

# THAILAND

## SUMMARY

Political party development in Thailand has suffered several interruptions since the first legislation recognizing parties was passed in 1946. A series of subsequent authoritarian regimes banned political parties, and it was not until after 1992 that the party system began to deepen. Parties have not yet become strong, broad-based institutions, nor have they emerged naturally out of the ideological interests of citizens. Rather, Thailand's political parties tend to be leadership-driven, centralized organizations that primarily function as electoral machines to secure political power. Intense factionalism and the Thai patronage system also plague the parties, allowing money politics to thrive. Thailand's political parties, however, are in the midst of transition, and many party reformers have expressed a desire to break the cycle of corruption and strengthen political parties as democratic and accountable institutions.

Most Thai party leaders acknowledge that, so far, parties have done little to reform their internal operating structures. Reform, rather, has been imposed on the parties by legislation, such as the Organic Law on Political Parties and the Organic Law on Elections, mandated by the 1997 constitution. The new party and election laws inflict stringent regulations and checks on parties, such as requiring all party officials, including branch chairpersons, to declare their assets and liabilities and mandating annual party audits with full disclosure of all contributions. The new election law has "zero tolerance" for vote buying and empowers the new Election Commission of Thailand (ECT) to disqualify candidates. Furthermore, a party fund was established to strengthen the party system by providing financing to parties for establishing branch offices and conducting education programs, as well as constituent outreach activities. The strict enforcement of the new laws through an active ECT has not only induced parties to examine their behavior but also educated the Thai public about the need for reform.

Although there are many valuable features in Thailand's new party and election laws, and in the laws providing for their enforcement, legislative remedies alone seem unlikely to break the cycle of money politics in the party system. There must also be broader changes in Thai political culture. Throughout Thailand, and especially in the rural areas, citizens have come to expect material rewards in exchange for their political support. A deeply embedded patronage system shapes the political system, undermining the principles of democratic

representation. Civic education can help voters learn to seek public, rather than private, gains from their elected representatives. However, the parties themselves will also have to become more transparent, democratic, and accountable institutions if the promise of the new constitution and other reforms is to be fulfilled.

## **BACKGROUND**

### **Political Context**

#### *Country Background and Transition to Democracy*

The Kingdom of Thailand was one of the first Southeast Asian countries to experiment with democracy and the only nation in the region never to have been colonized by a European power. Thailand experienced very rapid growth rates between 1985 and 1995 and has become a key political and economic leader in the region. The country, however, has experienced uneven political development over the past 50 years. Since its transition from an absolute monarchy to constitutional government in 1932, Thailand has alternated between civilian and military rule and experienced a succession of *coups* and *coup* attempts. Civilian and military governments have been unstable and short-lived.

Thailand's transition to a democratic state took place over many decades, and there were several defining moments in this transition. One such moment occurred on October 14, 1973 when, frustrated with the repressive authoritarian rule of Field Marshal Thanom Kittikachorn, students and faculty at Thammasat University, a leading university in the country, held a rally to promote democracy and demand constitutional reform. In response, the police attacked and arrested lecturers and students. Days later, when a crowd of 100,000 Thais held a peaceful protest in front of the police headquarters, the police killed more than 70 protestors. Thanom was subsequently forced to resign, and the King called a national convention of 2,500 delegates representing a cross-section of Thai society – teachers, union members, farmers, business-people, and religious leaders – to draft a new constitution. This convention paved the way for elections and constitutional reforms and is seen by many as Thailand's first sincere step toward democracy.

Following the 1973 convention, however, Thailand experienced three years of ineffective political leadership. In 1976, Thanom was able to resume power, and right-wing radical groups summarily executed students, representatives of peasant movements, and other spokespersons for democratic reform.

General Kriangsak Chomanan took power after a 1977 *coup* and called for elections in 1979, which ushered in a period of increased public participation in politics and a stronger parliamentary system. With the growth of civil society in the 1980s, elected politicians began to gain political strength, although military elites continued to play an influential role in the governance of the country.

In 1991, a *coup* led by Generals Sunthorn Kongsompong and Suchinda Kraprayoon forced the resignation of elected Prime Minister Chatichai Choonhavan. The military charged Chatichai's administration with corruption and disrespect for the military. The Chatichai government had failed to appoint army leaders to powerful positions and to consult the military when naming a new defense minister. Under the two generals, the military established a "national peace keeping council" to restore order, and several violent attacks were carried out against democracy activists. The military leadership did not last long, however, and civic leader Anand Panyarachun was appointed interim prime minister and scheduled general elections for March 1992. These elections ushered in a series of short-lived, unstable governments but represented the end of military rule in Thailand.

### *The 1997 Thai Constitution*

The year 1997 arguably represents the most significant advancement in Thailand's democratic development. The devaluation of the baht that year initiated the economic downturn for Thailand and the rest of Asia. This period of financial crisis increased the public's frustration with the politics of patronage and corruption, which many viewed as a root cause of the downturn, and further fueled existing demands for reform. In October 1997, parliament adopted the country's sixteenth constitution in 65 years.

The 1997 constitution initiated sweeping changes in the nation's political system. It called for an elected Senate, endorsed civic participation in public policymaking, and mandated a process that devolved authority from Bangkok to the provinces. Moreover, the new constitution introduced significant changes in electoral processes and procedures. The constitution switched the Thai electoral system from a multi-member constituency system, where voting was on a plurality basis, to a mixed system. Under the current semi-proportional electoral system, 400 members of parliament are elected through single-member constituencies that use a "first past the post" voting system and 100 MPs are chosen proportionally through national party lists. In addition, ballot counting moved from local polling stations to specifically designated places at the constituency level to protect the secrecy of community voting behavior.

The constitution also established several independent bodies to promote transparency and accountability. The ECT was created not only to administer national and local elections, which were previously carried out by the Ministry of the Interior, but also to serve as a watchdog over the election process. The ECT is empowered to investigate election-related complaints, thwart corrupt practices, and disqualify candidates found to have violated the election law. The constitution also provided for an independent National Counter Corruption Commission (NCCC) to investigate petitions lodged by the public and parliament, monitor the assets and liabilities of state officials to determine unusual wealth, and hold trials for those accused of corruption. NCCC verdicts can be appealed to a higher court.

The constitution also established: an independent Constitutional Court to rule on the constitutionality of legislation and judicial decisions rendered by lower courts; administrative courts to adjudicate cases of dispute between state agencies, state officials, and the public; an Office of Ombudsman to investigate public complaints regarding state officials or agencies; a National Human Rights Commission to examine and report on human rights violations and needs; and an independent Auditor-General. These new bodies are intended to serve as checks on the state and provide avenues for airing public grievances.

These independent bodies have demonstrated their effectiveness. The NCCC and Constitutional Court found the powerful former Minister of Interior and Deputy Prime Minister Major-General Sanan Kachornprasart guilty of filing false declarations of his assets and debts to the NCCC, and he was banned from politics for five years. The NCCC also found the current prime minister, Thaksin Shinawatra, guilty of filing false asset reports and illegally transferring corporate stock to his employees in order to conceal the full extent of his wealth. Thaksin's conviction, however, was over-turned by the Constitutional Court. The ECT has disqualified numerous candidates in both the 2000 Senate and 2001 House elections and has used its authority to re-run elections in several constituencies.

Thailand is still, however, in a critical period of transition as the country struggles to implement the reforms embodied in the new constitution, and the sustainability of these reforms may depend on corresponding changes in Thai political culture. The meaning of the new constitution is frequently being challenged and debated, and many vested interests are keen on seeing the powers of the new constitutional bodies weakened, particularly now that they have witnessed their effectiveness. Moreover, the public is struggling between the concept of governance through strong, accountable institutions, transparency, and rule of law, and old-style patronage politics.

## *Governance System*

Thailand is a constitutional monarchy with the King as head of state. The King is empowered to exercise authority through the National Assembly, the Council of Ministers, and the courts, and he is the supreme head of the Thai Armed Forces. In practice, the King does not involve himself in political affairs or use his power to veto legislation or dissolve parliament. However, he wields enormous moral influence and is considered by some as an important check on the government and military. In 1991, for example, the King stepped in to stop violence during clashes between democracy protestors and the military. Thailand is extremely protective of its royal family and the country's *Lesé Majesté* laws make it illegal to criticize the monarchy and the royal family.

Thailand has a bicameral parliament with an elected House of Representatives and Senate. The country has a mixed electoral system with both single-member constituencies and party lists. Of the 500 members in the House, 400 are elected from single-member constituencies and the other 100 are chosen from national party lists. House members, commonly referred to as MPs, serve four year terms or until the House is dissolved. The 1997 constitution established a unique system for electing the 200-member Senate. Senate candidates must be apolitical – not associated with any political parties or government agencies – and they cannot campaign. Senators can serve only one six-year term. The party, or coalition of parties, capturing the most seats in the House forms the government, and all cabinet ministers must resign their positions as MPs in the House, providing a separation between legislative and executive duties. The leadership of the country changes frequently, and, in fact, the last government, which was dissolved in 2000, was the first to serve until the end of the official term.

The country is divided into 76 provinces, each of which is divided into districts, sub-districts, and villages. The 1997 constitution mandated decentralization in order to provide a more direct link between people and government policies and has empowered various local authorities with new autonomy in local administration, including fiscal responsibilities. According to Section 284 of the Thai constitution, “All local government organizations shall enjoy autonomy in laying down policies for their governance, administration, personnel administration, finance and shall have powers and duties particularly on their own part (*sic*).” The decentralization process has also increased the number of elected positions in local bodies. The country is still in the process of implementing this constitutional mandate.

## *Political Corruption in Thailand*

Despite the reforms that have taken place, corruption in government, business, and the political process remains widespread. Money politics, in particular, mars the democratic system by undermining efficient government practices and replacing formal rules and laws with an opaque system of cronyism.

Thailand's complex patronage system is considered a cause of and contributor to political corruption by embedding a system that relies on the exchange of favors. A "patron" might provide protection, material goods, and other benefits to a client who, in return, gives the patron support and loyalty. The patronage system continues to flourish in many parts of Thailand, in part because centralized, bureaucratic governmental structures often fail to provide sufficient services outside of Bangkok. Citizens, therefore, often turn to unofficial patrons to fill the vacuum.<sup>1</sup>

Corruption has helped shape the electoral process as well. Vote buying is rampant, and both parties and voters participate. Canvassers hired by candidates offer voters cash, medicine, food, and other goods for their support, and this vote buying usually takes place in more than one round. Candidates finance their vote buying expenditures by providing loyalty to their wealthy patrons and sponsors. Moreover, if candidates successfully solicit the support of village chiefs or local business "godfathers" (*jao poa*), these local leaders will call on villagers to vote accordingly. "Winning candidates are those who manage to construct a workable patron-client network in the villages,"<sup>2</sup> according to Thai scholar, Anek Loathamatas. In return for capturing the votes, the elected leader often rewards powerful supporters by offering lucrative government contracts and business opportunities or by turning a blind eye to the supporter's illegal activities. Vote buying has become so embedded in Thai political culture that parties claim to face difficulties breaking the cycle. Citizens are hesitant to relinquish this perk, as the money gained from vote selling is often viewed as one of the few benefits they receive from their elected representatives.<sup>3</sup> Tax money seemingly disappears in Bangkok and rarely is funneled toward legitimate public goods or community projects.

Compounding and contributing to corruption and patronage in the Thai political system, is the low level of political awareness among many Thai voters. Many Thais, particularly in poor and rural parts of the country, do not understand the legislative function of elected representatives or the role of citizens in a democracy as decision makers and advocates for public policies. One political observer notes, "Rural voters do not expect abstract rewards such as laws, policies, or the public interest."<sup>4</sup> Voters, therefore, demand little in terms of legitimate legislative behavior from their representatives, and punishment of

poor performance through the ballot is rare. As one ECT official explained, “In Thailand, people easily forget the past. Politicians get involved in one scandal after another with little retribution from voters.”

Although corruption continues to mar the country’s political process, general awareness of the damaging effects of corruption has grown. The economic crisis, in particular, drew attention to the devastating role corruption played in undermining the Thai economy. Moreover, the press has been essential in uncovering corruption scandals and emphasizing the costs of corruption on the country. Finally, the new constitution has introduced specific regulations and bodies to weed out corruption and improve accountability. In particular, the ECT has drawn enormous attention to the issue of political corruption by punishing politicians for fraudulent behavior, heightening awareness among the public. In response to these developments, many politicians have included “anti-corruption” commitments in their platforms.

