

## Party Fabrication: Constitutional Reform and the Rise of Thai Rak Thai

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Among the most interesting questions in Thai politics today is how to account for the rise and (until recently) the success of Thaksin Shinawatra and his Thai Rak Thai party. This article describes and analyzes some of the factors that contributed to the rise and success of Thaksin and Thai Rak Thai, arguing that neither Thaksin's personal assets nor the effects of the crisis are enough to explain Thai Rak Thai's rise and success. It focuses instead on the 1997 changes to Thailand's constitution. These institutional reforms were crucial because they altered Thailand's political-institutional landscape in fundamental ways. The reforms provided new opportunities and incentives for political actors that Thaksin and his party adeptly took advantage of. The argument presented is that the key reforms that helped pave the way for the rise of Thaksin and Thai Rak Thai were those reforms that helped reduce the number of political parties and that increased the power of the prime minister relative to coalition partners and intraparty factions.

**KEYWORDS:** Thailand, elections, political parties, democracy, institutions, reform, Thaksin, Southeast Asia

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Among the most interesting questions in Thai politics today is how to account for the rise and success of Thaksin Shinawatra and his Thai Rak Thai (TRT) party. Thai Rak Thai's 2001 electoral victory brought an (impermanent?) end to a short-lived multiparty coalition government that had been the norm throughout Thailand's democratic/semidemocratic history. As prime minister, Thaksin has been a polarizing figure both inside and outside Thailand. He has overseen the rebound of the Thai economy from the depths of the Asian economic crisis. As head of a majority party—a novel thing for democratic Thailand—he is the first elected prime minister to serve out a full four-year term, and his party was re-

elected in a landslide in 2005. Under his direction, the government has launched a series of bold policy initiatives, including bureaucratic reform, decentralization and local elections, social welfare policies aimed at Thailand's rural poor, and a campaign against illegal drugs.

At the same time, Thaksin is criticized for his attempts to muzzle his critics in the press and academia while moving to marginalize his institutional and political rivals.<sup>1</sup> Thailand's provinces in the deep South have erupted in a cycle of violence that shows no signs of abating. Some of the government's bold policy initiatives have produced some troubling consequences, such as a dramatic rise in rural indebtedness and 2,000-plus extrajudicial killings during the government's war on drugs. Since 2001, we can observe what some have called the "Thaksinization" of Thailand.<sup>2</sup> Political and economic power has been centralized around the TRT and, more specifically, around Thaksin and his closest associates.<sup>3</sup> Allegations of corruption, cronyism, and nepotism increasingly dog the party and its leader.<sup>4</sup> In general, Thaksin's critics contend that he has overseen (or carried out) a deterioration of democracy in Thailand in an attempt to centralize political power and create a dominant party for Thailand in the style of the United Malays National Organization (UMNO) or the People's Action Party (PAP).<sup>5</sup>

However, Thaksin's attempts to create a lasting, dominant party recently experienced a setback. The sale of Shin Corp (founded by Thaksin and still owned by his family) to a Singaporean firm for a substantial, tax-free profit in January of 2006 was more fodder for those who claimed Thaksin was bending government to his personal economic advantage.<sup>6</sup> Protests in the wake of the sale eventually led Thaksin to call new elections and step down as prime minister.<sup>7</sup> While Thaksin and Thai Rak Thai may very well survive this crisis and continue as a political force for years to come, now is a good opportunity to look back over the course of Thai politics since the constitutional reforms in 1997.

In this article, I describe and analyze some of the factors that have contributed to the rise and success of Thaksin and his Thai Rak Thai party. What accounts for the dramatic reduction in the number of political parties in 2001 that gave Thaksin his majority or the ability of Thaksin to keep party factions in check and in-house? Certainly Thaksin's assets, both personal and financial, cannot be ignored. Thaksin's possession and strategic deployment of these assets has been a key to Thai Rak Thai's development.<sup>8</sup> The effects of the 1997 economy crisis on the reputation of the largest Thai parties (the Democrat and New Aspiration parties) and on the power and prospects of Thailand's urban

and provincial business class are also important parts of the story.<sup>9</sup> However, I argue that neither Thaksin's wealth nor his talents as a leader nor the effects of the crisis, as important as these may be, are enough to explain TRT's rise and success. I focus, instead, on the 1997 changes to Thailand's constitution. These institutional reforms have often been overlooked and undervalued by commentators and analysts but were crucial because they altered Thailand's political-institutional landscape in fundamental ways.<sup>10</sup> The reforms provided new opportunities and incentives for political actors that Thaksin and his party adroitly took advantage of.

The article is largely a review of some of the major constitutional reforms adopted in 1997 and their implications for Thailand's party system. I first summarize these constitutional reforms and then focus on a subset of those reforms designed to address perceived shortcomings in the Thai party system. Particularly important are those reforms that helped reduce the number of political parties while increasing the power of the prime minister relative to coalition partners and intraparty factions. I argue that the changes to Thailand's party system since 1997 are consistent with those institutional reforms. More specifically, I argue that the constitutional reforms are a necessary (though not sufficient) explanation for the rise of Thai Rak Thai. I conclude by first underscoring what outcomes an institutional analysis cannot account for: the move toward one-party dominance. I then briefly discuss the implications of TRT dominance, unanticipated by reformers, for the efficacy of the constitutional reforms more broadly.

## **Summary of the Constitutional Reforms**

The politics and background that set the stage for the 1997 constitutional reforms is beyond the scope of this article.<sup>11</sup> It is sufficient to note that in 1996 the Thai Parliament approved a Constitutional Amendment Bill that provided for a ninety-nine-member Constitutional Drafting Assembly (CDA). The CDA began its work in the early part of 1997 and by August produced a draft constitution that was, in the eyes of many, surprising in the breadth and depth of the proposed reforms.<sup>12</sup> The reforms were designed to reduce the influence of provincial politicians, increase the accountability of both elected officials and government bureaucrats, and promote stronger, more nationally oriented political parties (among other things). The following section summarizes the major reforms (see also Table 1).

**Table 1** Constitutional Reforms

	1978/1991 Constitutions	1997 Constitution
House of Representatives	<ul style="list-style-type: none"> <li>• Multiseat constituencies (1–3 seats)</li> <li>• Bloc vote</li> </ul>	<ul style="list-style-type: none"> <li>• Mixed-member system</li> <li>• 400 single-seat constituencies</li> <li>• 100 national party list seats</li> </ul>
Senate	<ul style="list-style-type: none"> <li>• Appointed</li> </ul>	<ul style="list-style-type: none"> <li>• Elected using SNTV, nonpartisan</li> </ul>
Party switching	<ul style="list-style-type: none"> <li>• Allowed</li> </ul>	<ul style="list-style-type: none"> <li>• 90-day membership requirement</li> </ul>
Party restrictions	<ul style="list-style-type: none"> <li>• Full team</li> <li>• 25–50% of constituencies</li> </ul>	<ul style="list-style-type: none"> <li>• 5% threshold for list tier</li> </ul>
Superintendent institutions	<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• Several</li> </ul>
Decentralization	<ul style="list-style-type: none"> <li>• Limited</li> </ul>	<ul style="list-style-type: none"> <li>• Mandated</li> </ul>

