with-pro-junta-ahead-in-popular-vote>.

<sup>30</sup> Joel Selway and Allen Hicken, “Estimating the True Decline in Support for Pheu Thai: The Effect of Electoral Reform,” Thai Data Points, June 7, 2019 ~ <https://www.thaidatapoints.com/post/post-1-3-estimating-the-true-decline-in-support-for-pheu-thai-the-effect-of-electoral-reform>.

<sup>31</sup> For a detailed explanation of the formula, see Allen Hicken, “Calculating the Party List Seats—UPDATED,” Thai Data Points, June 7, 2019 ~ <https://www.thaidatapoints.com/post/calculating-the-party-list-seats>. Hicken’s first table shows the formula actually applied by ECT, while the second table shows the formula most analysts expected the commission to employ. See also Panarat Thepgumpanat and Patpicha Tanakasempipat, “Small Parties Back Thai Junta Chief after Rule Change Gave Them Seats,” Reuters, May 13, 2019 ~ <https://www.reuters.com/article/us-thailand-election-small-parties-back-thai-junta-chief-after-rule-change-gave-them-seats-idUSKCN1SJ0OS>.

generated intense controversy but was ultimately ratified by the Constitutional Court on May 8. Never before in Thailand had announcing election results become such an involved process.

In constituency races, Pheu Thai originally won 137 seats out of the 250 seats it contested. However, one winning candidate from Chiang Mai was disqualified, and the party was also banned from running in the new election for that constituency.<sup>32</sup> This left Pheu Thai with 136 seats out of the 350 total seats (39%). Palang Pracharat came second with 116 seats (33%). Future Forward fared surprisingly well, winning 81 seats (23%). Democrat and Bhumjai Thai gained 53 and 51 seats, respectively (15% each).<sup>33</sup> Nineteen small parties together won 63 party-list seats (all party-list MPs) under the ECT's revised allocation formula. In terms of popular vote counts, which affected party-list MP calculations, of the 35.5 million valid votes nationwide, Palang Pracharat came first with 8.1 million votes, Pheu Thai second with 7.9 million, Future Forward third with 6.2 million, the Democrat Party fourth with 3.9 million, and Bhumjai Thai fifth with 3.7 million. Smaller parties together received 5.7 million votes.<sup>34</sup> While struggling to form a coalition government, Palang Pracharat claimed legitimacy as the party with the most votes. After much political drama, the party ended up cobbling together a coalition with eighteen other parties for a total of 254 seats, while a seven-party opposition coalition led by Pheu Thai holds 246 seats.<sup>35</sup> Given this level of fragmentation, there is a great likelihood of coalition instability.

### *Pro-Junta Support: Where Did It Come From?*

Where did Palang Pracharat gain its support? A shop owner whom we interviewed after the elections remarked, “People everywhere hate it. Where did its votes come from?”<sup>36</sup> It was not a rhetorical question: Prayuth

<sup>32</sup> “Election Rerun in Chiang Mai as Pheu Thai Winner Banned,” *Bangkok Post*, April 24, 2019 ~ <https://www.bangkokpost.com/thailand/politics/1666360/election-rerun-in-chiang-mai-as-pheu-thai-winner-banned>.

<sup>33</sup> “Lueaktang 2562: Ko ko to prakaat raprong 149 so so banchii raichue” [Election 2019: Election Commission Announces Endorsement of 149 MPs List], BBC, May 8, 2019 ~ <https://www.bbc.com/thai/thailand-48197070>.

<sup>34</sup> Election Commission of Thailand, “Lakken lae withii kaan kannuan so so baep banchii raichue” [Principles and Methods of Party-list MP Calculation] ~ [https://www.ect.go.th/ect\\_th/download/article/article\\_20190528140635.pdf](https://www.ect.go.th/ect_th/download/article/article_20190528140635.pdf).

<sup>35</sup> In practice, House Speaker Chuan Leekpai (from the government side) does not normally vote, while Future Forward Party leader Thanathorn (on the opposition side) is currently suspended from parliament.

<sup>36</sup> Author’s anonymous interview, Thailand, June 2019.

was so unpopular that in many parts of the country his face did not appear on Palang Pracharat's campaign posters. It seems counterintuitive that a party associated with him could have won that many seats, especially in constituencies in the north and northeast. The 8.1 million votes that Palang Pracharat garnered partly reflected its strategy of fielding well-funded candidates in all 350 constituencies. Key factors underpinning support for the party were its populist policies, including a proposed increase in the minimum wage, and a starting salary of 20,000 baht per month for bachelor's degree graduates. The party benefited from mobilizing a powerful network of canvassers linked to village headmen and local officials. Additionally, the junta-aligned party also won support from those who feared a return to the political turmoil of the pre-2014 period.