### *The 2000 Senate and 2001 House Elections*

The 2000 Senate and 2001 House elections ushered in the first parliament under the new constitution and demonstrated that many of the challenges facing the country, particularly the dominance of money politics, will not disappear overnight. These elections represented a test of the country’s new reforms, and their strengths and weaknesses are now more apparent. It is also clear that many politicians are still wedded to the practices of the past.

In an attempt to take money and patronage out of politics, the Senate was envisioned as an apolitical, elite upper body. The ECT therefore established stringent rules for candidate conduct and designed an election process that deviated significantly from that of other elections. Senate candidates were not allowed to campaign or state their opinions about policies, and there were no forums for real debate. Only a small number of pamphlets containing biographical data on the candidates were distributed to voters. Candidates could not be affiliated with political parties or state bodies. Ballot counting was conducted at the polling station instead of at the constituency level because, according to the constitutional drafters, Senate candidates would be “gentle ladies and men” and would therefore not intimidate, buy, or punish voters in any way. Additionally, the media was effectively gagged and could not report on individual candidates, their policies, or their backgrounds.

The effort to take the politics out of the election and the money out of politics did not quite work. Vote buying was widespread, and there were cases of intimidation, as well. Approximately 500 complaints were submitted the ECT, and over 78 senators-elect out of 200 were suspended on charges of

corruption. The ECT was forced to re-run elections in 35 out of the country's 76 provinces. Because of continued corruption in the re-election process, the ECT had to keep scheduling fresh elections. In some areas, the ECT held six rounds of elections, prolonging the sitting of the Senate for months. Moreover, although several well-respected civic leaders won positions in the Senate, several old-style politicians, some notoriously corrupt and linked to illegal enterprises, also won. Even after the first sitting of the Senate, accusations against the senators continued to emerge. The ECT had to strip 10 senators, including Senate Speaker Sanit Worapanya, of their parliamentary status and call for fresh elections in their provinces. In sum, Thailand's idealistic vision for a clean Senate was called into question, and reformers were forced to acknowledge that their vision would take more time to implement.

The Senate election demonstrated that the ECT was not another "paper tiger" but would use its authority, more authority than some believe is appropriate, to tackle corruption in the election process. Not surprisingly, the ECT came under tremendous criticism. The House became uncomfortable with the action taken by the ECT, particularly when House members realized that they too would soon be candidates falling under the ECT's scrutiny. House and Senate members raised concerns about the neutrality of the ECT and the length of the election process, with all the re-elections, and many proposals were introduced to curb the discretionary authority of the ECT and to oversee its operations. Outside observers argued that the attempts to limit the powers of the ECT were a step backward for the new constitutional reforms and illustrated a lack of sincerity on the part of politicians to truly stamp out corruption. The ECT emerged from the House and Senate debates with some changes in its authority, but managed to keep the bulk of its power.

The January 2001 House elections were also riddled with corruption and further tested the ECT in its enforcement role. Even months before the elections, reports of vote buying were rampant. Banks were reportedly running out of small *baht* bills (fifties and hundreds) due to the huge withdrawals by party canvassers. The Australian Broadcasting Corporation (ABC) even managed to capture vote buying on videotape during a rally hosted by Thai Rak Thai, the current ruling party. Monitors reported that vote buying payouts were the highest in history. The ECT was flooded with thousands of complaints of corruption, and the commission had to schedule re-elections in 62 constituencies. Violations during the re-elections were also widespread, and several leading Chart Thai Party officials were allegedly caught on audiotape discussing vote buying tactics for a re-election exercise and were investigated by the ECT. Violence was also prevalent, and massive protests during the count forced military units to take over several counting stations, and, in some cases, counting stopped altogether.



The elections were noteworthy not only for testing the new constitutional provisions, and for the extent of corruption that took place, but also because of the new government they ushered in. The Thai Rak Thai Party, a party less than three years old, claimed a startling victory. Telecommunications billionaire, Thaksin Shinawatra, was able to build his party virtually overnight by convincing the powerbrokers from other parties to defect to Thai Rak Thai. Thaksin won key factions from the National Aspiration and Chart Thai parties, among others. Many political observers believe that significant financial rewards were offered to induce the party switching, and parties and the media accused Thai Rak Thai of “buying candidates.”

Although attracting key politicians to the party explains part of his success, Thaksin’s victory was also due to his clear four-point platform that resonated with voters. Thaksin promised a subsidy of 30-baht (under \$1) per visit healthcare, a debt moratorium for farmers, an asset management corporation to absorb non-performing loans, and a one million baht (\$22,000) grant for each village (there are over 70,000 villages in total). Thaksin also campaigned on a “protectionist” platform, pledging to protect Thai businesses from foreign ownership and competition. Many believe that the Thai Rak Thai campaign was the first real “issue-based” campaign in Thai history and may demonstrate a shift in political and electoral behavior. Despite doubts about the financial feasibility of these populist proposals during a time when the government is short of cash, people responded positively to Thaksin’s campaign. Voters felt that Thaksin addressed the needs of the average Thai, while former Prime Minister Chuan Leekpai’s administration focused too much effort on bailing out financial institutions in Bangkok.

The party swept into power with 248 of the 500 House seats. It was the first time in history one single party has come close to obtaining a simple majority in the House.<sup>5</sup> The Chart Thai Party and the New Aspiration Party (NAP) joined the coalition with Thaksin, leaving the former ruling Democrat Party in the opposition. In addition, in January 2002, the NAP voted to merge with Thai Rak Thai and will provide the party with a comfortable absolute majority in the House.

### *Current Political Climate*

Thaksin took office after being convicted by the NCCC on charges that he concealed his assets and illegally transferred corporate shares to his employees. The first six months of his leadership were tense as he awaited a final verdict from the Constitutional Court, which could have banned Thaksin from politics for up to five years. On August 3, 2001, he was acquitted by a vote of eight to seven. Although many Thais agree, supporters included, that he made

false declarations, whether intentionally or unintentionally, people are divided about the decision of the court. Some supporters contend that he was not accountable under Article 295 of the constitution because when the case was filed, he no longer held the position for which he made the alleged false declarations. Other Thaksin supporters, however, simply wanted the court to look the other way because they believed that Thaksin holds the answers to the country's social and economic ills. Outraged opponents argued that the decision demonstrates that Thailand is not quite serious about the implementation of the constitutional reforms that promote accountability, transparency, and strong independent institutions. Rather, the decision proves that the promise of an individual takes precedence.

In addition to Thaksin's bumpy start, almost a year after taking office, the public complains that the new government's campaign promises have not been fulfilled and there has been little improvement in the economy. The country's deficit spending continues to grow, and new foreign investment commitments have fallen nearly 40 percent since 2000.<sup>6</sup> Most alarming was a speech given by the King in December 2001, in which he criticized the prime minister for leading the country towards "catastrophe." Moreover, allegations that Thaksin is protecting his own business interests and those of his friends through new government policies, such as the Thai Asset Management Company and new telecommunications legislation, are widespread. Many commentators argue that the new government, like the country, appears to be struggling with the transition from "old-style," patronage-based Thai politics to the reforms envisioned in the new constitution.

Despite criticism and a censure motion planned by the Democrat Party, Thaksin's hold on power has strengthened. With the New Aspiration Party's decision to merge with Thai Rak Thai, the number of party MPs could surge to 300. Moreover, when the Chart Pattana party joins the ruling coalition, Thaksin will control close to 350 seats, enough to combat effectively any censure motion and change the constitution, if desired.

## **Political Party Environment**

Political party development has oscillated since the first legislation allowing for the establishment of parties was enacted in 1946 under the leadership of Pridi Banomyong. (The first, although not officially recognized, political party, the People's Party, however, dates back to 1932; its aim was to end the absolute monarchy.<sup>7</sup>) In 1955, the Political Party Act was adopted to regulate party activities. It provided strict guidelines about party membership, platforms, and activities. Parties had little opportunity to grow before several subsequent military governments subverted them. In 1958, Field Marshal Sarit

Thanarat suspended the constitution and banned the participation of parties, and it was not until 1968 that parties could participate again under a new Royal Act of Political Parties. From 1979 to 1988, parties were permitted to operate, but a military-led government limited their activities.<sup>8</sup> Since 1992, parties have been able to function and grow without interruption.

The formation of Thai political parties did not evolve through the emergence of contesting ideas or ideology, but rather through planned legislative enactment.<sup>9</sup> Thai parties were essentially created for electoral purposes and have always been strictly regulated by the centralized bureaucracy. According to Thai scholar, Anuson Limmanee, “the focus of the laws on regulation of political parties implies not only the low status of this political institution in the Thai political system, but also the real nature of state centralization ... In addition, the regulation reflects an emphasis on uniformity in and supremacy of the centralized state.”<sup>10</sup> Nevertheless, despite the efforts to regulate Thai parties, they have emerged as dynamic, complex entities that are frequently in a state of flux.

As previously mentioned, the 1997 constitution called for new laws on political parties and elections. Although these laws continue to regulate party practices, they are also aimed at strengthening parties as issue-oriented organizations, reducing corruption, such as vote buying, and broadening the base of parties by supporting branch offices.

### *Party Formation and Discipline*

The 1998 Organic Law on Political Parties allows a group of at least 15 citizens, all of at least 20 years of age, to form a party as long as the platform of the party does not “endanger the security of the state or act contrary to law or public order or good morals or a democratic regime of government.”<sup>11</sup> All parties must register with the Registrar, led by the chairperson of the ECT, following which the party must recruit 5,000 members and establish branch offices in each of the four regions of the country within 180 days. Parties do not need to win seats in order to remain registered, as was the case before the 1998 law, allowing parties to exist for advocacy purposes. There are 59 parties currently registered under this new law.<sup>12</sup>

The parties’ internal management, structure, and procedures must be consistent with the constitution and democratic principles. All parties are required to have branch offices, internal elections for party posts, defined member rights and duties, a formal process for dismissing members, and clear rules for candidate selection. The law also defines the requisite positions in the party and the responsibilities associated with these positions. In addition, the constitution includes an unusual provision to protect individual party members

from undemocratic party leadership decisions. The party cannot expel a party MP unless three-quarters of a joint meeting of the party's executive committee and party MPs agree to the expulsion. The MP also has the right to appeal the decision to the Constitutional Court.

The Organic Law on Political Parties contains several provisions to strengthen party discipline and engender party-oriented, over personality-driven, decisions. All candidates for the House must be members of only one party for no fewer than 90 days before nomination day. Once in the House, if MPs defect from their party, they sacrifice their seats. These regulations make party switching nearly impossible and aim to limit personality-oriented campaigns and the "purchasing" of MPs by parties. In addition, the new constitution called for an electoral system that is, in part, a party list system with closed lists. This was implemented to encourage parties to strengthen their electoral appeal as political organizations, rather than as a collection of individuals.

In order to inform party members about the new laws and regulations, the ECT provides training across the country at the party branch offices. Training topics include financial regulations, the rights of branch delegations to vote for party leadership and attend the party convention, and party discipline and structure. Although, according to the ECT, these seminars have sometimes upset party leaders, the ECT continues to receive requests from the branch offices for additional training.

### *Party Financing and Disclosure*

The party law includes several provisions regulating party finance. The law requires the disclosure of donations to parties, authorizes subsidies for parties, and provides in-kind contributions to parties. However, there are no limits on contributions or on party expenditures outside the campaign period. Moreover, there are few restrictions on how parties spend money outside the campaign period. Giving money to voters, for example, is lawful unless it takes place during the campaign period, in which case it is considered vote buying.

The executive committee of the party is responsible for the financial administration of the entire party. The party headquarters is required by law to maintain records of all revenue and expenditures, receipts for donations, and accounts of the assets and liabilities of party officials. Branch offices must submit reports to the party headquarters on a regular basis. The party's financial statements must be audited by a certified public accountant, the results of which have to be approved by the party's general assembly, or convention, by April of every year. The results must also be posted at the party's offices across the country for at least 15 days for public viewing. Within 30 days of approval by the general assembly, the reports are submitted to the Registrar at the ECT,

where they are also made available for public review. However, the ECT reports that few people ever check the reports of parties, other than those candidates who have lost in the election.<sup>13</sup> Failure to submit financial reports or falsification of the reports can result in fines and criminal charges.

The law defines a donation to a party as money, property, or any other benefit that can be ascribed a monetary value, other than membership fees required under the party regulations. It prohibits donations by foreigners, including companies with 25 percent foreign ownership, by state enterprises, and by any organization that “jeopardizes national security.” In addition, no private companies are permitted to make political contributions in ways that “deviate from the standard path for their industry,” and no donations are allowed from contractors that have been awarded government concessions or projects. Any party violating these regulations can be fined and possibly dissolved, and the party member responsible can be imprisoned for a term of two to 10 years. The person giving a donation against the law can face imprisonment or fines.