### *Elections and Parties*

The vast majority of Thailand's prereform elections for the House of Representatives used the bloc vote (BV) electoral system. This relatively uncommon electoral system combines multiseat constituencies with multiple votes and the plurality rule.<sup>13</sup> In the Thai case, the country's seventy-six provinces were divided into 142–156 electoral constituencies, each containing two or three seats.<sup>14</sup> Voters in each constituency could cast as many separate votes as there were seats in that constituency (e.g., two votes in a two-seat constituency, three votes in a three-seat constituency). Voters cast their votes for individual candidates (not parties) and were allowed to split their votes between candidates from different parties and to partially abstain (i.e., not cast all of their votes). However, they were prohibited from cumulating multiple votes on a single candidate. Political parties wishing to contest a constituency were required to field a full team of candidates (e.g., three candidates in a three-seat constituency). The law also required parties to run a minimum number of candidates nationwide (one-fourth to one-half of the total number of seats in the House, depending on the election year.) Candidates (after 1983) were required to belong to a political party to stand for election but were not subject to a probationary period (i.e., candidates were election-eligible as soon as they joined a party).

The 1997 constitution dramatically overhauled Thailand's electoral system for the House. The BV system has been replaced by a mixed-member/two-tier system. The House now consists of 400 seats elected

from single-seat constituencies via the plurality rule and 100 seats elected from a single nationwide constituency via proportional representation (PR). For the national list tier, each party must submit a list of candidates for voters to consider. Voters then cast two separate votes—one for a candidate in their single-seat constituency, and one for a party (party list) for the national list tier. Neither the votes nor seat allocation between the tiers are linked in any way. Voters are free to vote for a candidate from one party in the constituency election while voting for a different party in the list election. The allocation of seats in each tier is independent of the other. In other words, votes in the list tier are not used to “compensate” for disproportionality in the constituency tier (as occurs in Germany), nor are the seats in the list tier used to “ensure” a majority for the leading party (as was the case in past Korean elections).<sup>15</sup>

The new constitution maintains the requirement of party membership for candidates, but candidates must choose between running in the constituency or running on the party list—they cannot do both (cf. Japan). Parties are no longer required to contest a minimal number of seats, but parties who receive fewer than 5 percent of the party list votes receive no list tier seats. The new constitution also places new restrictions on party switching. Candidates must now be members of political parties for at least ninety days prior to an election in order to be eligible to run. This was designed to reduce the last-minute party switching in the run-up to new elections that so characterized Thailand’s pre-reform system. Finally, members of Parliament (MPs) who wish to serve in the cabinet must surrender their seats in the House.<sup>16</sup>

One of the biggest changes in the 1997 constitution was the introduction of a fully elected Senate—the first in Thailand’s history. In the past, Thailand’s senators were appointed by the prime minister and generally came from the ranks of the bureaucracy, armed forces, and—increasingly in recent years—business.<sup>17</sup> The new elected body relies on the single nontransferable vote (SNTV) electoral system to fill the Senate’s 200 seats—the electoral system associated with elections in Japan, South Korea, and in Taiwan.<sup>18</sup> Each province is an electoral constituency with between one and eighteen seats, based on the province’s population. Each voter casts a single vote for a candidate, and seats are awarded to the winners according to the plurality rule (for example, in an eighteen-seat constituency, the eighteen candidates with the most votes would be awarded seats). Thailand’s version of SNTV is unique in that Senate candidates are constitutionally prohibited from belonging to political parties or campaigning for office. I discuss the rationale behind these prohibitions in a subsequent section.

### *Public Accountability and Superintendent Institutions*

The constitutional reforms include several measures designed to increase representation, accountability, and oversight. To begin with, the constitution allows voters to directly place laws on the legislative agenda; 50,000 voters can petition the National Assembly to consider a piece of legislation. That same number can request the Senate to pass a resolution removing from office senior officials in any branch of government who are suspected of wrongdoing.

The constitutional reforms also called for the creation of several “superintendent institutions”—semiautonomous bodies designed to monitor the government and hold officials accountable. These include

- the Electoral Commission (EC), which now has the sole responsibility for organizing and monitoring elections (previously the job of the Ministry of Interior);
- the National Human Rights Commission, empowered to investigate alleged human rights violations and recommend appropriate remedial measures;
- the National Counter Corruption Commission (NCCC), charged with investigating allegations of corruption or malfeasance by public officials and determining the accuracy of asset declarations by public officials; and
- the Constitutional Court, which can rule on the constitutionality of bills or laws referred to it and rule on disputes over constitutional interpretation.

### *Decentralization*

One of the most striking features of the new constitution is its call for decentralization. Thailand has traditionally been a highly centralized state, in both political and economic terms. The constitution mandates both political and economic autonomy and self-determination for local governments. It also requires that local government positions be filled via elections.

### *Politics of Passage*

The constitutional reforms threatened the interests of many of Thailand’s traditional power centers. It is not surprising then that support for the CDA draft constitution was greeted in some quarters with wariness

and even outright opposition. The political elite of many of the major political parties and factions, including the ruling New Aspiration Party (NAP), expressed strong reservations about the draft. The fact that most ultimately voted to adopt the draft constitution, despite their very serious misgivings, is a function of two factors. First, the Constitutional Amendment Bill required an up or down vote of the draft by Parliament without amendment. This made it impossible for legislators to pick apart the draft or delay it via the amendment process. Second, the coincident occurrence of the Asian economic crisis, a chain reaction that began in Thailand in late June/early July 1997, effectively raised the stakes connected with passage or rejection of the draft. The crisis struck just as the drafting process was wrapping up. It shone a spotlight on some of the shortcomings in the Thai political system.<sup>19</sup> In the minds of many voters and investors, the constitutional draft became a symbol of the government's commitment to difficult but needed political and economic reforms. Constitutional reform and the broader reform agenda became so linked, in fact, that the stock market and currency markets reacted quickly and noticeably to expressions of opposition or support by leading government officials. In the end, the potential economic and political costs of a no vote outweighed the risks of reform, and the draft was adopted by a vote of 518 to 16 (with 17 abstentions). When the king affixed his signature to the document on October 11, 1997, one stage of the reform process ended while another began.

## **Effects of Constitutional Reform**

Before attempting to analyze some of the effects of the new constitution and their contribution to the rise of Thaksin and the TRT, a couple of important caveats are in order. It is still relatively early in Thailand's postreform history. The first elections under the 1997 constitution were not held until 2000 (Senate) and 2001 (House). Since that time, local elections have been held along with a second round of House elections (2005). (The results from the most recent national elections, held in April 2006, have been thrown out and new elections are being scheduled). At this early stage it can be tricky to separate trend from anomaly. Compounding this challenge, as discussed in the introduction, is the fact that Thai society and politics underwent tremendous change in the late 1990s and early 2000s as a consequence of the economic crisis—change that may have very little to do with the constitutional reforms. Keeping these caveats in mind, I focus below on some of the effects of constitutional

reform in Thailand, especially the constitutional reforms on elections, parties, and party systems.