One of the biggest surprises of the elections was the sharp decline in the performance of Thailand's oldest political party—the conservative, royalist Democrats. In the 2019 elections the Democrat Party garnered only 3.9 million votes, in contrast to 11.4 million votes in 2011, and dropped from 159 to 53 MPs in 2019. The party only won 33 constituency seats, 22 of which are located in its southern heartland. In Bangkok, the party won 23 seats in 2011 but not a single one in 2019. Many voters who had previously supported the Democrat Party switched to Palang Pracharat, seeing this as the best way to prevent the return of politicians linked to the powerful Shinawatra clan, whom they saw as self-serving and corrupt.

### *A New Antiestablishment Voice*

The results show that Pheu Thai once again relied on its main support from north and northeast provinces. Especially among heartland red-shirt voters, the bond with the party was still strong. But Future Forward's success showed that Pheu Thai was no longer the only choice to oppose the junta and the conservative establishment. Although Pheu Thai lost nearly eight million votes compared with 2011, many of these votes went to the new progressive party. A lot of anti-junta voters acted tactically, backing the party they thought had the best chance of winning. Many of those who voted for Future Forward could not recall the name of the candidate they chose.

Some red shirts, however, opted to vote for Future Forward because of its more confrontational style.<sup>37</sup> Thanathorn himself was the main reason—many

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<sup>37</sup> For a detailed analysis of the red shirts' voting pattern, see Saowanee T. Alexander, "Cooptation Doesn't Work: How Redshirts Voted in Isan," New Mandala, April 10, 2019 ~ <https://www.newmandala.org/cooptation-doesnt-work-how-redshirts-voted-in-isan>.

voters were drawn to his personal charisma.<sup>38</sup> The Thanathorn effect was the main force behind the Future Forward's remarkable success as a new party in garnering more than six million votes and 81 seats, despite running a low-budget campaign with minimal local organization. However, Thanathorn and several other Future Forward MPs are currently facing a range of legal challenges that could yet see them ousted from parliament. The party has yet to prove whether it can deliver on the legislative promises it made during the campaign. If it cannot, its popularity might evaporate.

### *Trends from Ubon Ratchathani Province*

To make sense of the election results, we had to take into account both the advance (March 17) and election day (March 24) results. Due to legal limitations imposed by the election laws and lack of cooperation by certain provincial ECTs, we were able to obtain only polling station results for a few provinces. We have chosen Ubon Ratchathani to demonstrate our findings because this province has a history of struggles between the elite establishment and dissenting voices. Ubon Ratchathani has eleven constituencies, of which Pheu Thai won eight seats, the Democrat Party won two, and Palang Pracharat won one. Ubon Ratchathani is the only province in the northeast that has always had the presence of the oldest pro-elite party, the Democrat Party.

We chose to compare advance and election day voting results in five constituencies where competition was fierce (constituencies 1, 2, 6, 7, and 8). Because the number of advance votes was much smaller than that of the votes on election day, we converted the raw figures into percentages to make comparison possible. We aimed to determine whether advance and election day voting patterned the same in constituencies where the pro-junta force was strong, as measured by the margin of victory or loss of the pro-junta force in that constituency. If the voting patterns were similar on both advance and election day, it would mean that there was no difference in the characteristics of the voters over time and that the election results may not have been attributable to certain factors. If the voting pattern on each day differed, it would mean that some factors were at play.

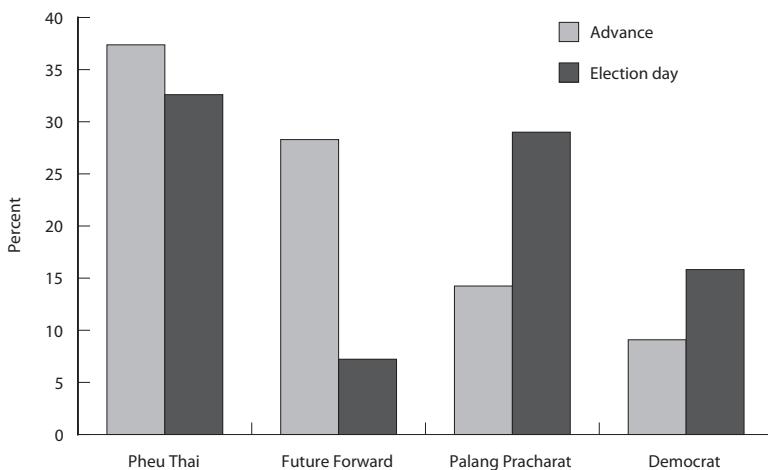
Overall, advance and election day voting show different voting patterns. **Figure 1** displays average percentages of vote shares by the top four contenders. Pheu Thai and Future Forward did better in advance voting

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<sup>38</sup> Authors' field notes, March 12, 2019.