The revenues received from fundraising activities that involve selling a good or service, such as tables at a dinner, are not considered donations. Therefore, the party does not need to declare these amounts or disclose the names of contributors. As mentioned, there is also no ceiling on contributions, either from within or outside the party. The lack of such limits has allowed extremely wealthy individuals to exert strong influence on the parties. According to reports submitted to the ECT, Prime Minister Thaksin Shinawatra’s wife, Khunying Pojamarn, donated 240 million baht to Thai Rak Thai Party in one year. In addition, with no limit on the amount companies can give, there have been concerns that businesses can exert undue influence on parties.

Parties must file all donations, regardless of their amount, with the ECT. The party must record the names and addresses of contributors, the amounts donated, the names of the party members through whom the donations were made, and the date of the donation. The party must issue three receipts for each financial contribution, one for the donor, one for the recipient, and one for the party to file with the Registrar. Any donations received by party members, independently from the party, must be recorded with the party within seven days. All donations are deposited in a bank account under the name of the party, and the party leader must provide records of the deposit and certification by the bank to the Registrar. Direct donations to the leader of a party must be recorded, sent to the ECT, and posted openly at the party headquarters for at least 15 days. According to the party law, all contributors are entitled to a tax deduction, but the revenue code has not yet been revised to permit such deductions.

In order to track the accumulation of “unusual wealth,” the party law also requires all party leaders, executive committee members, and branch office committee members to submit accounts showing assets and liabilities for themselves, their spouses, and dependent children to the Registrar within 30 days of taking office and within 30 days after leaving office. Although these declarations are not made available to the public, the Constitutional Court or the NCCC can access them if the need arises.<sup>14</sup>

### *Public Subsidies for Parties*

The new party law also provides a fund for the development of political parties, managed by the ECT. The fund provides subsidies to the parties for activities “to strengthen the party,” such as developing branch offices, and the parties must submit their proposals for activities to the ECT for approval. At least half of the allocated funds must be set aside for head office and branch administration, membership recruitment, and civic education. Parties must report on and provide receipts for all expenses paid for from the subsidy to the ECT. If the party is dissolved or fails to comply with disclosure regulations provided in the party law, it must reimburse the subsidy.

The party law also provides in-kind contributions to the parties. The ECT gives grants to the parties to cover postage costs, telephone expenses, and utilities at party headquarters and branch offices. Money must be spent on actual costs, with limits for each item. The party law supplies free television and radio coverage to the parties both during the campaign period and in between elections. Parties with MPs receive free coverage of their activities three times a year, and the number of seats in the House determines the allocation of time. During the campaign period, from the dissolution of the House until the election, the ECT allocates television and radio time to candidates and parties for three types of campaigning: party advertisements, policy discussions, and constituency candidate advertisements. In addition, the election law regulates political advertising provided independently by the stations. There are no regulations or limits on political advertising outside the campaign period.

Originally, the ECT determined the amount of each party’s subsidy by considering equally the number of party members, MPs in the House, and branch offices. Parties creating “phantom” members and branches in order to obtain increased subsidies, however, abused this process. Therefore, in 2001, the committee changed the allocation rules, and the formula is now weighted: 35 percent on the number of MPs; 30 percent on the number of party list votes in last election; 20 percent on the number of party members; and 15 percent on the number of party branches. In 2001, 252 million bath (approximately 5.3 million dollars) was allocated to 43 political parties.<sup>15</sup>

Money for the fund comes from budgetary appropriations; candidate application fees; donations; fines, properties, and assets seized from law offenders; assets from dissolved parties; and interest. The fund is managed by a committee comprised of the chairperson of the ECT, an election commissioner, a representative of the Ministry of Finance, a representative of the budget bureau, three representatives of parties having MPs in the House, one representative from a party with no seats, and the secretary-general of the ECT.

### *Election Laws and Campaign Finance*

The ECT determines the expenditure limits for the campaign period in consultation with the leaders of all parties competing in the election. The campaign period technically begins on the date of the promulgation of a royal decree following dissolution of parliament and ends on the day of the election results declaration. There are separate limits for individual candidates and political parties. In the 2001 House elections, candidates were limited to one million *baht* each (\$22,000), and the party could spend no more than one million *baht* per party list candidate. In addition to placing ceilings on spending, the law also defines legitimate spending. Parties and candidates can spend money on application fees, staff persons, rent, transportation, procurement, media advertising, flyers and publications, postage and utilities, and “other expenses that do not violate legal sanctions.” No candidate or person can give, or promise to give, money, transportation, property, or entertainment to a voter or organization to induce a voter to vote for him or her, any other candidate, or party. However, it is not illegal for citizens to sell their votes. This is to encourage testimony from witnesses in vote buying cases.

All income and expenditures of the party and individual candidates must be recorded with the party treasurer, who files a return with the ECT within 90 days from the announcement of the election results. The ECT’s Party List Election Expenditure Audit Center in Bangkok audits the expenditures of the parties, and the ECT’s constituency audit centers at the provincial level monitor the constituency candidates. The ECT makes all audit results public within 60 days after receiving the returns. Parties and candidates found in violation of these regulations can be subject to fines, imprisonment, and disenfranchisement.

After the results of the election are announced, parties have the right to submit a petition with a complaint of an electoral violation to the ECT within 30 days. The ECT conducts a hearing “without delay” and has the authority to order a recount, mandate a fresh election, and disqualify candidates.

## *Enforcement of Party and Election Laws*

The ECT has demonstrated its commitment to enforcing the new party and election laws in several ways. It has, for example, recommended the dissolution of parties for failing to abide by the law. In July 2001, the ECT sent dissolution requests for 17 parties to the Constitutional Court. Most of the violations involved failing to submit party activity reports to the Registrar, and one party spent its public subsidy on personal items and filed bogus receipts with the ECT. In practice, the Constitutional Court upholds the decisions of the ECT, although it has the right to over-turn them. Short of dissolution, the ECT has also punished parties, usually through fines, for violating the party law. The ECT has also submitted to the criminal court over 380 cases of party officials who have failed to declare their assets and liabilities.<sup>16</sup>

As mentioned, party officials can appeal to the Constitutional Court if they feel that the party has treated them “undemocratically,” and party members have used the appeals process effectively. In February 1998, for instance, the Court ruled that Prachakorn Thai Party’s expulsion of 12 members for joining the ruling coalition of the Democrat Party, despite Prachakorn’s standing in the opposition, was unconstitutional.

The ECT demonstrated its strong enforcement authority during the recent elections. The ECT “yellow-carded” and “red-carded” numerous candidates in the 2000 Senate and 2001 House elections on charges of vote buying, and re-elections were held across the country. A yellow card necessitates fresh elections but does not prohibit the candidate from running again. A red card is given when a candidate can be clearly linked to the corrupt act and therefore he/she is disqualified from running in the new election. Many believe that the strong action taken by the ECT affected the behavior of candidates and parties and contributed to heightened awareness about corruption among the Thai public. Some argue, however, that the ECT action has simply driven corrupt practices underground.

Despite some initial success, the ECT still faces substantial hurdles. The ECT audits all party financial reports, monitors for violations, such as false receipts, and sends investigation teams to crosscheck information filed by parties. The ECT, however, readily admits that it is unable to scrutinize parties effectively. The ECT knows, for example, that parties spend more than they file in their reports, but it does not have the staff capacity to monitor thoroughly. The ECT usually investigates a party only if there is an obvious problem with that party’s reports. In addition, the scope of the ECT’s jurisdiction is narrowly circumscribed. The ECT, for instance, collects declarations of assets and liabilities from all party branch committees, but it has no authority over “party



coordinating centers,” although they operate much the same way. The Thai Rak Thai Party, for example, has hundreds of party centers and, therefore, avoids oversight by the ECT.<sup>17</sup>

The ECT also struggles with maintaining a reputation of neutrality. Many parties as well as independent watchdog organizations have accused ECT officials of impartiality and corruption. ECT central officials have acknowledged that it is difficult to ensure the integrity of ECT employees throughout the country. Even the five election commissioners have come under criticism. In the recent turnover of ECT commissioners, a former police officer who had been accused of corruption and a former politician who had been yellow-carded himself in the previous election were appointed to the commission. Confidence in the independence of the ECT has fallen with the appointment of these new commissioners, and the Thaksin government has been accused of interfering in the ECT’s operations.

The ECT is also facing increased criticism by civic groups for punishing too few politicians following the 2001 general elections. Some observers believe that too many public complaints of vote buying and other illegal acts were ignored. As a result, some civic organizations have started to gather signatures for a petition to oust the five commissioners.

### *Civil Liberties*

Civil liberties, such as freedom of speech, the press, and association shape the environment in which political parties function. Thailand’s constitution provides for freedom of speech and the press, and the government generally respects these rights. The government can, however, limit these freedoms to preserve national security, the rights of others, and so-called “public morals.” In addition, the law prohibits any criticism of the royal family or of Buddhism. Although journalists are generally free to discuss government activities without fear of reprisal, some journalists have admitted to self-censorship with respect to reporting on illegal activities, particularly involving powerful people. Although rare, journalists have been intimidated and even wounded. Most television and radio stations operate under the oversight of the government or military, and stations occasionally censor portions of programs.<sup>18</sup>

Some political observers have expressed concern about the Thaksin administration’s commitment to freedom of speech and of the press, although the government has publicly stated its strong support for press freedom. Shin Corps, Thaksin’s telecommunications company, purchased the private television station I-TV approximately eight months before the general elections. Some commentators reported that I-TV covered the elections and the emergence of

Thai Rak Thai in a biased manner. In fact, within a few weeks after Thaksin took office, 23 I-TV journalists spoke out against what they saw as partisan reporting on the elections and Thai Rak Thai following the Shin takeover. These journalists assert that they were told to omit reports of Thaksin's involvement in certain corruption scandals. I-TV sacked the journalists, outraging academics, NGOs, and press associations, including the Southeast Asian Press Alliance (SEAPA).

Journalists and press associations have also accused the Thaksin administration of stifling the press through advertising contracts and new state monitoring agencies. According to press reports, the government allegedly offered millions worth of advertising to the newspaper, The Nation, in return for less critical coverage, although the government denies these charges. Moreover, the Thaksin administration has created a new state agency, staffed by supporters, which has reportedly edited news stories and provided guidelines to the state-controlled media, alarming journalists.

The constitution protects freedom of association and assembly. Permits are necessary for meetings on public property, but in practice there are few problems obtaining these permits. There are few restrictions on parties' ability to organize, hold rallies and campaign events, and use public spaces.

### External Party Environment

		Yes	No	Comments
1	Is there a law on political parties?	Y		The Organic Law on Political Parties (1998) addresses party finances, internal discipline, disclosure, and state subsidies. The registrar and chair of the ECT enforces the law.
2	Are there laws regulating party finance?	Y		The political party law regulates donations and requires party audits, financial reporting, and disclosure of contributors. However there are no contribution or spending limitations.
2a	Contribution limits?		N	
	Spending limits?		N	
3	Are there campaign finance regulations	Y		The ECT sets campaign expenditure limits for candidates and parties, but contributions are unlimited.
3a	Contribution limits?		N	
3b	Spending limits?	Y		

3c	Filing financial returns?	Y		Candidates must file returns with the ECT within 90 days after the announcement of the election results.
3d	Returns made public?	Y		Financial returns are posted for the public.
4	Can political parties accept contributions from:			Parties cannot accept donations from foreigners, businesses with 25% foreign ownership, or state enterprises.
4a	Businesses?	Y		
4b	Unions?	Y		
4c	Foreign sources?		N	
4d	Can parties own businesses?	Y		
5	Do parties have to reveal the sources of their funding?	Y		The political party law requires all parties to declare the sources of their contributions, regardless of amount, and provide contributors with receipts.
6	Does the state provide public funding to political parties?	Y		The political party law provides a subsidy, as well as in-kind contributions, to parties meeting certain requirements.
7	Are annual financial audits of party accounts required?	Y		The political party law requires parties to conduct annual audits and file financial reports with the ECT. The parties and the ECT post the audit results publicly.
7a	Are audit results made public?	Y		
8	Do party officials have to declare assets and liabilities?	Y		All party MPs, party executive committee members, and branch committee members must declare their and their families' assets and liabilities to the ECT.
8a	Are these declarations made public?		N	Only certain bodies, such as the NCCC, can access this information.
9	Is there an Anti-Corruption Commission?	Y		The NCCC is mandated by the 1997 constitution.
10	Is there an independent Election Commission?	Y		The ECT is independent from the government and parliament.