Many of the 1997 reforms were aimed at reshaping the Thai party system. Prior to the 1997 constitution, academics, the press, and politicians themselves blamed political parties and the Thai party system for a number of Thailand's ills. These included unstable governments, the lack of needed policy reforms, government corruption, and a failure to anticipate and then respond to the crisis. The criticisms of political parties and the party system were numerous, but for the purposes of this article we can break them down into three general categories.

First, there were simply too many parties. While there is very little agreement about what the optimum number of parties should be, or just how many parties is too many, there was widespread concern among Thai reformers that the large number of parties had undermined effective governance and contributed to unstable, short-lived governments. In the seven elections between 1983 and 1996, an average of fifteen parties competed in each election, twelve of which succeeded in winning at least one seat in the House of Representatives.<sup>20</sup> The average size of the government coalition organized from those twelve legislative parties was 5.3. (Table 2).<sup>21</sup> These large, multiparty coalition governments were notoriously short-lived—between 1978 and 2001 the average duration of government cabinets was just over eighteen months. The combination of large, multiparty coalitions and short-lived governments was, not surprisingly, associated with poor governance.<sup>22</sup>

A second criticism leveled at Thai political parties was that they were not cohesive. Rather than stable unions of like-minded politicians, Thai political parties tended to be short-lived alliances of convenience. Forty-three parties competed in at least one election between 1979 and 1996, and of those, only ten survived to compete in the 2001 election alongside more than twenty new parties. On average, parties competed in fewer than three elections before disbanding. Nearly half (twenty parties) competed in only one election.<sup>23</sup> Party switching abounded and almost all parties were factionalized. As a result, political parties were typically not unitary actors—no single individual or group could cred-

**Table 2 Party Data, 1983–1996**

Average number of parties standing for election	15.3
Average number of parties capturing a seat in the House of Representatives	12.0
Average number of parties in the government coalition	5.3

ibly speak or act on behalf of the party. This lack of party cohesion undermined the importance of party label for both voters and politicians.

Finally, politicians, and the political parties they created, tended to respond to narrow rather than national constituencies. Parties were focused on the interests of a relatively narrow group of supporters and hence directed the resources of government—often in the form of pork, patronage, rents, etc.—toward that end. Programmatic political parties that appealed to broad national constituencies via national public goods/policies were largely absent from the political system. Vote buying was often mentioned in connection with this criticism.

How did drafters attempt to address these perceived shortcomings? I start with reforms aimed at reducing the number of parties. The number of political parties has fallen dramatically in Thailand—further, in fact, than many reformers intended. I then turn to attempts to combat vote buying and to create more national, cohesive, programmatic parties via constitutional engineering.

### *The Number of Parties*

The average effective number of parties in Thailand between 1986 and 1996 was 7.2, which is high by comparative standards.<sup>24</sup> Why did the prereform Thai system have such a large number of parties? Recall that Thailand used a bloc vote system with constituencies broken down into one-, two-, and three-seat constituencies. How many parties should we expect in such an environment? Electoral theory tells us that, generally, the more seats there are in a constituency, the more parties are viable in that constituency.<sup>25</sup>

Looking at election data from the prereform elections, we can see that indeed the average number of parties does vary with constituency magnitude. Constituencies with more seats tend to produce more parties (Table 3). But note that the average number of parties at the constituency level is quite modest and far short of the number of parties at the national level (3.2 versus 7.2). How do we explain this? Why were there more parties nationally than there were in each constituency?

**Table 3 Effective Number of Parties by Constituency Magnitude**

1986–1996	One-seat	Two-seat	Three-seat	Average of All Constituencies	Nationally
Average ENP	2.7	3.1	3.7	3.2	7.2

How do the various local/constituency party systems map onto the national party system?

To begin with, let us imagine a country with fifty electoral constituencies and compare the national party system under two extreme scenarios. In the first, the same two parties are dominant in every constituency nationwide. If this is the case, then the national party system will reflect the local party systems resulting in a two-party system nationally. Suppose, though, that each constituency contains a unique pair of parties that dominate elections in that constituency. In each constituency there would be two parties, but when those constituencies were aggregated together, the result would be 100 parties at the national level. The extent to which competitors from different constituencies band together to form regional or national parties is called linkage or aggregation.<sup>26</sup> Where candidates coordinate across constituencies, the local party systems will more closely reflect the national party system and there will be fewer parties nationally.

The large number of parties in the Thai House, then, reflected the fact that the parties that ran and were strong contenders differed from constituency to constituency, province to province, region to region. In fact, cross-constituency coordination in prereform Thailand was quite poor by comparative standards—most of the size of the national party systems can be ascribed to poor cross-constituency coordination as opposed to the number of parties running in each constituency (a function of the electoral system).<sup>27</sup> Efforts to reduce the number of parties, as a consequence, required finding ways to encourage greater cooperation across constituencies under the common party banners.

What explains why cross-constituency coordination was so poor in Thailand? To begin with, we know that social cleavages (e.g., ethnicity, religion, class) can sometimes hinder attempts at building national political parties, especially where cleavage groups are geographically concentrated.<sup>28</sup> While Thailand lacks politicized or partitized ethnic or religious cleavages,<sup>29</sup> there are regional differences that have received some attention by Thai scholars. Indeed, a not uncommon explanation one hears for the large number of Thai parties is that Thailand is really a system of regional parties. Different parties control each region (Democrats in the South, NAP or Thai Rak Thai in the Northeast, etc.). Parties, the argument goes, are able to dominate elections in their particular region, but there is very little coordination/party building across regions.

It is certainly the case that pre-1997 parties tended to be based in a particular region—and drew much of their support from that region. But

it is a mistake to think of them as regional parties in the sense of parties that dominate a particular region. In reality, parties may be based in a particular region, but coordination *within* regions is very poor. In fact, coordination between regions is *better* than coordination within regions.<sup>30</sup> (The exception to this is in the South, where the Democrat Party is in fact one of the frontrunners in every constituency region-wide.) This suggests that cleavages based on regional differences cannot explain the comparative lack of cross-constituency coordination in prereform Thailand.

So, if cleavages cannot account for poor coordination and the large number of parties at the national level, where does the explanation lie? From the study of other countries, we are learning that the incentives for cross-constituency coordination are affected by how attractive the prize of government is to potential officeholders. The greater the concentration of power (both vertically between national and subnational governments and horizontally within the national government), the stronger the incentives for candidates to cooperate/coordinate in order to capture that prize.<sup>31</sup>

In prereform Thailand, a variety of factors combined to diffuse power and undermine the incentive for candidates to coordinate and form large, national parties. While there was a high degree of vertical centralization—with power centralized in Bangkok—horizontal power was more dispersed among various actors/institutions within the national government. First, prereform Thailand had an appointed Senate dominated by former military officials and bureaucrats. While the Senate did not have the formal power to block decisions by the House, the fact that the Senate represented the interests of the powerful military and bureaucracy made it difficult for governments to ignore the interests of the Senate—especially when the Senate was united on an issue. In short, the existence of an unelected Senate meant that parties that controlled the House and cabinet still did not hold all the reins of power.<sup>32</sup>

Another factor contributing to the diffusion of power within the national government was the factionalized nature of Thai parties. Because of party factionalism, the leader of a political party is more like a first among equals than the head of a political hierarchy. The fact that the leader of the largest party might still find his power checked by rival factions within his own party discouraged greater attempts to form larger parties.<sup>33</sup> Numerous party leaders cited the factional constraint as a primary reason why it was best to keep the party at a modest size.<sup>34</sup> In fact, an earlier stint by Thaksin as the head of a political party was cut short, in part, by intraparty factional conflict.