FIGURE 1

*Average Vote Shares by Major Contender in Five Critical Constituencies in Ubon Ratchathani Province*



*Source:* Data collected by the authors from Ubon Ratchathani Province polling stations, March 2019.

than in election day voting, although Pheu Thai's vote shares were not much different and Future Forward's shares dropped dramatically on election day. Palang Pracharat and the Democrat Party showed the opposite trend, doing much more poorly in advance voting than on election day.

A close look at the results shows that not all consistencies show the same trend (**Table 1**). Constituency 1 stands out from the rest. Future Forward secured around 42% of the advance votes, making it the top scorer that day. But ultimately the party came in third with 22% of the election day votes. If Future Forward had been able to maintain its advance voting pattern, it would have won some constituency seats. Pheu Thai saw a much higher advance vote share in all constituencies apart from constituency 1; this pattern persisted even in constituencies in which it ultimately lost to Palang Pracharat or the Democrat Party. Most advance voters were likely to be those who worked and lived in places away from home or university students who maintained registration in their original place of residence. For the most part, advance voters were relatively young or of working age, something our observations also confirmed in Bangkok and Chiang Mai. These voters have been described as “urbanized villagers,” holding a hybrid identity split between rural areas

TABLE 1

*Vote Shares for Major Contenders in Five Critical Constituencies  
in Ubon Ratchathani Province*

Constituency	Voting day	Vote shares (%)			
		Pheu Thai	Future Forward	Palang Pracharat	Democrat
1	Advance	28.37	40.74	14.50	7.09
	Election day	32.71	22.39	31.71	4.42
2	Advance	36.65	23.66	12.59	21.03
	Election day	29.25	8.53	15.60	40.47
6	Advance	44.34	26.11	15.67	4.78
	Election day	37.77	9.73	38.17	4.12
7	Advance	44.18	24.16	15.74	6.19
	Election day	38.81	9.27	34.65	4.12
8	Advance	36.41	26.88	12.71	13.55
	Election day	24.44	8.78	22.78	25.84

*Source:* Data collected by the authors from Ubon Ratchathani Province polling stations, March 2019.

*Note:* Parties whose cells are shaded were constituency winners.

and large conurbations.<sup>39</sup> As the case in Ubon Ratchathani shows, these voters favored Pheu Thai and Future Forward. In every Thai province, constituency 1 covers the provincial capital district, which includes urban and urbanized areas on the city outskirts. Most constituency 1 voters were thus city dwellers with rural villagers in the minority.

Given that so many advance voters were in their twenties and thirties, their support for Pheu Thai and Future Forward suggests that younger Thai voters are becoming more antiestablishment, which in the context of Thailand encompasses both explicitly anti-junta and broadly pro-democracy voters. Who, then, voted on March 24? The results suggest that these voters were individuals who either work in their home provinces or are retired—with a larger age range than those voting on March 17. Our election day observations indicated that the majority of these voters, especially those living in rural areas, were much older than the average voters we saw on March 17. Palang Pracharat and the Democrat Party seemed to

<sup>39</sup> See Duncan McCargo, "Thailand's Urbanized Villagers and Political Polarization," *Critical Asian Studies* 49, no. 3 (2017): 365–78.

have benefited from these older, village-bound voters. While the number of younger advance voters was much smaller than the number of election day voters, their voting pattern in favor of anti-junta parties suggests a growing trend against authoritarianism in the future.

Advance votes for pro-junta parties showed a completely opposite trend. These parties did much better on election day: the Democrat Party and Palang Pracharat actually won twice as high a percentage of votes on election day than they did in advance voting in both constituencies where they won seats. Given that a large majority of the people voted on election day, these voters were key to their victory.

### *International Responses*

Although Western countries condemned the 2014 military coup, they continued to maintain diplomatic relationships with Thailand's unelected government. Even after the European Union introduced sanctions against the junta, the regime still delayed holding elections for five years.<sup>40</sup> The United States froze some security-related aid and scaled down military cooperation, but it has continued to stage the all-important Cobra Gold exercise annually. Thai leaders, therefore, quickly learned that foreign pressure could largely be ignored. The Foreign Ministry discouraged international observers from joining the elections, despite the fact that observers were the responsibility of the ECT. The Asian Network for Free Elections, the only international organization to engage in systematic poll watching, produced a highly critical report on the elections, which it described as "partly free and not fair" and as a missed opportunity that has both contributed to a popular loss of faith in politics and ushered in a government that most Thais believe is illegitimate.<sup>41</sup> Prayuth's reappointment as prime minister was greeted with congratulations from China and some other Asian countries but not from Western governments. While in his July 4 remarks U.S. chargé d'affaires Peter Haymond made passing reference to "a number of complaints about the election process that are still being investigated," he then declared that the United States was

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<sup>40</sup> "EU Suspends Cooperation with Thailand over Military Coup," France 24, June 23, 2014 ~ <https://www.france24.com/en/20140623-eu-suspends-cooperation-with-thailand-over-military-coup>.