## POLITICAL PARTY EXPERIENCES<sup>19</sup>

It may be no earth shattering revelation for you to know that desperate efforts to set up a new political grouping in Thailand doesn't necessarily signal a new platform to tackle a certain issue. It simply means that a

group of people has failed to convince others in the old party to come round to their way of thinking. Or that they have refused to come around to the others' way of thinking. Or that they have found a new source of funding which they wouldn't want to share with others. Or that their leaders has decided to side with the other faction. Or that they have decided to side with their leader... Anything but a well-thought out plan to pursue a different policy towards national problems.

- Suthichai Yoon, Editor-in-Chief, The Nation  
Multimedia Group (*Thai Talk*, 1995)<sup>20</sup>

In general, political parties in Thailand are not based on ideology. Party leaders prefer the flexibly to adjust to the immediate interests of voters during the campaign. Consequently, it is often difficult to distinguish the stated policies of one party from another. "Major parties do not differ fundamentally in political and economic programs and ideological orientations."<sup>21</sup> Party switching is also widespread, so even if a party articulates a central ideology, it is unlikely that all party members adhere to that ideology.<sup>22</sup> "Party alliance is not formed on any discernible principle or philosophy. As political platforms are never made explicit and are not what win the election for the parties or the candidates, policy is not an important factor determining alliance formation."<sup>23</sup> However, in recent years, parties have taken on more visible policies and socio-economic alliances.

Parties have frequently been used as instruments to serve the personal interests of party leaders and bosses, and factionalism often defines party behavior. Faction leaders are usually wealthy patrons who extract loyalty from a group of MPs in return for paying election campaign costs, providing access to powerful connections and networks, and financing the "social taxes" of those MPs.<sup>24</sup> "Social taxes" are the expenditures associated with paying for weddings, funerals, religious events, and other activities often expected by citizens, particularly those in rural areas. These faction bosses bring their MPs to the party with the best perks, and if the party fails to meet the faction leader's expectations, he or she will take the "clique" and move to a new party. There is, however, a more complex side to factional relationships than simply financial exchanges. MPs will often align themselves carefully with promising relationships and partners who sometimes share certain social or regional concerns.

Parties tend to be highly centralized, not wielding much influence at the local level, although individual politicians may have strong rural machines and links with local power brokers. Parties play little or no official role in local and provincial elections. According to the new party law, party members from the community select party branch committee members through an election, but most parties report that, in practice, this has not happened and the party

headquarters still selects the branch office leadership. The new party law is trying to change this trend by providing funds for the establishment and activities of branch offices. Furthermore, some party leaders appear to recognize the need to decentralize and say that they are eager to strengthen their constituency outreach.

Political financing is a challenge for Thai political parties, and parties argue that it is difficult to comply with the current laws given public expectations and demands on parties and politicians. Voters expect payments or other rewards from politicians, particularly in rural areas, and this increases campaign costs. Furthermore, politicians must build links with the patronage networks in their constituencies in order to secure victory, and these relationships also cost money or other rewards. Most parties are unable to solicit donations from average citizens, and there is no tradition of contributing small sums of money to support a political party. Although parties have membership fees, they are usually forced to waive them. Therefore, candidates and parties frequently have to raise money through the patronage of wealthy party leaders, faction bosses, and businesspeople who see politics as an opportunity to increase their influence or fortunes. Many wealthy donors, however, want to remain anonymous, forcing parties to accept money “off the record,” clearly a violation of the law. These donors further increase party costs by demanding rewards for their contributions, such as government contracts, concessions, or positions.

It has proven difficult for parties to reduce the influence of donors and faction leaders on the party system without losing tremendous financial support. The former Palang Dharma party led by Chamlong Srimuang reportedly put strict conditions on all donations. All money had to be given in good faith and for the “good of the country.” Donors had to agree to specific conditions, namely, that they could make no demands or ask for any compensation from or positions in the party. The party also would not tolerate vote buying or mud slinging during campaigns. Although these strategies gave Palang Dharma a clean image, it wiped out the party’s financial support by scaring away many donors. Several former Palang Dharma members sadly admit that the Thai political system at the time was not receptive to such efforts, and only the naïve chose to ignore the political realities of money politics.<sup>25</sup>

Some observers, however, believe that politics in Thailand need not require large sums of money. According to one former Palang Dharma leader, the political climate today is much more conducive to a party like Palang Dharma, and citizens are in fact looking for this option. Furthermore, the financial demands made on parties by citizens are greatly exaggerated and should not be used as an “excuse” to abuse money. As one former campaign manager said, “The need for money would be drastically reduced if parties behaved themselves.”

These factors – factionalism, patronage, financial demands, and centralized governance – have hindered transparency and allowed money politics to thrive in the party system. As one former party leader asserts, all parties have their “dark, informal side” – consisting of illegal contributions, participation in vote buying, and rewards to patrons from the government’s coffers. However, all parties also have legitimate structures, transparent aspects of their decision-making and financing, and many committed and hard-working politicians. Party reformers want to rid their parties of the “informal” side and create strong institutions based on policy and ideology instead of relying on powerful individuals and material rewards. Most acknowledge, however, that, to date, parties have implemented few concrete mechanisms on their own to check the influence of money within the party.

## **Thai Rak Thai Party**

### *Background*

Telecommunications billionaire, Thaksin Shinawatra, established the Thai Rak Thai (Thais Love Thais) Party in 1998. Thaksin’s roots are in the Palang Dharma Party, established in 1985 and originally led by General Chamlong Srimuang. Palang Dharma was a small, ethics-oriented party, gaining most of its support from elite, educated Bangkok voters. When Thaksin assumed leadership of the party in the 1990s, however, the party soon lost its electoral appeal.<sup>26</sup> Palang Dharma eventually dissolved, and Thaksin established the Thai Rak Thai Party. Few of the characteristics of Palang Dharma have been carried over to Thai Rak Thai, and the new party was designed to appeal to a mass audience through a broad-based, populist agenda.

Thai Rak Thai grew rapidly, with funding coming largely from Thaksin and his family. According to the ECT, Thaksin’s wife Khunying Potjamarn donated 240 million *baht* to Thai Rak Thai in 2000. Members and factions from other political parties were quick to join the new party, most notably power broker Snoh Thienthong from the New Aspiration Party (NAP), often referred to as the “King Maker,” who brought over 70 politicians with him.

As Thaksin consolidated his party, he also launched his campaign nearly two years ahead of the general elections. The party ran commercials, sponsored events, hosted road shows across the country, and held a convention. As described earlier, Thaksin vigorously promoted his vision for Thailand and laid out four main policy proposals: 30-*baht* per visit healthcare, one million *baht* fund for villages, an asset management corporation to absorb non-performing loans, and debt moratorium for farmers. Thaksin also promised more “protectionist” economic policies, restricting the rights of foreign investors.

This issue-oriented campaign was arguably the first of its kind in Thailand. Thai Rak Thai touted these four issues consistently across the country, and they resonated with voters.

Thai Rak Thai swept into power with 248 seats<sup>27</sup> and with the merger with the New Aspiration Party, depending on the possibility of NAP defections, could see its numbers approach 300. Thai Rak Thai survived its first major challenge when Thaksin was acquitted by the Constitutional Court on charges of fraud in his asset declarations while he was serving in government in 1997. Now the main challenge facing the party, expressed by Thai Rak Thai party officials, is the implementation of the party platform. The party recognizes that the public is impatient for reform. As one official said, “The strength of the party relies on the success of these policies, and the party’s reputation lies on its ability to perform and meet the expectations of the people.”

### *Party’s Perceptions of the Political Environment and Corruption*

The Thai Rak Thai Party repeatedly states that money politics has damaged the political system and the way in which parties operate in Thailand. The party has declared a “war against corruption” and has stressed the need to educate the public at large, starting with young children, and to reward honest officials and citizens. One party leader has proposed that the national school curriculum stress ethical standards, based on Buddhist study. The party declares that it is committed to fighting vote buying and corruption in the political process.

Most party officials, however, also acknowledge that there are many expenses associated with party work. Money is needed to launch campaigns, obtain popular candidates, and hold the parties and festivals demanded by the voters. Party officials report, for example, having to pay allowances to people “volunteering” for the party. Therefore, it is a challenge for the party to meet these financial demands while avoiding money politics.

Thai Rak Thai officials believe that the new constitutional provisions represent significant changes in Thailand’s political system and culture. Although the new laws represent several advantages, several party officials argue that some of the provisions are “unnatural.” According to one official, the Organic Law on Political Parties “forces” parties to develop in a specific way under stringent guidelines and applies “excessive” enforcement measures. Another Thai Rak Thai official observes that the law allows parties to become established too easily but makes it almost impossible for them to survive. Although party officials support disclosure mechanisms -- and in the words of one party official, “the more transparent the better” -- some believe that these

regulations discourage businesspeople from entering politics. According to one party official, “All businesspeople try to reduce their taxes,” and this could get them in trouble when they are required to make declarations. Another complaint from party officials is that the rules are not clear and the wording of the law is at times confusing.

Several party representatives have also expressed distrust of the independent bodies, such as the NCCC and the ECT, and believe that they should be monitored and “checked” by the government. Thaksin has proposed to limit the powers of the accountability bodies and to set up parliamentary oversight committees to monitor the activities of the NCCC and ECT. In addition, several Thai Rak Thai officials have proposed the establishment of “another NCCC” that is staffed by “the people” to counterbalance the current body. Some party officials have stated that the NCCC should be focusing its attention on catching “big fish” and should not spend time on “harmless” cases. Moreover, Thaksin has spoken out against “the ability of the Constitutional Court to ban a prime minister from politics” and has proposed to “clip the wings” of the Court and other independent bodies. Other party officials, however, explain that the party has no intention of limiting the powers of the independent bodies but rather wants to see the bodies “refocus and rethink their objectives.”

### *Party Structure and Decision-Making*

The executive committee of the party includes 120 members who are elected at the general assembly meeting, along with the party leader, although the committee may be expanded to include the leadership of the NAP. The party also has 22 deputy leader positions. There are several committees under the leader, including the political committee, academic committee, and the consideration committee for nominating candidates for elections. The secretary-general oversees the party’s spokesperson and public relations office and the administration and management office.<sup>28</sup> The general assembly is comprised of MPs and representatives from coordinating centers across the country. There are no term limits for the party leader or the committee officials.

The party is currently restructuring itself to manage its rapid growth and decentralize its operations. Thai Rak Thai boasts of 10 million members, although the party has only established four branch offices, as required by law. The party instead calls its local offices “coordinating centers.” Party officials say that this is, in part, to avoid the declaration of assets and liabilities required of all branch officials by the ECT and in part because the party wants to establish branch offices slowly in order “to avoid mistakes.” Representatives from the party also assert that it has been difficult to establish branches in the short time it has been registered, and it is trying to “catch up” with its fast growth.



The party's coordinating centers, or regional committees, exist in the north, northeast, central region, and the south. The responsibilities of the committees are to select "suitable local politicians" to join the party, develop guidelines for party policies at the regional level, develop regional budgets, and evaluate regional operations.

According to virtually all reports from within and outside the party, the decision-making process in Thai Rak Thai is highly centralized, and the party is often accused of being a "one-man show." Thaksin's ideas and platform have been the party's ideas and platform, and he formed the party based on his vision and agenda. Everyone who subsequently joined the party agreed with the measures outlined by Thaksin, and therefore party members and officials did not have a voice in the formulation of the campaign or the campaign message. Moreover, the founders of the party alone identified Thai Rak Thai candidates for the House elections, without broad membership input.

Thai Rak Thai officials explain that the party is new and will become more consultative and democratic over time. Officials also add that the leadership must proceed with caution in "democratizing" the party in order to hold the party together. A big challenge for Thai Rak Thai is to manage the collection of diverse factions and interests that compose the party. Party members believe that it is necessary for the party first to build a strong, centralized foundation and institutionalize its principles in order to avoid splintering before allowing more democratic procedures. Furthermore, many Thai Rak Thai officials explain that although party members and candidates did not participate in devising the party's platform, Thaksin consulted with many experts, academics, and citizens before formulating his agenda for the new party. In fact, officials from other parties acknowledge that Thaksin's policy development process was from the "grassroots."