This brings us back to the 1997 constitutional reforms and attempts by drafters to reduce the number of parties. The reform intended to accomplish this feat was replacing Thailand's multiseat constituencies with 400 single-seat constituencies. Since the number of parties tends to grow with the number of constituency seats, this change was expected to reduce the number of parties. Yet, as discussed above, the large number of parties in Thailand was a function of the electoral system *and* poor cross-constituency coordination. How did constitutional reforms alter coordination incentives? Let me mention three reforms. Note that each of these reforms was adopted for reasons quite apart from their effect on the number of parties. Indeed, their cumulative effect on the number of parties (via improved coordination) was largely unanticipated by the drafters.

To begin with, the new constitution increases the power of the prime minister relative to factions within his own party. Two changes are particularly worth noting and have not received enough attention by scholars and analysts. First, cabinet members are now required to give up their seats in Parliament if they choose to join the cabinet. Since parties or ministers that choose to leave the cabinet, or are expelled by the prime minister, can no longer return to Parliament, the stakes associated with breaking with the prime minister are much higher. Second, the new constitution places new restrictions on party switching. To compete in future elections, candidates must be members of a political party for at least ninety days. The rule is designed to prevent the eleventh-hour party switching by individuals and factions that traditionally occurs in the run-up to Thai elections. Once the House has been dissolved, elections must be held within forty-five to sixty days—not enough time for would-be party switchers to meet the membership requirement. The prime minister, with the power to dissolve the House and call new elections, gains the most from this change. The prime minister can credibly threaten to call new elections if party factions try to bolt, thus forcing the members of the faction to sit out one election. Indeed, during his first term, Prime Minister Thaksin Shinawatra used this increased leverage to keep party factions loyal to the TRT, even though some were extremely dissatisfied. In short, the enhanced power of the prime minister increases cross-constituency coordination incentives and should thereby lower the effective number of national parties.

Second, the new constitution replaced the appointed Senate with a fully elected body. With the elimination of this appointed check on politicians' power, the coordination incentives should be much stronger. Recall that the authority of the old Senate was in part a function of whom

it represented (military and bureaucracy) rather than its formal powers. The formal powers of the Senate regarding legislation have not been increased—the Senate still has only the power to delay legislation—but the Senate is no longer the bastion of Thailand’s conservative forces. Thus, even though senators are constitutionally prohibited from belonging to a political party, and so can potentially remain outside the control of the prime minister and political parties, power under the new constitution is more concentrated than it was before.

Finally, the new constitution essentially awards an electoral bonus to parties that manage to coordinate and run a competitive *national* campaign in the form of the 100 party list tier seats. Parties who work to develop nationwide constituencies are better positioned to compete for those seats than parties that rely on smaller, subnational constituencies.<sup>35</sup>

Looking at data from the postreform elections, we can see a modest fall in the average number of parties in each constituency—exactly what we would expect from the changes to the electoral system (Table 4). At the constituency level, the move to single-seat constituencies was accompanied by a decline in the number of parties from 3.2 prior to 1997 to 2.7 in 2001—a fall of 16 percent, with a further decline in 2005.<sup>36</sup> However, we see an even bigger decline in the number of parties nationally from 7.2 to 3.8 (and a further decline to 2.6 in 2005). This is evidence of improved cross-constituency coordination—the same few (two) parties were the frontrunners in most constituencies nationwide in 2001 and 2005. Note that better coordination was a bigger factor in reducing the number of parties nationally than the decline in the number of parties at the constituency level. The drop in the number of parties locally is responsible for only 15 percent of the total decline in the number of parties nationally between 1996 and 2001; the remaining 85 percent is due to improved cross-constituency coordination.

The consequences of the fall in the number of parties were dramatic. For the first time since the return of elections in 1979, a single political party, Thaksin’s TRT, nearly succeeded in capturing a majority of

**Table 4 Pre- and Postreform Elections Compared**

	1986–1996 Elections	2001 Election	2005 Election
Average ENP locally	3.2	2.7	2.0
ENP nationally	7.2	3.8	2.6

*Note:* ENP = the effective number of parties

the seats in parliament.<sup>37</sup> TRT was also the largest party in the 2005 election—capturing 376 of the 500 parliamentary seats. In the past, Thailand's multiparty coalition governments were notoriously unstable. This has changed. Fewer parties in government, together with the prime minister's greater leverage over members of the coalition, has resulted in more stable government. In fact, Thaksin became the first elected Thai prime minister to serve out a complete term in office and Thai Rak Thai was reelected in a landslide in 2005.

So, the goal of reducing the number of parties (and producing more stable governments) has been fairly successful, though not precisely for the reasons reformers expected. What about reformers' other goals for the party system?

### *National and Programmatic Parties and Party Cohesion*

One of the major aims of the drafters was to alter the Thai party system to allow the emergence of more national, programmatic, cohesive parties. Features of the pre-1997 system encouraged weak, clientelistic parties, and practices such as pork barreling, patronage, and vote buying. The bloc vote electoral system placed a premium on candidate-centered electoral strategies and the cultivation of personal networks of support, all at the expense of the party label. Specifically, BV allowed for intraparty competition—pitting candidates from the same party against one another in the same constituency.<sup>38</sup> As a result, neither candidates nor voters could rely on party label to help differentiate between candidates from the same party. Instead, most candidates worked to develop a personal reputation and personal network of support. The fact that voters had multiple votes—an invitation to split their vote—and that votes were not pooled among copartisans further strengthened the incentive to pursue a personal (rather than party) strategy.<sup>39</sup> Vote buying was just one example of such a personal strategy.<sup>40</sup>

The drafters adopted several institutional reforms designed to encourage candidates to abandon personal strategies in favor of more programmatic and party-oriented strategies. The move to single-seat constituencies brought an end to the intraparty competition that had helped fuel the need for personal campaign strategies. The constitution also placed new restrictions on party switching in an effort to encourage party building and party discipline.<sup>41</sup> Finally, the drafters also included the national party list tier—hoping to encourage voters and candidates to place party before person.

Assessing how successful the reforms were in achieving this goal is less straightforward than analyzing the number of parties, both because evidence is mixed and because concepts like party cohesion and programmatic campaigning can be harder to measure. First, it is important to recognize that all democracies provide a variety of different kinds of policies. National public goods may exist alongside local public goods that are targeted to specific geographic constituencies (pork)<sup>42</sup> or go hand in hand with particularistic goods and services targeted only to one's supporters (e.g., vote buying). Institutions help shape incentives over the content of that mix—e.g., the ratio of national policies to pork or particularism.<sup>43</sup> Before the 1997 reforms, the need to rely on personal vote-getting strategies induced politicians to privilege pork and particularism to the neglect of national public goods and programmatic appeals linked to party label.