<sup>41</sup> See "The 2019 Thai General Election: A Missed Opportunity for Democracy," Asian Network for Free Elections, June 2019, 15–16.

looking forward to working with the new Thai government.<sup>42</sup> Business, it seems, will continue as usual.

## CONCLUDING REMARKS

Thailand's 2019 elections completely transformed the country's parliamentary landscape. After almost twenty years of a de facto two-party system, both major parties faced challenges from new parties that attracted huge numbers of voters: Pheu Thai and the Democrat Party were partly displaced by Future Forward and Palang Pracharat, respectively. Palang Pracharat was able to assemble a government dedicated to perpetuating the post-2014 military junta in civilian clothes, helped along by the mid-campaign banning of Thai Raksa Chart and the ECT's retrospective revision of the party-list allocation rules. The elections were only partly free, and it certainly was not fair. Given the evident reluctance of the junta to hand over power, some analysts speculate that if the new Prayuth government were to lose a crucial parliamentary vote—such as a no-confidence debate—the Royal Thai Army would stage another coup rather than relinquish control to the opposition. This implicit threat overshadows Thailand's politics, suggesting that, for the moment at least, future elections may be devoid of real popular alternatives.

Three months after the elections, much has happened. The parliament is now in session. The king finally endorsed Prayuth's nineteen-party cabinet on July 10, the same day many of the junta's decrees were revoked.<sup>43</sup> Civilians will no longer be tried in military courts, for example. But Article 44 is still in effect, allowing soldiers to make arbitrary arrests and detain suspects for up to seven days.<sup>44</sup> With the transition to the new government, the junta has passed over the unlimited powers it once had to the Internal Security Operations Command.<sup>45</sup> Dissidents still languish in exile,<sup>46</sup> and murder cases

<sup>42</sup> Peter Haymond, "U.S. Independence Day Celebration Remarks by Chargé d'Affaires Peter Haymond," U.S. Embassy Bangkok, July 1, 2019 ~ <https://th.usembassy.gov/2019-us-independence-day-celebration-cda-remarks>.

<sup>43</sup> Panu Wongcha-um and Panarat Thepgumpanat, "Thai King Endorses New Cabinet Weeks after Disputed Election," Reuters, July 10, 2019 ~ <https://www.reuters.com/article/us-thailand-politics-king-thai-king-endorses-new-cabinet-weeks-after-disputed-election-idUSKCN1U5172?il=0>.

<sup>44</sup> Teeranai Charuvastra, "Some Junta Laws to Remain Effective under New Cabinet," *Khaosod English*, July 9, 2019 ~ <http://www.khaosodenglish.com/politics/2019/07/09/some-junta-laws-to-remain-effective-under-new-cabinet>.

<sup>45</sup> "ISOC a Proxy for Army Rule," *Bangkok Post*, June 24, 2019 ~ <https://www.bangkokpost.com/opinion/opinion/1700456/isoc-a-proxy-for-army-rule>.

<sup>46</sup> "Protest Band Faiyen Receives Death Threat," *Prachatai*, July 13, 2019, <https://prachatai.com/english/node/8134>.

have gone cold.<sup>47</sup> Democracy activists have been brutally and repeatedly attacked while their attackers remain at large.<sup>48</sup> The 2019 elections have helped to disguise authoritarianism under the cloak of democracy: Thailand is now a form of democratic dictatorship. Yet by the same token, the elections also showed extensive popular resistance through the ballot box despite the risks, threats, and pressures many people faced in the process. Thailand's struggles for greater democracy will continue. ◇

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<sup>47</sup> Panu Wongcha-um and Patpicha Tanakasempipat, “Thai Exiles in Fear after Murders and Disappearances,” Reuters, May 24, 2019 ~ <https://www.reuters.com/article/us-thailand-rights-exiles-insight/thai-exiles-in-fear-after-murders-and-disappearances-idUSKCN1SU0DV>.

<sup>48</sup> Hannah Beech, “Who’s Attacking Thailand’s Democracy Activists? The Authorities Aren’t Saying,” *New York Times*, July 3, 2019 ~ <https://www.nytimes.com/2019/07/03/world/asia/thailand-attacks-democracy-activists.html>.