Supporting the argument that public opinion drives the party's agenda, Thai Rak Thai uses public opinion surveys. The party believes that polling is essential in identifying strategies that are responsive to the needs of the people, and, according to one senior Thai Rak Thai official, the party "cannot trust the press to report the sentiments of the Thais accurately." By determining party policy through polling, the party has to justify any policy positions that are not consistent with public opinion, enhancing accountability and transparency in the platform development process and highlighting any acts of patronage or vested interests. Public opinion research is a technique that is relatively new to Thai political parties, and Thai Rak Thai boasts that it is on the cutting edge of party professionalism.

Although the party has formal decision-making procedures, with major decisions requiring approval from specified bodies within the party, the party also has informal mechanisms for making decisions. Officials acknowledge that a few key leaders may make party decisions without going through official approval processes. Many party members argue that these informal mechanisms are necessary in all parties for efficiency.

### *Money Management and Party Financing*

Most of Thai Rak Thai's funding comes from the Thaksin family, according to ECT reports. The party does not own any businesses, although the Thaksin family does. Thai Rak Thai also receives 83 million *baht* from the government's party fund, and the amount will increase in the next year due to the party's growth. According to one party official, the party fund, although not necessarily needed for financial reasons, is essential to ensure that "the prime minister does not dominate the party alone." As the party diversifies its funding, it also diversifies the control structure in the party.

Fundraising takes place at the party headquarters. Coordinating centers can raise small amounts of money for local candidates, but money for party purposes must go through the headquarters. Candidates are responsible for funding their own campaigns, although the party provides posters and other materials. Party officials report that it is difficult to raise money from average citizens, but corporations and wealthy individuals are interested in contributing.

The party will accept money from all sources permitted under the law. Party officials acknowledge that it is difficult to accept money from "dark" sources because of the vigilant press. The party does not have any specific restrictions on donors, such as the tough conditions championed by Thaksin's former party, Palang Dharma. Party officials assert that neither outside donors nor internal patrons influence party behavior, and it is "impossible" for donors or other influential people to obtain important positions in the party or government without strong qualifications. According to party members, Thaksin makes it very clear to donors that influence "is not tolerated." Those outside the party, however, contradict these statements by pointing to several of Thaksin's cabinet ministers who are former business associates or powerful patrons with questionable professional qualifications.

### *Ethical Standards and Discipline*

The party has a "code of conduct" for all new members, based on the government code for parliamentarians.<sup>29</sup> The code is included in the party's regulations, and although members do not sign it, they must pledge to follow

the regulations. This code includes 12 principles to which all members must adhere. These are:

- Respect and worship the institutions of Nation, Buddhism, and King, and the democratic regime with the King as the head of state.
- Adhere to the regulations, policies, and resolutions of the executive committee, the orders of the committee officials, and the party proclamations.
- Do not use members to seek personal interest or the interests of others in a manner against the law, regulations, and good morality in society.
- Do not conceal or neglect to inform the party of any wrongdoing by members that may ruin the party's reputation.
- Do not violate the law or good morality and do not conduct any act that sets a bad example and is condemned by the public.
- Respect the resolutions of the executive committee relevant to selecting suitable candidates for the election to the House of Representatives.
- Behave and work morally and legitimately.
- Adhere to the principles of the party as outlined in the party's policies.
- Be responsible for your duties in the party.
- Honestly report and be responsible for the information on the membership application form.
- Do not join another political party or hold any position in another political party while a member of Thai Rak Thai.

There is no official monitoring process in the party, and the party tracks the behavior of members informally. According to one party official, "We always seem to know when there is a problem." During the weekly meeting of MPs and ministers, people have the opportunity to raise concerns about party members, and it is through this forum that complaints about discipline usually arise. The party has a disciplinary committee to hear cases against members. The party leader alone chooses five people to form the discipline committee, and the executive committee endorses them. The discipline committee ensures that members adhere to the code of conduct, submits new laws and regulations to the executive committee, and investigates and considers accusations against members. A member of the executive committee or at least 20 party members can submit a petition to the disciplinary committee. The executive committee determines the verdict and punishment.<sup>30</sup> Party officials acknowledge that "of course" there have been disciplinary problems and this is "normal for Thailand."

Party officials explain that Thaksin influences the conduct of party members and sets an ethical example for the party. He often speaks about the harmful effects of corruption and his intolerance for corrupt behavior, and this, party officials claim, has a positive impact on the party. One party official

reported that Thaksin often says to members, “If you need money and are tempted by bad sources, please come to me instead and I’ll help you.” Moreover, the party reports that a vigilant press is the best preventative measure.

## **New Aspiration Party (NAP)**<sup>31</sup>

### *Background*

Former supreme military commander, General Chavalit Yongchaiyut, formed the New Aspiration Party (NAP) in 1990. Soon after its establishment, the party became a powerful electoral machine, recruiting popular politicians from other parties and establishing an extensive organizational structure. The party was victorious in the 1996 elections, capturing the House with 125 members and forming the coalition government. This victory, however, was short-lived. With the onslaught of the economic crisis, then-Prime Minister Chavalit was forced to resign in November 1997 amid severe criticism, and he joined the opposition when Chuan formed a new coalition government.

During his military duty, General Chavalit was active in the fight against communist insurgents and was involved in the military’s “pro-democracy” efforts. He formed NAP on a platform of expanded democracy in Thailand, and the party participated in the rallies with student activists and democrats against Suchinda during the 1991 *coup*. NAP is viewed as an “Isaan” (northeast region) party, appealing to the needs of the predominately farming population in the northeast. The party is considered more populist in its appeal, demanding greater decentralization and promoting local economic activities. The party has consistently focused its economic platform on the financial gap between the rural and urban populations. NAP advocates an economic strategy with a strong emphasis on national sovereignty and one that is cautious about the trends of globalization. General Chavalit often refers to foreign companies and investors as “neo-colonists” and has resisted the more liberal economic approach advocated by other parties. The party lobbied strongly against the Democrat administration’s agreement with foreign lending conditions during the economic crisis.<sup>32</sup>

NAP lost many of its key members prior to the 2001 House elections, including the powerful Snoh Thienthong and his 70 followers who defected to Thai Rak Thai, establishing the *Wang Nam Yen* faction. NAP won 34 seats in the 2001 elections and became the fourth-largest party in the House. However, in January 2002, the party voted to join Thai Rak Thai with a vote of 149 in favor and 84 against. Those in favor of the merger argued that the survival of small parties is not guaranteed in Thailand, as the last election demonstrated a

movement toward a two party system. Dissenters, however, were furious at the inevitable submersion of the NAP ideology to that of Thai Rak Thai and have serious misgivings about Thaksin's leadership. Once the NAP is dissolved, members will have 60 days within which to decide to join Thai Rak Thai, defect to a different party, or form a new party.

Although Thai Rak Thai unanimously voted to accept the NAP into its fold, there are members of Thai Rak Thai who are reportedly displeased with the merger as well, namely Snoh Thienthong. He will now have to join together again with a former foe -- the party he left under negative circumstances -- and may have to sacrifice some of his power in Thai Rak Thai to accommodate the NAP leadership.

### *Party's Perceptions of the Political Environment and Corruption*

NAP representatives acknowledge that corruption is a severe problem in the country and affects the environment in which parties function. The party includes "fighting corruption" in its platform and has proposed several broad solutions to the problem. First, education, particularly civic education, is needed, starting with children. Second, there must be active campaigns on social values and ethical behavior. Ordinary, honest citizens should be promoted, and attempts must be made to wipe out, in the words of one NAP official, "the Thais' fascination with and automatic respect for the wealthy and elite." Third, people's earning capacity must be improved and people should have access to capital to start and maintain businesses.

Party leaders report that the new laws, such as the party and election laws, represent a step forward for democracy. According to one senior NAP minister, people do not have a good sense of how parties are supposed to function and the laws help "demystify parties" and increase transparency. The laws allow people to view the inner workings of the parties and force accountability, and the new constitution and regulations have increased the public's understanding of democracy and corruption. The same minister added that there is "less tolerance than ever" for bad behavior, and parties must worry about their public image.

Some NAP party officials, however, also criticize what they describe as an underlying assumption in the constitution that all politicians are bad. This assumption not only damages the image of parties but also discourages more popular participation in the party system, which is essential to the growth of democracy in Thailand. Furthermore, several NAP officials have expressed concern that some clauses in the constitution are vague and unintentionally created loopholes that should be closed.

## *Party Structure and Decision-Making*

NAP has an executive committee of almost 70 members, a small executive board of 10 to 12 people, a general assembly, and 267 branch offices. The party has several committees paralleling the committees in parliament, such as foreign relations, finance, and legal. The executive committee appoints the members of these policy committees. This structure will change with the merger with Thai Rak Thai, and it is unclear what authority NAP's executive committee members and leaders will have in the new party.

According to party officials, the secretary-general and party leader have historically made major decisions in NAP. The party's by-laws, however, allow for some membership involvement in decisions. The executive committee or at least 100 general members, including 20 members from each region, for example, can propose amendments to party regulations. These amendments, however, have to be approved by at least one-third of the executive committee or half of the general assembly. In practice, neither members nor the general assembly have contradicted the leaders on party decisions, although some members have occasionally raised questions about the party budget.

Party officials report that the new constitution and legislation have altered the decision-making process in the party, namely by "counterbalancing the powers of financiers and patrons." Patrons who once were able to influence party policy and use the party to "build up their resources," are no longer able to control the majority as they used to do, according to one party MP. The party law requires general assembly meetings and more democratic procedures within parties. NAP proceedings and decisions are thus open to scrutiny by members, and major party policies require a vote. In the words of one NAP official, "Now decisions are made by majority and not by a few influential people." Informal decision making within the party is also not as tolerated as before. When a group of senior members held an informal meeting to discuss the merger with Thai Rak Thai, for example, party leader Chavalit dismissed the person who called the meeting because the meeting did not follow the required procedures. Party MPs also report that the party fund has helped reduce the influence of patrons by providing an independent source of money for the party.

The internal election process for party posts has also changed. According to one NAP MP, "Vote buying used to be prevalent in the party elections, and there was never a true merit system for posts. Now, however, it is more difficult to purchase party members and influence their voting decisions." Members are more aware of their rights to participate in the party and recognize their duty to their constituents. Moreover, with growing public

awareness and a strong press, according to one party MP, Thai parties can no longer give high posts to financiers unless they have other strong qualifications or the image of the party would be damaged.

### *Money Management and Party Fundraising*

The main source of NAP's funding comes from donations to the party. Party ministers and MPs also are requested to pay a percentage of their salary to the party. Ministers give approximately 10 percent of their salaries, and MPs give approximately five percent. Party officials acknowledge that often contributors, including those within the party, expect certain rewards for their contributions. However, as mentioned above, financiers have less influence on the party since the implementation of the new party and election laws.

The party became much smaller following the 2001 elections and does not attract the same financial support it did in the past, as many donors prefer to give to parties in power. According to one MP, the party used to have a special fund for MPs to pay the "social taxes" in the villages. Various investors and businesspersons sponsored this fund. The fund was abolished, due to the decrease in donations. Although the lack of funds has put NAP politicians in a difficult position, one party MP believes that it represents a positive change. "Now MPs must reinvent themselves and their role," he said. "They need to explain to the public why they cannot give money anymore."

The party has a professional treasurer and accountant, and the party's audit results are made available to all party members as well as the general public, as prescribed by law. However, certain party officials concede that the information reported in the audit probably does not include all the financial transactions in and out of the party. Some donors, particularly companies, request anonymity, and therefore NAP, like other Thai parties, does not report these donations. Party officials also admit to the possibility that the party has accepted funding from "dark, anonymous sources." With increased scrutiny from the ECT and the media, however, party officials assert that the party is much more careful about its sources of funds and refuses money from obvious illegal sources.

### *Ethical Standards and Discipline*

NAP has an oath to uphold the party principles: "Resolve to serve the general masses, determine to bring about a prosperous and dignified country, vow to uphold with reverence the Chakkri Dynasty, and stand to preserve noble deeds and propriety." The party also has a code of conduct.<sup>33</sup> The code requires members to:

- Adhere to the principles and policies of the party.
- Follow the regulations or the resolution of the executive committee, executive board, regional committees, branch committees, as well as the orders of the party leader.
- Maintain and keep the reputation of the party by not committing any derogatory acts.
- Encourage, support, and promote the principles of the party.
- Encourage and promote the activities of the party.
- Support party candidates for the election without any conditions.
- Not commit any act indicating divisiveness in the party or causing divisions in the party.
- Not illegally seek benefits on behalf of the party.

According to one party official, codes of conduct are “irrelevant.” Unless enforced, they are only about the party’s image. There are no conflict of interest clauses for party officials or other mechanisms that directly regulate party members’ conduct. Party representatives report that it would be “difficult to get members to agree with such stern regulations.”