The reforms certainly did not eliminate the need for (or supply of) pork and particularism. Personal strategies (such as vote buying) are still commonplace, particularly in campaigning for the 400 constituency seats.<sup>44</sup> Indeed, this is not surprising given the electoral system. Single-seat constituencies can still generate strong incentives to cultivate personal support networks, (although somewhat less than the bloc vote).<sup>45</sup> However, while incentives to pursue personal strategies have not disappeared, the addition of the national party list *has* increased the appeal of party-based campaign strategies and national appeals. To compete for these new party list votes, parties have incentives to supplement particularism and pork with national, party-linked programmatic appeals that allow parties to win votes nationwide.

The effect of these reforms was already evident in 2001. For the first time in recent memory, political parties (and their candidates), led by the new TRT, moved away from relying solely on personal strategies in favor of coordinated party-centered strategies.<sup>46</sup> Parties developed the beginnings of serious programmatic policy platforms and actually campaigned on those policies.<sup>47</sup> This continued in the run-up to the 2005 election. Included in these policy platforms were national-level public goods such as the 30-baht health care scheme along with policies that look very much like pork (village development funds, debt cancellation schemes, etc.) In a departure from the prereform era, however, the promise/use of pork was part of a coherent *party* strategy for garnering electoral support. Thai Rak Thai, for example, targeted poor, rural voters with pork and other redistributive policies, and such targeting was an integral part of the party's platform—its brand name.

Other parties responded with competing programmatic appeals. As a result, in a sharp departure from norms of the past, one of the most valuable assets for candidates in 2005 was membership in the ruling Thai Rak Thai party.<sup>48</sup> In part this was because the party had staked out credible policy positions on issues with which voters were concerned. In part this was because the membership in Thai Rak Thai gave one access to governmental resources denied to other parties. In any case, the reforms party label has become a more important asset to candidates than at any time in the recent past.

To summarize, the goal of creating more cohesive, programmatic, nationally oriented parties has met with mixed results. At least in part due to the constitutional changes, parties are now using programmatic, policy appeals as important weapons in their campaign arsenals. Both massive party switching, and to a lesser degree vote buying, appear to be in decline if the last two elections are any indication.<sup>49</sup> However, while there are signs that parties are becoming more policy-centered, consistent with the new constitutional incentives, this does not mean that candidates have completely abandoned more traditional campaign strategies. Some candidates still choose to switch parties and buy votes, and some incentives to cultivate personal networks of support remain. Over time, party-centered campaigning and party-centered voting may spill over into constituency elections.<sup>50</sup> However, in the short to medium term, it is likely that personal strategies will continue to be important in constituency elections.<sup>51</sup>

### **Constitutional Reform and the Rise of One-Party Government**

As the previous section demonstrated, Thailand's new constitution brought about some changes in the Thai party system. How, though (to return to the question posed at the beginning of the article) did these reforms contribute to the success of Thaksin and his party? Stated differently, what role did institutional changes play vis-à-vis some of the other factors discussed earlier (e.g., Thaksin's assets, the weakness of TRT's competitors, and the economic fallout from crisis)? Thaksin and his advisers deserve credit for designing an electoral strategy that combined promises of protection and political power to domestic business interests (in dire straits after the crisis) with a populist campaign that promised that the government would now take an active role in eliminating poverty and increasing social welfare.<sup>52</sup> Toward the latter end, the gov-

ernment promised and, once in office, implemented policies such as the million-baht village fund, the 30-baht health care schemes, a debt moratorium for farmers, and the One Tambon, One Product (OTOP) plan. These policies were not completely new. Similar proposals had floated around party and policy circles for years in Thailand but had never before found their way into election campaigns in a serious way, in part because politicians lacked incentives to campaign on such policies.<sup>53</sup> The adoption of the 1997 constitution altered these incentives in important ways and Thai Rak Thai took advantage of the new institutional environment, with its increased incentives and rewards for party-centered campaigns and programmatic appeals. In short, electoral reforms meant that a national programmatic appeal was a much more viable/appealing strategy than it had been under previous constitutions.<sup>54</sup>

Thaksin also benefited enormously from the increased power the new constitution gave the prime minister. Thaksin enjoyed a degree of leverage over his coalition and factional rivals that none of his elected predecessors ever possessed. This leverage stemmed from his ability to completely exclude his factional rivals from political power via his power to call early elections. How, though, can we assess the importance of these new institutionally derived powers relative to Thaksin's personal and financial assets, which were also considerable. What about the counterfactual? Would Thaksin have been able to hold together Thai Rak Thai without the new leverage the constitution granted him? While it is impossible to answer this question definitively, there is evidence that supports the argument that the new institutional powers were necessary and that his vast personal wealth was not sufficient to produce a stable TRT majority.<sup>55</sup>

First, under the previous constitution Thaksin served as head of the Palang Tham Party. Thaksin was already enormously wealthy, but even with his vast financial wealth he was unable to hold the party together, and the party disintegrated under his watch.

Second, in the past other politicians had attempted to forge new large parties out of an amalgam of smaller parties and factions in a bid for majority power. Each of these attempts failed regardless of the assets and capabilities of the party's leadership. Historically, Thai parties that try to grow beyond a modest number of MPs implode in relatively short order.<sup>56</sup> That may ultimately be the fate of Thai Rak Thai but if so, it will still have accomplished back-to-back majority electoral victories—something no party in Thai history has ever done.

Finally, it is clear that there are factions within Thai Rak Thai that, given the chance, would have jumped ship before the 2005 elections.

The most prominent example is Sanoh Thienthong and his Wang Nam Yen faction. Sanoh left the New Aspiration Party and joined Thai Rak Thai prior to the 2001 election bringing his faction with him. His faction played an important role in Thai Rak Thai's electoral victory. New Aspiration was not, though, Sanoh's original home. He had been a prominent member of the Chart Thai Party but switched to New Aspiration prior to the 1996 election, helping propel it to victory at the polls. As part of the Thai Rak Thai government, Sanoh grew increasingly restless. He campaigned for an amendment to the constitution that would eliminate the party-switching restrictions and became increasingly critical of the party's leadership, including Thaksin. In cabinet reshuffles and in negotiations over how (and whom) to run in the 2005 election, his faction was increasingly left out in the cold. Under earlier rules there is little doubt Sanoh would have left Thai Rak Thai and joined another party, as he had in the past. Yet, despite his dissatisfaction with his position in the party (he famously likened being in the party to being in prison)<sup>57</sup> and the likelihood that his position would only worsen, Sanoh and his faction remained with Thai Rak Thai for the 2005 election.

Similarly, the most recent political crisis in Thailand did not bring with it the defection of large numbers of MPs from Thai Rak Thai, as some analysts had predicted. The trigger for the crisis was the sale of shares in Shin Corp, a telecommunications company built by Thaksin and still owned by his family, to Singapore's Temasek Holdings. The deal brought with it a nearly US\$2 billion tax-free profit for Thaksin's family. The sale emboldened Thaksin critics and also undermined his support among some allies. Critics claimed the sale was the further evidence that political power under Thai Rak Thai had become a tool designed to enrich Thaksin and his closest supporters. For many of Thaksin's erstwhile supporters, such as his mentor Chamlong Srimuang, the sale represented a betrayal of Thaksin's earlier promises to protect domestic assets from foreign takeovers.<sup>58</sup>

In the wake of the January 2006 sale, the ongoing but previously low-level anti-Thaksin protests within Bangkok grew in both size and strength. In a bid to diffuse the protests, Thaksin dissolved Parliament on February 24 and called new elections to be held on April 2, 2006. In the face of a boycott of the election by the major opposition parties, Thai Rak Thai won the election handily. What is interesting is that even as there was mounting opposition to Thaksin, including growing voices of dissent from within his own party, there were virtually no defections from Thai Rak Thai. The only party members of note to leave the party were Sanoh Thienthong and three of his family members, who, as

mentioned previously, had already been marginalized within the party. Apart from his family members, the rest of Sanoh's faction remained part of Thai Rak Thai, despite earlier threats to jump ship. The ninety-day rule made switching parties (and forfeiting the right to participate in the April election) an unpalatable proposition for even some of the most unhappy members of Thai Rak Thai.

The next few months in Thai politics may present researchers with a further means of assessing the importance of the ninety-day membership rule in keeping Thai Rak Thai together. Following the April 2 elections, Thaksin resigned as prime minister (though he retained his position of head of Thai Rak Thai) and appointed one of his supporters as interim prime minister. In early May, the Constitutional Court threw out the results of the April elections, finding that the conduct of the election had violated the constitution.<sup>59</sup> At the time of this writing, new elections are tentatively scheduled for late October 2006—well beyond the ninety-day window.<sup>60</sup> Thus, for the first time since 2001, politicians may have the opportunity to switch parties without the risk of becoming ineligible to run for reelection. It will be interesting to watch whether Thai Rak Thai suffers greater defections from its ranks in the run-up to the October election. Massive defections are unlikely—Thai Rak Thai is still the strongest, most popular party on the political scene, while the opposition remains weak<sup>61</sup>—but with the metaphorical jail door now open, we might expect higher rates of defection from the ruling party than we saw in 2005 and 2006.

## Conclusion

In summary, an analysis of the changes to political incentives and capabilities brought about by Thailand's constitutional reforms provides an important part of the context for understanding the rise and success of Thaksin and Thai Rak Thai. However, there are many questions that an institutional analysis is ill-equipped to address. These include why the TRT (or other parties) chose the policies they did and why the electorate and business groups preferred certain policies over others. An institutional analysis also cannot account for the overwhelming success of Thai Rak Thai at the polls. The dominance of the party was not, and indeed could not be, anticipated based on the reforms that were passed. Institutions are best viewed as a set of incentives and constraints. In the case of electoral institutions, this constraint is an upper limit on the number of viable parties. However, electoral institutions generally cannot

tell us when/whether fewer parties than the upper limit will emerge. For this we must look to factors outside the electoral system—for example, social cleavages and idiosyncratic factors (such as economic or political shocks) and the strength of political competitors. In the case of Thailand, the drafters anticipated a decline in the number of parties, but no one to my knowledge expected a dominant party to emerge.

In any case, the unanticipated advent of majority-party government has meant that many of the reforms, designed with a multi- or two-party system in mind, have not been implemented in the way some supposed they would be.<sup>62</sup> Majority-party government means that the ruling party is relatively unconstrained, and this has certainly been the case in Thailand. Under the Thai Rak Thai government, policy and institutions have become instruments of the ruling party—there to serve its interests and goals.<sup>63</sup> The change is not that politicians are now intervening in the policy process—policymaking has long been a politicized affair in Thailand as it is elsewhere. In the past, however, multi-party coalitions and factionalized parties meant that no one party or faction was able to gain control of the government/bureaucracy in a way that might advantage it while disadvantaging rival factions or parties. This is no longer the case. To a large extent, the government is now an extension of Thaksin and his party.

There are both costs and benefits to this new state of affairs. On the plus side, the current government has been much more decisive than its counterparts. It has been able to pursue its preferred initiatives, which have included a multitude of programs targeting the poor and rural areas. In addition, there are efficiency gains to be had from single-party control of the bureaucracy, as the party coordinates the government's various programs.<sup>64</sup> But majority-party government has, in practice, undermined the autonomy and capacity of Thailand's superintendent institutions. There are serious questions as to whether any of the constitution's new superintendent bodies, including the Constitutional Court, the Electoral Commission, and the National Counter Corruption Commission, have been truly independent from the ruling party and able to carry out their responsibilities as envisioned in the constitution.<sup>65</sup>

The story is similar on the decentralization front. Recall that the constitution mandated decentralization and local elections as a way to give local communities some autonomy from the Bangkok-based bureaucracy. This has happened to a large extent. Subnational leaders now have much more authority *vis-à-vis* the bureaucracy than they had in the past. However, Thaksin has used the decentralization process to

take power away from the bureaucracy while recentralizing power around TRT. He has done this by creating the position of “CEO-governors,” who are provincial governors appointed and removed by Thaksin and given the responsibility for all provincial planning and development. Thaksin’s intent was to create an “instrument that would be responsive to central government policy and to political direction through ‘hands-on’ control.”<sup>66</sup> Thus, even though local elections have been held and some budgetary power has been decentralized, progress toward meaningful decentralization remains slow.

The rise of Thaksin and the Thai Rak Thai party is one of the defining features of the last decade in Thailand. In 1997, Thailand was nearing almost two decades of rule by various multiparty coalitions. Parties were notoriously weak and generally responded to narrow rather than national constituencies. Not coincidentally, Thailand suffered from a variety of governance problems that came to a head in the Asian economic crisis of 1997. Constitutional reform must be understood in this context—as a reaction, in part, to perceived shortcomings in the Thai party system. Nine short years after constitutional reform in Thailand, the number of parties has fallen dramatically, and the remaining parties seem more focused on policies and programs than were their predecessors. Improvements in some areas of governance have contributed to Thailand’s full recovery from the crisis. Yet Thailand continues to struggle with the fruits of constitutional reform—both intended and unintended.

Perhaps the largest outstanding questions, given recent events, have to do with the future of party competition in Thailand. Does Thai Rak Thai still have a chance to create a dominant party in the mold of the PAP or UMNO, or do recent events mark the beginning of the end of Thai Rak Thai’s electoral dominance? Can opposition parties rally to present a real challenge to Thai Rak Thai electorally? If Thaksin does not return as his party’s standard bearer and prime ministerial candidate in the next election, will the party hold together? Can it continue to keep a lid on factional conflict? Can it institutionalize and outlive its current leader, or, like most Thai parties in the past, will TRT eventually break apart and fade away? Whatever the ultimate answer to these questions, it is clear that the constitutional reforms (and subsequent majority electoral victories) provided Thaksin with more tools and more power than any of his elected predecessors. This enabled Thaksin to build and hold together (so far) a large national party while pushing through his political agenda. However, this increased power, combined with the choices

he has made while in office, have ironically exposed Thaksin to the abuse of power charges that may ultimately prove his undoing.