If a disciplinary problem comes to the attention of party officials, the party leader appoints a committee to investigate, and the accused is provided the opportunity to defend himself or herself. When the hearing ends, the committee suggests a verdict to the leader, who determines the punishment. According to one senior official, the party first tries to “help the person and save his reputation.” Only in severe cases has the party officially punished a member, when it was obvious that his or her actions would be revealed to the public.

Party representatives report that the laws established by the new constitution improved internal party discipline. The stringent measures of the ECT affected party behavior, as party members realized that their actions are more vulnerable to public exposure. The party also taught its members about the laws and emphasized disciplinary development. In particular, the party leadership lectured candidates about vote buying and how harmful punishment from the ECT could be to the reputation of the party. The training seminars took place across the country through the branches, and the party encouraged monks to participate as facilitators and used religious values as guidelines for ethical behavior.

Both the small size of the party and its inability to raise large amounts of money have affected party behavior. One official argues that the party has started relying on the “only resource we have – policies.”



## **Democrat Party**

### *Background*

The Democrat Party is the oldest party in Thailand, established in 1946 by a group of supporters of then-Prime Minister Kuang Aphaiwong in favor of enhanced democracy in the political system. The party's ability to participate in politics was periodically interrupted over the next few decades as the country fell under authoritarian rule. For an entire decade, from 1958 to 1968, the party had to stop functioning completely due to the dictatorial regime of Field Marshal Sarit Thanarat. In the 1970s, the party lobbied for democracy and an end to military rule and started to attract young scholars and civic leaders. The party participated actively in the student protests in 1973 against the dictatorship of Thanom Kittikhachorn. Again in the early 1990s, under the new leadership of Chuan Leekpai, the party rallied together with students and democrats to oppose *coup* leader General Suchinda Kraprayoon and the national peacekeeping council (NPKC). The party has its stronghold in the south, the home of party leader Chuan Leekpai.

The Democrat Party promotes a liberal economy and conservative fiscal policy, which the party terms, "economic professionalism." The party supports developing monetary instruments and enhancing the market in order to increase savings.<sup>34</sup> It believes in encouraging foreign investment and agreed with the measures mandated by the International Monetary Fund (IMF) and World Bank following the 1997 crisis. The party advocates for the independence of the Bank of Thailand and the Security Exchange Commission to insulate these bodies from undue political influence.

Some commentators, particularly in the NGO community, have criticized the party for being elitist and argue that the Democrats focused too much on the needs of businesspeople and financial institutions during the economic crisis at the expense of the poor and rural populations. The party defends its policies, asserting that they address the long-term strength and stability of the economy, and the party cautions against "quick-fix," populist solutions. In particular, the party has expressed concern about the temptation of politicians in Thailand to promote a "benevolent dictator" model of governance, in which a leader restricts certain liberties to control the economy and enhance political stability.

The party assumed control of the government in 1997 following a no confidence motion against Prime Minister Chavalit Yongchaiyut's administration, and the Democrat government was the first in history to complete a full term. However, the party lost the government in the landslide victory of Thai

Rak Thai in the 2001 House elections, although it held on to 128 seats.<sup>35</sup> This defeat was a catalyst for a massive reform process within the party. The party has pledged to “professionalize” and focus on developing a new management structure and policy agenda. Party leaders acknowledge that the Thai Rak Thai Party was more responsive to the public’s desires during the last election and that the Democrat Party is sometimes viewed as aloof and too bureaucratic. The party is confident, however, that it will rebuild its support and continue to appeal to voters as it has for over 50 years.

### *Party’s Perceptions of the Political Environment and Corruption*

When discussing political finance and corruption, the Democrat Party believes in focusing on the way in which the current legal framework affects parties. According to party leaders, the new Organic Law on Political Parties and Election Law represent some positive fundamental changes in party financing and accountability. In many ways, the new requirements have induced shifts in behavior on the part of the parties to enhance transparency and democratic decision-making. Although full implementation of the laws will take some time, overall, Democrat officials believe that the laws have been effective in limiting corruption and money politics.

Many Democrat representatives complain, however, that the laws are still not sufficient. First, there are no limits on contribution amounts. The Democrat Party believes that this puts them at a distinct disadvantage because of Thai Rak Thai Leader Thaksin Shinawatra’s family money. Party officials admit that when the laws were first drafted no one expected that this loophole would put parties on such an uneven playing field. Second, the spending limits for parties are only in force during the official campaign period. However, campaigning can start two years in advance, allowing parties to spend exorbitant amounts of money without any restrictions or limits. The Democrats are working with several institutes and academics to propose a bill to limit contributions and spending at all times.

Democrat Party MPs, like Thai Rak Thai officials, have also complained that some of the new laws are excessive and make it difficult for the party to operate because of the onerous reporting requirements they impose. If a candidate uses his or her own car, for example, he or she must calculate the rental value of the car and report it as expenditure. Other party officials, however, argue that the rules are acceptable as long as they are enforced fairly and equally across parties. Several party officials have also asserted that the state subsidy for parties is too small, and the formula to determine allocations should be revisited. The allocation amount is based in part on party membership, and the party points out that the definition of a party member is often

unclear and there are so-called “phantom” members in parties. Moreover, Democrat party officials have expressed disappointment in the inflexibility of the ECT regarding how money from the subsidy can be spent. In one case, the party claimed that it wanted to spend part of its party fund allocation on research but did not get approval from the ECT.

With respect to disclosure, a few party officials, like those in Thai Rak Thai, have indicated that the declaration of assets and liabilities for branch chairs is excessive. Although they agree that candidates and high-level party officials should submit declarations, some officials believe that there should be greater leniency with the branch office chairs. The party reports that the declaration requirements have discouraged “qualified people” from taking branch chair positions because they would like to maintain their financial privacy.

In addition to concerns about how the legal framework affects the party, the Democrats are worried about the impact of the media on the party system. Party officials have questioned the neutrality of several key media sources. The party alleges, for example, that wealthy parties are influencing journalists, and newspapers are too dependent on advertising income, making them easy targets for party and government interference. The Democrat Party is especially troubled by Thaksin’s acquisition of I-TV and believes it has harmed the objectivity of this valued source of news and information.

In general, party officials acknowledge that it is extremely difficult to enforce ethical behavior and prevent money politics because of Thai political culture. Some politicians spend up to one million *baht* (\$22,000) a month on weddings, funerals, and other activities, the so-called “social tax,” for their constituents. In the words of one senior Democrat, “Many honest MPs are in trouble” because they refuse to accept the money of a patron to provide these expected services. In Bangkok, the problem is reportedly not as acute, since citizens do not have the same expectations and often disapprove of “social taxing.”

### *Party Structure and Decision-Making*

As the oldest party in Thailand, the Democrat Party has been able to implement a clear structure and decision-making process over the years. Even other party officials admit that the Democrat Party is the most institutionalized of the parties and follows defined procedures. The party’s broadest body is a general assembly of approximately 300 people, including party MPs, executive committee members, and branch office chairs. The party leader and 40-member executive committee are elected by the general assembly.

There is also a smaller executive board of 18 members, including the party leader, the secretary-general, several MPs, and party officials. The party's secretary-general oversees the branch offices and committees, and the party's director manages personnel, accounting, conferences, public relations, information services, and registration. There are no term limits for positions in the party, but the party has had five different party leaders over the past 56 years, indicating turnover.<sup>36</sup>

The internal party election process operates smoothly, according to party leaders, and party officials report that there is no vote buying or manipulation. Fourteen years ago, there was a rift in the party between two camps, leading to vicious lobbying during the party elections and an eventual split in the party. The party claims it has since "learned its lesson" and will not tolerate coercive factionalism or election manipulation. Competitiveness, however, is encouraged, and the current party leader Chuan Leekpai has not always won by a large margin, demonstrating, according to one leader, "healthy democracy within the party." Nonetheless, some party officials still complain that "not all votes are equal" in the internal election process, as those with power can influence outcomes through effective lobbying and vote buying.

Party officials define the party's decision-making process as democratic, and general assembly members are able to vote on key policies. The party also conducts public opinion polls to aid party decision-making and has established policy committees to manage activities for the party on a variety of issues. Some decisions in the party, however, are made unilaterally. According to several party members decisions made in the committees have been "top down" and opaque with no broader membership endorsement or approval. Furthermore, there are currently no elections to determine the policy committee's composition. Party officials also report that in the past candidates have been chosen by the leadership without broader consultation. According to one party member, only a few key leaders in the party determined the party list in 2001. The party is currently revamping its internal structure and plans to reduce the number of committees and give them more defined functional responsibilities, such as policy formulation, foreign affairs, conferences, and fundraising. The party also pledges to develop a more consultative and democratic decision-making process.

Democrat members at the local level elect the chairs and committees of the approximately 300 branch offices, including regional, provincial, and constituency committees. Branches conduct local party activities and have the authority to nominate candidates for the general elections, although the party headquarters must approve all nominations. In the past, there have admittedly

been “nasty conflicts” between the branches and headquarters over the nomination process, which, the party asserts, is inevitable when competition is fierce. Local branches must keep party headquarters informed about their initiatives by submitting financial and activity reports, a requirement imposed by the ECT.

The party is in the process of further decentralizing its operations by creating additional branch offices. According to party leaders, this is a challenge because the party wants to make sure that there is consistency in standards across all the branch offices. As one party official stated, “There is a trade-off between decentralization and cohesiveness.” He also asserted that the party wants to set up branches only when the “fundamentals are there to establish *quality* branches.”

As mentioned, the party is going through a reform process, including restructuring the way in which the party is managed and protecting against possible conflicts of interest. The party has determined that MPs and party leaders should not manage the day-to-day affairs of the party. First, according to one party official, it may present a conflict of interest to be involved in the government and party management. Second, managing the party is a full-time responsibility. The party wants MPs to focus on legislation and not party matters. Instead, the party will select “professionals” to run the party. A special administrative committee is being considered to complement the existing executive committee and board, and this committee would include professionals tasked with handling administrative affairs for the party.

Another part of the reform effort includes holding training seminars across the country to inform members of the new party laws and regulations, discuss policy concerns, and develop an effective platform. The party is trying to develop more responsive policies and has developed working groups of MPs, academics, economists, and others to draft party policy. The party also plans to expand its use of public opinion polling and focus groups.

### *Money Management and Party Fundraising*

Party officials report that one way in which the party has avoided domination by one individual or faction is through the diversification of party funds. The party has never had to rely on one person or source for funding. Moreover, all party MPs must give between 5 and 10 percent of their salary to the party, depending on their salary and position in government. This practice has given people a stake in the party and helped to prevent the domination of one funding source. Diversity of funding, according to party officials, has preserved the independence of party members and enabled the party to survive leadership changes.

Fundraising is conducted at all levels of the party. Branch offices keep the money they raise locally, although they must report revenues to the party headquarters. Branch offices usually inform the headquarters of all fundraising activities in advance, and party officials claim that the headquarters would know if local officials were abusing their positions in this process.

Party leaders claim that the party faces the challenge of raising sufficient funds to conduct activities, although according to ECT figures the party raised more revenue than any other party in the last election. The party currently receives most of its money through fundraising dinners and some contributions. The party has essentially waived its membership fees. Leaders report that they tried a direct mail campaign, but the results were mixed. According to one party leader, people have been “genuinely offended” by requests for money from the party, particularly given the economic slowdown. Individual donations are not only unusual but also not worth it because the sums are small and the party must report all amounts to the ECT, a time-consuming process. Party officials complain, for example, that to follow the law they must collect copies of ID cards for every donor, even on a 100 *baht* donation.

Party officials explain that companies are hesitant to give money to the party under the new disclosure laws. Companies want to maintain their anonymity, because if the party does not win, they fear “retaliation” by the new government. Party officials admit that all parties still take money from companies but keep the donations “off the record.” According to one senior Democrat MP, this has forced parties to operate in a non-transparent manner. He added that party finances in Thailand are still “in the Twilight Zone.”

Party officials acknowledge that donors naturally expect some returns on their investments and add that this is true everywhere in the world. According to one party leader, however, rich businesspersons cannot automatically claim positions in the Democrat Party as they can in other parties. In fact, several new businesspersons who joined the party were forced to the bottom of the party list.

A team of professional accountants manages all party money, and the party conducts an annual audit, which is approved by the general assembly. In the annual budget, the party creates different categories of expenditures based on projections, such as salaries, per diem, supplies, rent, etc. The party leader, with the consent of the executive committee, must approve any expenses that are not included in the annual budget. All accounts of the head and branch offices include a journal indicating revenues and expenditures, receipts from donations, a ledger, and a statement of assets and liabilities. The executive committee manages the party’s bank account.