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## Notes

An earlier version of this article was prepared for the International Conference of Constitutional Reform in the Philippines, Antipolo City, Metro Manila, Philippines, July 8–9, 2005. I thank participants at that conference for their comments and am also grateful for the comments of attendees at talks at Stanford's Asia-Pacific Research Center, Michigan State University's Asian Studies Center, and the University of Michigan's Southeast Asian Public Lecture Series. Special thanks to Sombat Chantavong, Michael Nelson, and two anonymous reviewers for their comments on earlier drafts of this article.

1. See Chermesak Pinthong, ed., *Ruuthan Thaksin* (Seeing through Thaksin), vols. 1 and 2 (Bangkok: Khokhit Duaykan Press, 2004).

2. Duncan McCargo and Ukrist Pathmanand, *The Thaksinization of Thailand* (Copenhagen: Nordic Institute of Asian Studies, 2005).

3. Chermesak, *Ruuthan Thaksin*; McCargo and Ukrist, *Thaksinization of Thailand*; Pasuk Phongpaichit and Chris Baker, *Thaksin: The Business of Politics in Thailand* (Chiangmai: Silkworm Books, 2004); Allen Hicken, "Constitutional Reform and Budgetary Politics in Thailand," paper presented at the annual MPSA meeting and the 2005 Thai Studies Conference, April 2005.

4. Michael Nelson, "Thailand's Thaksin Shinawatra: From Election Triumph to Political Decline," Eastasia.at (online journal of the Australian Association of Asian Studies), <http://eastasia.at/> (forthcoming).

5. These criticisms are fueled by quotes like the following from Thaksin. After arguing he had a sound understanding of democracy, he remarked, "Those who know less than me better shut up." Grant Peck, "Thaksin: Acerbic Autocrat or New-born Democrat?" *The Irrawadd*, February 7, 2005.

6. The sale of communications assets to a Singaporean firm also undermined Thaksin's support among those who supported him and Thai Rak Thai as bulwarks against foreign economic interests.

7. At the time of this writing, the courts have thrown out the results of the first election, which were boycotted by the major opposition parties. A new election is being planned.

8. Pasuk and Baker, *Thaksin*; McCargo Ukrist, *Thaksinization of Thailand*.

9. Kevin Hewison, "Crafting Thailand's New Social Contract," *Pacific Review* 17, no. 4 (2004): 503–522.

10. For a notable exception, see Paul Chambers, "Evolving Toward What? Parties, Factions, and Coalition Behavior in Thailand Today," *Journal of East Asian Studies* 5, no. 3 (2005): 495–520.

11. For details, see Michael Connors, "Framing the 'People's Constitution,'" in Duncan McCargo, ed., *Reforming Thai Politics* (Copenhagen: Nordic Institute of Asian Studies, 2002), pp. 37–72. See also Jumbala Prudhisan, "Thailand: Constitutional Reform Amidst Economic Crisis," in *Southeast Asian Affairs 1998* (Singapore: Institute of Southeast Asian Studies, 1998), pp. 265–291.

12. The nature of the reforms was very much the reflection of middle-class (Bangkok) preferences (Connors, "Framing the People's Constitution"). See also Duncan McCargo, "Thailand's January 2001 General Elections: Vindicating Reform?" in Duncan McCargo, ed., *Reforming Thai Politics* (Copenhagen: Nordic Institute of Asian Studies, 2002).

13. BV was used in nineteenth-century Great Britain and is currently employed in Mauritius and for senate elections in the Philippines.

14. Seats were allocated by province with each province receiving the number of seats commensurate with its population. A small number of lightly populated provinces used one single-seat constituency that covered the entire province.

15. See Matthew Soberg Shugart and Martin P. Wattenberg, eds., *Mixed-Member Electoral Systems: The Best of Both Worlds?* (Oxford: Oxford University Press, 2001). See also Allen Hicken and Yuko Kasuya, "A Guide to the Constitutional Structures and Electoral Systems of Asia," *Electoral Studies* 22, no. 1 (2003): 121–151.

16. If the MP is a constituency MP, a byelection is held to fill the vacant seat. If the MP is a party list MP, the seat is filled with the next person on the party's list. As a result, cabinet members are generally selected from party list MPs. Candidates must also now hold a bachelor's degree and abide by a new more stringent asset declaration requirement before they can run for office.

17. Formally it was the king who appointed the senators, on the advice of the prime minister.

18. SNTV is no longer used in South Korea, and since electoral reforms in the 1990s, SNTV is only used for elections to the upper chamber in Japan (see Hicken and Kasuya, "A Guide," for more details about these electoral systems).

19. Andrew J. MacIntyre, *The Power of Institutions: Political Architecture and Governance* (Ithaca: Cornell University Press, 2004).

20. The effective number of electoral parties during this period was more than seven.

21. As discussed in more detail below, most Thai parties were also highly factionalized, which further multiplied the number of political actors. Parties

were generally not unitary actors but, rather, party factions. See James Ockey, "Business Leaders, Gangsters and the Middle Class" (Ph.D. diss., Cornell University, 1991); Paul W. Chambers, "Factions, Parties, Coalition Change, and Cabinet Durability in Thailand: 1979–2001" (PhD diss., Northern Illinois University, 2003).

22. For exceptions in the area of macroeconomic policy, see Scott Christensen et al., *Thailand: The Institutional and Political Underpinnings of Growth* (Washington, DC: World Bank, 1993); and Allen Hicken, "Parties, Policy and Patronage: Governance and Growth in Thailand," in J. E. L. Campos, ed., *Corruption: The Boom and Bust of East Asia* (Quezon City: Ateneo de Manila Press, 2001).

23. Allen Hicken, "Parties, Pork and Policy: Policymaking in Developing Democracies" (PhD diss., University of California, San Diego, 2002).

24. This is measured using the "effective number of parties" (ENP) formulation. ENP is defined as 1 divided by the sum of the weighted values for each party (Marku Laakso and Rein Taagepera, "Effective Number of Parties: A Measure with Application to West Europe," *Comparative Political Studies* 12 [1979]: 3–27). In effect, what ENP does is weight party according to its size: parties with large vote shares are weighted more than parties with small shares. Hereafter when I refer to the number of parties, I will be using the ENP.

25. Specifically, the M+1 rule states that the number of parties should be approximately equal to the number of the seats in a constituency +1 (Gary W. Cox, *Making Votes Count*. [Cambridge: Cambridge University Press, 1997]). So, given that most Thai constituencies had two or three seats, we would expect the effective number of parties in each constituency to be between three and four. What's more, the number of parties should vary by district magnitude, with more parties in constituencies with more seats.

26. Cox, *Making Votes Count*; Gary W. Cox, "Electoral Rules and Electoral Coordination," *Annual Review of Political Science* 2 (1999): 145–161.; Pradeep K. Chhibber and Ken Kollman, "Party Aggregation and the Number of Parties in India and the United States," *American Political Science Review* 92 (1998): 329–342.; Pradeep K. Chhibber and Ken Kollman, *The Formation of National Party Systems: Federalism and Party Competition in Canada, Great Britain, India, and the United States* (Princeton: Princeton University Press, 2004).

27. Thailand exhibits poorer aggregation than either Brazil or India—two countries notable for their lack of cross-district coordination.

28. However, by themselves cleavages are probably neither necessary nor sufficient to produce poor linkage.

29. The difference between Thai Buddhists and the Thai Muslim minority in the South has never given rise to separate, cleavage-based parties.

30. Hicken, "Parties, Pork and Policy."

31. Cox, *Making Votes Count*; Cox, "Electoral Rules"; Chhibber and Kollman, "Party Aggregation"; Chhibber and Kollman, *Formation of National Party Systems*; Hicken, "Parties, Pork and Policy." See Hicken, "Parties, Pork and Policy" for a discussion of other variables that affect the coordination calculation.

32. Over the course of the 1980s and 1990s, the influence of the Senate waned as the bureaucrats and military officials were gradually replaced by representatives from the private sector and business.

33. Chambers, "Factions, Parties."

34. Author interviews with party officials, Bangkok, January–June 1999, and May–August 2004 (anonymity requested).

35. One of the most striking features of the 1997 constitution is its call for decentralization. Political and economic power has traditionally been highly centralized in Thailand. To the extent decentralization actually leads to greater political and economic power at the subnational level, coordination incentives should decrease. However, the decentralization provisions of the constitution had not been implemented at the time of the 2001 elections and were still in their infancy in the run-up to the 2005 elections. As a result, it is too soon to assess the effects of decentralization on cross-constituency coordination. I briefly discuss the progress toward decentralization in the conclusion.

36. Since complete constituency-level data are not yet available for the 2005 Thai elections, I have reported only estimated results here. However, an analysis of the preliminary data that do exist suggests a continuation of the trends that began in 2001.

37. TRT later gained an absolute majority when a smaller party decided to merge with TRT shortly after the election.

38. Thailand's system did not generate the degree of intraparty competition that occurs in systems where there are fewer seats than copartisan candidates in a given district, such as in SNTV or STV systems.

39. Hicken, "Parties, Pork and Policy."

40. Allen Hicken, "How Do Rules and Institutions Encourage Vote Buying?" in Frederic C. Schaffer, ed., *Democracy for Sale: The Causes, Consequences, and Reform of Vote Buying* (Boulder: Lynne Rienner, forthcoming).

41. The constitution suspended this rule for the inaugural 2001 election.

42. Gary W. Cox and Mathew D. McCubbins, "The Institutional Determinants of Policy Outcomes," in Stephan Haggard and Mathew D. McCubbins, eds., *Presidents, Parliaments, and Policy* (Cambridge: Cambridge University Press, 2001).

43. Hicken, "Parties, Pork and Policy."

44. In fact, candidates and parties have adapted their vote-buying strategies to the new electoral environment. For some examples, see "Dirty Politics: Vote-buying Goes Hi-Tech," *The Nation*, January 31, 2005.

45. John M. Carey and Matthew Soberg Shugart, "Incentives to Cultivate a Personal Vote: A Rank Ordering of Electoral Formulas," *Electoral Studies* 14, no. 4 (1995): 417–435.

46. This does not mean they abandoned more traditional campaign strategies.

47. Michael H. Nelson, *Thailand's House Elections of 6 January 2001: A Statistical Report*, KPI Reports No. 2, Center for the Study of Thai Politics and Democracy, King Prajadhipok Institute, Nonthaburi, Thailand, 2002.

48. Illustrative of this point is the prominence of the Thai Rak Thai name and party logo on candidate posters—a departure from earlier eras when information linking a candidate to a particular party was often downplayed in campaign materials.

49. Aurel Croissant and Daniel J. Pojar, Jr, “Quo Vadis Thailand? Thai Politics After the 2005 Parliamentary Election,” *Strategic Insights* 4, no. 6 (June 2005).

50. As the recent experience of Japan demonstrates, it is also possible that the personalism of the constituency races could bleed over into the party list race (Margaret McKean and Ethan Scheiner, “Japan’s New Electoral System: Plus ça change . . .,” *Electoral Studies* 19, no. 4 (2000): 447–477).

51. The electoral procedure for the Senate—the single nontransferable vote—should also contribute to the endurance of personal strategies. Under normal conditions, SNTV is the epitome of a candidate-centered electoral system where parties take a back seat to individuals and factions. Thailand’s version of SNTV goes beyond most other examples. Senate candidates are prohibited from belonging to a political party and are also not allowed to campaign for office. Since candidates cannot rely on party label to distinguish themselves from other candidates nor campaign on policy differences, they have instead cultivated personal support networks similar to those used by House candidates. In fact, successful candidates have often been family members of prominent politicians and so rely on existing support networks (Michael Nelson, “The Senate Elections of March 4, 2000 [etc., etc.],” in *KPI Newsletter* 1, no. 3 [2000]: 3–7).

52. Hewison, “Crafting Thailand’s New Social Contract.”

53. Hicken, “Parties, Pork and Policy.”

54. Other parties also recognized the opportunity to pursue new electoral strategies and attempted to do so. They were less successful in part because of their association with the crisis and/or the costly economic reforms adopted in its wake.

55. Whether the new institutional powers were sufficient is a more difficult question, given the available evidence.

56. Chambers, “Factions, Parties.”

57. “Sanoh in Open Rebellion,” *Bangkok Post*, June 9, 2005.

58. Some claimed that the government had amended the foreign ownership laws—increasing the percentage of foreign ownership permissible from 25 percent to 49 percent—in order to pave the way for the sale of Shin Corp.

59. The Constitutional Court’s ruling came after the King of Thailand refused to directly intervene but instead urged the courts to rule whether the April poll was constitutional.

60. This likely delay is the result of the need to appoint new members to the Election Commission, which by law is a sixty-day process.

61. It appears Thaksin and the Thai Rak Thai still command solid majorities in most of rural Thailand outside the South. Even in Bangkok, the center of anti-Thaksin mobilization, Thai Rak Thai enjoys a plurality of support among voters: 42 percent of Bangkok voters say they will vote for Thai Rak

Thai in the next election as opposed to 16 percent for the opposition Democrat Party (“MPs Have a Chance to Slip 90-Day Chains,” *The Nation*, May 11, 2006, available at [http://nationmultimedia.com/2006/05/11/politics/politics\\_30003789.php](http://nationmultimedia.com/2006/05/11/politics/politics_30003789.php)).

62. For example, the limits on party switching have not stemmed the flow of candidates seeking to join TRT but have made it nearly impossible for dissatisfied TRT members to switch parties.

63. For a discussion of this in the context of budgetary policy, see Hicken, “Constitutional Reform and Budgetary Politics.”

64. Hicken, “Constitutional Reform and Budgetary Politics.”

65. See Pasuk and Baker, *Thaksin*, for a more detailed discussion of the partisanization/marginalization of these superintendent institutions.

66. Martin Painter, “Thaksinocracy or Managerialization? Reforming the Thai Bureaucracy,” Southeast Asia Research Center Working Paper, May 6, 2005, available at [www.cityu.edu.hk/searc/WP.html](http://www.cityu.edu.hk/searc/WP.html).