## *Ethical Standards and Discipline*

Although the party has no official mechanisms to ensure the ethical behavior of its members, such as signed membership contracts, conflict of interest clauses, or internal monitoring procedures, party officials explain that it relies on “trusted individuals” of the party to reflect a positive and clean image. According to one party official, the five party leaders since the party’s establishment have been beyond reproach and have set a good example for the party. Senior party officials assert that party leader Chuan Leekpai plays an active role in emphasizing integrity. Observers outside the party, however, argue that although the party leader may be honest, other powerful party officials do not have similar reputations, such as the former interior minister who was prohibited from engaging in political activity after being convicted of corruption.

The party established criteria for candidate selection, and there is a screening committee at both the regional level and headquarters. The Democrat Party, for example, often rejects candidates who have defected from another party. In particular, the party claims that it refuses defectors *en masse* because it wants to avoid factionalism within the party.

Party officials acknowledge that it is impossible to screen out all dishonest persons. However, corrupt members, allegedly, do not last long because of the party’s emphasis on “working your way to the top.” According to party leaders, there is an unwritten rule in the Democrat Party that everyone must put in their time, learn about the party, and demonstrate their capabilities before being offered a position or candidacy. As one official said, “Patience is required... therefore, corrupt politicians find it easier to go to other parties to guarantee their success.” Others in the party, however, have reported that this process is too slow and old-fashioned and does not give young, ambitious members the opportunity to move up the ladder more quickly based on their merits.

The party has a code of conduct in the party regulations manual,<sup>37</sup> although members do not sign this code. There are five main points included in the code:

- Members shall adhere to the principles of the party as they appear in the policies of the party and shall follow the party regulations and the resolutions of the executive committee.
- Members shall not commit any act indicating division in the party or causing a split in the party.
- Members shall not commit any act in pursuit of his or her interests.

- Members shall follow the resolutions and regulations prescribed by meetings of members of the House of Representatives.
- Members shall behave and not hurt the reputation of the party.

The party monitors its members through an informal, “multi-tiered” approach. The regional party representatives look out for the provinces, and the provinces observe the constituencies. In response to any wrongdoing, a member of the executive committee or at least 20 party members can submit a petition to the party leader. The leader then has the power to investigate himself or herself, or assign another member or team of members to investigate. If there is reasonable cause, the leader can make a decision or appoint at least three members to a disciplinary committee to consider the case. The accused has the right to defend himself or herself, and the leader determines the penalties. In the case of termination, the executive committee must approve of the punishment by a simple majority.<sup>38</sup> For members of the House, the country’s constitution also provides an appeals process regarding expulsion.

Even though there are defined disciplinary procedures, officials report that the party prefers to handle infractions the informal “Thai way.” According to a senior party official, Thai culture is not confrontational, and therefore the party uses direct discipline “only as a last resort.”

## **Chart Pattana Party**

### *Background*

Chart Pattana was established in 1995 to support Chatichai Chuhavan Choonhaven, former leader of the Thai Nation Party. Since its establishment, the party has been able to gain quickly several seats in the House and has served as an important partner in both government and opposition coalitions. Although Chart Pattana is a relatively small party, it has wielded substantial influence in the parliament. The party’s current leader is Korn Dabbaransi. The party won 29 seats<sup>39</sup> in the last election and is currently in the opposition, although it is deliberating on whether or not to join Thai Rak Thai’s ruling coalition.

### *Party’s Perceptions of the Political Environment and Corruption*

In the words of Korn Dabbaransi, the party’s leader, “Corruption is in the hands of 35 plus one.” In other words, the 35 ministers and the prime minister hold the keys to corruption opportunities in the country. The ministers and the bureaucracy have the power to be corrupt because they have the favors to offer, such as licenses, contracts, and concessions. Korn Dabbaransi



argues that although the ministers come from political parties, the political parties themselves are not the source of the problem of corruption, despite having “authorized” it. The Chart Pattana Party Leader asserts that only when a party is in a position of power can corruption take place.

The party believes that the culture of vote buying in the country is changing. The Thai public, according to one party official, is “learning how to vote” and beginning to focus on the policies of parties. Chart Pattana believes that each election will get cleaner as citizens increase their understanding of democracy.

Chart Pattana believes that the independent bodies, such as the ECT and NCCC, are effective, particularly given their infancy. The party feels, however, that these bodies need to be monitored as well and should not wield absolute authority. According to party officials, these bodies are not “above influence” and can be subject to the same dark forces that affect government. In terms of the legislative framework for parties, Chart Pattana reports that the political party law has helped increase transparency, and this, the party leader believes, is a positive trend. The regulations are fair, and no limits on contributions are needed as long as everything is transparent. If voters can see where the money is coming from, they have the right to decide whether they approve or disapprove. According to the party, the laws have put more power in the hands of voters.

### *Party Structure and Decision-Making*

The executive board, the party’s MPs, and the general assembly determine the party’s main platform and agenda. Party members can participate in policy formulation through the branch offices, representatives from which attend the party convention. The party has approximately three million members across the country and is in the process of establishing branch offices in all 400 constituencies. The party claims that it gives significant power to the branch offices. According to Chart Pattana’s leader, for example, branch offices nominate candidates from their constituencies. Although the executive board still must approve these nominations, the party leader asserts that the branches “have the strongest say.”

Overall, the party officials believe that it is critical to have a democratic decision-making process within the party. It acknowledges, however, that often the executive board needs to make quick decisions without consulting members, and there is therefore occasionally a trade-off between efficiency and democratic decision-making. There are also reports both within and outside the party that the deputy leader wields tremendous authority and influences party decision-making.

## *Money Management and Party Fundraising*

The party is funded mostly by contributions from individual donors and corporations, as well as the political party subsidy. Donors, party officials admit, expect a reward in return for their contributions, but, in the words of the party leader, “As long as the party can explain to the voters, there should be no problem.” The party has never turned down any financial contributions. Party MPs do not have to donate part of their salaries to the party, although several members choose to make contributions.

The party conducts an annual audit and completes a financial report for the ECT, including all sources of funding and expenditures. The party posts this report on the bulletin board of the party, allowing any member of the public access, as required by law.

## *Ethical Standards and Discipline*

According to the party leader, Chart Pattana will not tolerate unethical behavior, and the party’s good leadership and track record have been critical in keeping the party clean. The party advises candidates to campaign on the theme of integrity and highlight the lack of scandals in Chart Pattana. In addition, candidates are told to talk about the party’s accomplishments rather than to make specific promises to voters.

Party officials state that the new party and election laws have improved ethical behavior in all Thai parties. Chart Pattana explains that it is strict with its candidates and advises them to comply with the ECT. The party argues that there is no real need to monitor from within the party for corruption because “the ECT is serving that role.”

The party has an internal disciplinary process outlined in the party’s regulations manual, and 20 party members can submit a complaint. The leader then authorizes members of the executive committee to investigate. Following the recommendations of the investigation committee, the leader can appoint not more than five members to hold a hearing. The leader and the executive committee make the final verdict.<sup>40</sup> The party claims it has not had many problems that have necessitated the use of the committee. In one case, a cabinet minister from the party was captured on tape discussing his planned defection. The executive committee forced him to resign.

To encourage internal discipline, all party members must take a verbal oath to the party: “All members are required to oblige to the party’s principles, policies, and regulations in every way.” However, as one party official pointed

out, the constitution protects MPs who deviate from the party when electing the prime minister. The party also has a code of conduct in the party regulations manual.<sup>41</sup>

- All members shall adhere to the principles of the party and shall not violate the regulations and resolutions of the executive committee, including the orders and announcements of the party.
- All members must not commit any act serving his or her own self-interest or for other people's interests against the law.
- All members must not criticize or attack other members or parties in front of people who are not party members.
- All members must not conceal any mistakes or neglect to inform the party of any wrongdoing on the part of members that would ruin the party's reputation.
- All members must not violate state law or commit any performance against the good morality of the people.
- Party officers must not reveal the secrets of the party and resolutions of party meetings to outsiders.
- All members must follow the party resolutions when implementing parliamentary operations.

The party conducts ongoing training activities with party members on the principles of the new constitution, democracy, and the function of parliament. Every morning, when parliament is not in session, over 200 members come to the Chart Pattana office from all over the country to receive training. Party leader, Korn Dabbaransi, leads this training. The party explains that the trainings aim to increase participation and create a more democratic space in which party members can participate.

## **Chart Thai Party**

### *Background*

A military group led by two former generals formed Chart Thai Party in 1974. Although the party maintains its links to the military, businesspersons and influential powerbrokers came to dominate the party. The party's ideology has been conservative and "anti-socialist," with an emphasis on "law and order." Chart Thai Party played an active role in the suppression of democracy protesters in 1991 and 1992 and joined *coup*-leader General Suchinda's government. Banharn Silapa-archa became party leader in 1991 and served as the prime minister of a failed administration in 1995. Chart Thai Party won 41 seats in the last election.<sup>42</sup>

Chart Thai faces many challenges. The party only won six seats on the party list ballot, demonstrating a decline in the party's strength as an institution. The leadership of the party, too, is in question, as Banharn has decided to play a smaller role in politics. The party is struggling to define itself and identify its leadership. There is discussion within the party of forming a "third movement" to position the party as an alternative to the Democrat Party and the Thai Rak Thai Party. Some have mentioned an alliance between Chart Thai and Chart Pattana.

### *Party's Perceptions of the Political Environment and Corruption*

The party points to corruption as one of the biggest threats to progress in Thailand. Party leaders explain, however, that the "Asian way" of giving gifts to express gratitude can often conflict with modern notions of reform. Supporting the "Asian way" argument, critics of Chart Thai refer to party leader Banharn as, "Mr. ATM" because of the money he allegedly gives to voters. Party officials argue that politicians are not the ones to blame for corruption in Thailand, as politicians are "simply an outcome of society." In many ways, reports one party leader, legislation often "misses the point" by focusing solely on politicians. Instead, one party official argued, massive changes in society at large are needed to reject corruption. He said that people see corruption as a way of life and do not understand its damaging effects.

The Chart Thai Party believes the ECT is a positive and necessary organization. Party representatives add, however, that the ECT has created new problems. The multiple elections, for example, are draining the public's morale as well as the state's resources. Moreover, according to Chart Thai, the ECT is so caught up in focusing on "small problems" that it has lost sense of its true purpose. Like other parties, Chart Thai representatives also believe that the ECT has too much authority and should not be able to develop laws, implement laws, and enforce laws. There need to be checks on the commission.

### *Party Structure and Decision-Making*

Chart Thai describes itself as a "family" rather than an institution. The party prefers an informal, familial atmosphere to one based on regulations and processes. This informal nature influences all aspects of the party's structure and decision-making. Candidates for public office, for example, are chosen informally through discussions among party leaders and MPs. Often, a MP will suggest a friend as a candidate. There is no real election for candidates by the party members. In fact, the party believes that if the branches determined candidates, there would be conflict within the party.

The party's executive committee meets monthly, and the party MPs meet once a week. The party also holds meetings in each of the regions to consult with its 10 branch offices. Although all parties in Thailand are required to have general assembly meetings to bring together the members of the party, Chart Thai reports that this does not really happen in practice.<sup>43</sup> According to one official, "Party membership in Thailand is a real misnomer," adding that Thais have little interest in participating in party activities. Furthermore, when the party leadership tries to solicit ideas from party members, they are unresponsive or shy.

The party is going through many changes and trying to develop a more policy-based agenda. The party is drafting a platform that combines old policy commitments, such as strong agricultural programs, executive committee priorities, and issues proposed by the public. The party also plans to decentralize its structure and encourage grassroots party activities and involvement. One party leader suggested that the party tap into the local Jao Pao, or organized patronage networks, to increase contact with communities.

### *Money Management and Party Fundraising*

The party reports that the influence of donors is hard to avoid: "Money cannot buy everything, but it can buy a lot of things." The party explains, however, that the influence of donors is not a significant problem for Chart Thai anymore, as the party is not in a position of power. Party officials state that business donors are looking for rewards and usually do not support parties out of loyalty or ideology. The party has therefore lost support.

Chart Thai receives most of its funding from the party leader and MPs. The top officials give money to the party, although it is not required by party regulations. In addition, branch chairs are expected to take care of and sponsor those in lower positions. To date, it has been difficult for those without financial means to obtain a high party post. The new government subsidy, however, has been cited as a positive development for the party. Party leaders report that the fund is enough to support the day-to-day administrative affairs of the branch offices and sponsor meetings and seminars.

Party spokespersons believe that receiving the bulk of its funding from party leaders has improved transparency, because everyone knows that the funding comes from within. The party claims that it has always preferred to receive money from friends "within the family," people the party knows and trusts, than from sources outside the party. In particular, according to one party leader, the party is hesitant to receive money from contractors for fear of the rewards they will expect.

The party follows the financial and auditing procedures as outlined in the party law. More than one signature is necessary on all withdrawals and deposits to the party. Branch offices must report to the party headquarters and are responsible for deposits and withdrawals made to branch office accounts.

### *Ethical Standards and Discipline*

The party has a disciplinary committee to investigate accusations against members, and the party's executive committee determines the punishment. The grounds for dismissal in the party's by-laws include "violating or not following the resolutions of the party, violating or not following the resolutions of the general assembly, executive committee, or party MPs, or committing any performance that causes serious damage on the reputation of the party."

Although this disciplinary committee is in place, the party admittedly prefers to handle problems informally. When someone has acted unethically, the party usually does not go through a formal disciplinary process but rather treats the situation in a familial way. The behavior in question is discussed with the errant party member, who might also be scolded by friends in the party or by the party leadership.

There are no written contracts for party members, officials, or candidates within the party. However, there is a code of conduct in the party's by-laws.<sup>44</sup> The code requires all members to:

- Behave reliably and be trustworthy.
- Dress properly.
- Be punctual, especially for meetings.
- Respect and follow the orders or suggestions of the executive committee.
- Maintain the unity between other members of the party and members of other parties.
- Complete any tasks assigned by the leader or the executive committee diligently.
- Speak politely in meetings without aggressiveness, sarcasm, or personal information about other members.
- Conduct the process of moving a motion, questioning, drafting a law, and debate in parliament with politeness and truth. Members must not use the parliament as a tool to attack other people, bureaucrats, or any other governmental department.
- Be concerned with the nation's benefit and the policies and reputation of the party.

In practice, the party reports that there is little attention paid to the party regulations and laws. When someone joins the party, they talk to the leadership and gradually develop a relationship with party leaders and other members. The party believes this informal, familial environment is more effective in preventing unethical behavior. When someone violates the law “they cannot sleep at night because they’ve hurt their family.” As one party official explains, in more structured, impersonal parties it is easier to engage in illegal behavior because there is no social pressure to comply with the requirements of the law.

The party allegedly has links to well-known organized crime figures in Thailand. The party defends its links with *Jao Pao*, claiming that these people have strong ties to rural local governments and understand the situation at the grassroots level. In fact, Chart Thai believes that other parties “should learn from us on how to turn *Jao Pao* into good politicians.”

### Internal Party Anti-Corruption Strategies

		Yes	No	Comments
1	Do party members elect national officials?			All parties must comply with the Organic Law on Political Parties, which requires party leadership to be elected.
	Democrat	Y		
	Thai Rak Thai	Y		
	NAP	Y		
	Chart Pattana	Y		
	Chart Thai	Y		
2	Do local party branches participate in candidate selection?			Although in theory most parties allow branch offices to make nomination recommendations, in practice it is reported that the parties’ headquarters determine candidates.
	Democrat	Y		Branch offices recommend candidates, with approval from the party leadership.
	Thai Rak Thai		N	The leadership of the party selects candidates, and there are only a

			few branch offices. In the future, the party plans to have its branch offices participate in the nomination process.
	NAP	Y	Branch offices recommend candidates, with approval from the party leadership.
	Chart Pattana	Y	Branch offices recommend candidates, with approval from the party leadership.
	Chart Thai		N The party reports that the executive committee conducts candidate selection informally.
3	Are there regularly scheduled party congresses or conventions?		All parties are required by law to have general assembly meetings with members represented. Some parties report, however, that this is not always done in practice.
	Democrat	Y	
	Thai Rak Thai	Y	
	NAP	Y	
	Chart Pattana	Y	
	Chart Thai	Y	
4	Can all members participate in selection of delegates to the party's national congress or assembly?		There are no primaries involving all members in the selection of delegates to the assembly meetings. However, members are involved in choosing local branch offices, representatives from which determine participation at the assembly meetings.
	Democrat	Y	
	Thai Rak Thai	Y	
	NAP	Y	
	Chart Pattana	Y	
	Chart Thai	Y	
5	Are local party offices elected?		
	Democrat	Y	Party members in the local area elect branch offices.
	Thai Rak Thai		N The party's coordinating centers are appointed, although the party plans to have elections in the future for branch offices.
	NAP	Y	Party members elect branch officials.
	Chart Pattana	Y	Party members elect branch officials.
	Chart Thai	Y	Branch officials are elected by



				party members, but with the influence of the executive committee.
6	Are there term limits for party officials?			No parties have term limits for party officials.
	Democrat		N	
	Thai Rak Thai		N	
	NAP		N	
	Chart Pattana		N	
	Chart Thai		N	
7	Does the party own businesses?			
	Democrat		N	
	Thai Rak Thai		N	The party does not own businesses in the name of the party, but party leader Thaksin's family owns several businesses, including media companies.
	NAP		N	
	Chart Pattana		N	
	Chart Thai		N	
8	Does the party refuse political contributions from certain sources?			The political party law prohibits parties from receiving money from foreign and illegal sources. No party, however, has developed their own restrictions on donations nor do they impose conditions on donors.
	Democrat		N	
	Thai Rak Thai		N	
	NAP		N	
	Chart Pattana		N	
	Chart Thai		N	
9	Do party MPs have to donate part of their salary to the party?			
	Democrat	Y		MPs are required to donate between five to 10 percent of their salary to the party, depending on their position and salary.
	Thai Rak Thai		N	
	NAP	Y	N	Ministers are expected to donate 10 percent of their salary to the party, and MPs five percent.
	Chart Pattana		N	Party MPs often make voluntary contributions.
	Chart Thai		N	Although not required, MPs and party officials donate to the party.
10	Does the party employ professional accountants to manage party funds?			All parties are required by the political party law to employ

			official accountants and auditors.
	Democrat	Y	
	Thai Rak Thai	Y	
	NAP	Y	
	Chart Pattana	Y	
	Chart Thai	Y	
11	Does the party conduct an annual audit of its accounts?		The political party law requires all parties to audit their records.
	Democrat	Y	
	Thai Rak Thai	Y	
	NAP	Y	
	Chart Pattana	Y	
	Chart Thai	Y	
12	Does the party disclose the sources of its funds and expenditures to members of the party?		The political party law requires all parties to share audit information and sources of funding with members.
	Democrat	Y	
	Thai Rak Thai	Y	
	NAP	Y	
	Chart Pattana	Y	
	Chart Thai	Y	
13	Does the party disclose the sources of its funds and expenditures to members of the public?		The political party law requires all parties to declare the sources of their funding and their expenditures, and these records are made public.
	Democrat	Y	
	Thai Rak Thai	Y	
	NAP	Y	
	Chart Pattana	Y	
	Chart Thai	Y	
14	Are party leaders required to disclose their personal assets?		The political party law requires all party officials, candidates, and branch office members to declare their assets and liabilities within 30 days of taking office and 30 days after leaving office. However, in practice, officials routinely fail to make these declarations.
	Democrat	Y	
	Thai Rak Thai	Y	
	NAP	Y	
	Chart Pattana	Y	
	Chart Thai	Y	
15	Are party leaders required to sign a party code of conduct?		All parties have codes of conduct in their regulations manuals, with

				references to ethical behavior.
	Democrat	Y		
	Thai Rak Thai	Y		
	NAP	Y		
	Chart Pattana	Y		
	Chart Thai	Y		
16	Does the party have a formal disciplinary procedure for members who have engaged in misconduct?			All parties have some disciplinary process, usually implemented by the executive committee or party leader. The party law requires certain electoral procedures to dismiss party leaders or MPs, and the constitution provides an appeal process for MPs to the Constitutional Court.
	Democrat	Y		
	Thai Rak Thai	Y		
	NAP	Y		
	Chart Pattana	Y		
	Chart Thai	Y		

## CONCLUSION

Thai parties have implemented few reforms to their internal structures or practices to enhance transparency, accountability, and democracy. Reform mechanisms that exist within parties, such as declaring assets and liabilities, conducting external audits, holding internal elections, and disclosing financial accounts and sources of funding, are required by law. The parties, however, recognize the need to comply with these laws and most party officials acknowledge that the effects of the legislation have been positive for the party system.

With the implementation of the 1997 constitution, political finance, election regulations, and political party laws changed dramatically. Disclosure is the main theme of the new legal framework. Parties are required to report the amount and source of all donations, conduct an annual audit and make the results available to the public, and declare the assets and liabilities of all party officials, including branch officials. Spending limitations are also placed on parties during the campaign period. In addition, the Organic Law on Political Parties requires internal party elections, party decentralization, and a consultative internal decision-making process. The laws also try to discourage factionalism and encourage more ideologically based and cohesive parties by making it difficult to switch parties and providing a public subsidy for institution-building activities. Most important, the 1997 constitution empowered an independent body, the ECT to enforce the new laws, although this body acknowledges its limitations in terms of resources and monitoring ability.

The parties have complained about some of the disadvantages of these laws, claiming that they: are unrealistic and do not take into consideration the reality of the Thai political culture; they demonize parties, making them even less palatable to an already skeptical Thai public; and can create perverse incentives and loopholes. Overall, however, Thai party officials recognize that the laws have engendered some positive changes within the party system. Patrons and wealthy donors, for example, cannot influence internal party practices as they once could because of mandated internal elections and membership participation in decision-making. Members are more aware of their rights and have demanded greater accountability from party leaders. The new laws have educated people about corruption, and empowered citizens to examine the inner-workings of the party system and serve as a check on party corruption. In addition, ECT scrutiny has raised awareness of the damaging effects to a party's reputation if caught violating the law and has forced parties to find other ways in which to appeal to voters.

Although the party reforms that have been initiated are largely mandated by legislation, the Thai parties shared some measures that they have implemented on their own to enhance internal democracy and limit opportunities for corruption. Several of these mechanisms may be helpful to other parties in the region, as well.

- **Party Structure and Decision-Making**

In order to promote decisions that reflect the interests of the public over the interests of donors and patrons, parties have taken some measures to reform their decision-making processes. The Thai Rak Thai Party and the Democrat Party have used public opinion polling to gauge the needs and interests of the public and form policy proposals based on those results. In addition, all Thai parties are going through a decentralization process and are devolving more authority to the branch offices, particularly with respect to the nomination process. The decentralization of the party structure can increase the responsiveness of the party to local concerns and diversify power bases in the party, creating additional checks and balances.

The Democrat Party is in the midst of a reform and restructuring process at the time of writing, inspired in part by its electoral defeat. This process involves hiring more professionals to run the administrative aspects of the party, conducting training and membership outreach activities, and revising and streamlining the policies and platforms of the party. All of these activities aim to institutionalize the party and strengthen its support base. In addition, these reforms aim to limit money politics by reducing opportunities for conflict of interest and by encouraging broader member participation in party decision-making.

- **Money Management and Party Fundraising**

Several Thai parties have made efforts to diversify their funding as one approach to limit the influence of one person or interest group on the party. The Democrat Party and New Aspiration Party require party MPs to donate part of their salary to the party to strengthen their stake in the party and diversify the donor base. However, all parties admit that the ability of the party leaders to finance all activities can have its advantages by making the party less dependent on outside donors and their interests. Chart Thai Party, for example, prides itself on receiving the bulk of its funding internally. The Democrat Party attempts to avoid the influence and demands of wealthy donors by requiring all officials to “work their way up” in the party. This approach purportedly limits the ability of patrons to obtain high-level party positions in return for their support, taking away a potential carrot for the party.

- **Ethical Behavior and Discipline**

To ensure the quality and loyalty of party members, the Democrat Party rejects politicians who have defected en masse from other parties. This tactic, the party reports, has limited factionalism and patron-client relations within the party, which contribute to an unstable party environment by providing room for corrupt practices and opaque decision-making. To promote ethical behavior, all parties have codes of conduct in their by-laws, although most agree that these codes are generally unknown to members and have no real impact on behavior. The Chart Pattana Party has a training process to instill ethical behavior and increase members’ understanding of the proper role of parties and representatives. The New Aspiration Party also has lectured members on ethical conduct and the election laws. All parties have a disciplinary process, but most admit that punishment is not “the Thai way.” The parties prefer to use informal means to reprimand wrongdoers.

Despite these internal initiatives and the country’s rigorous national legislation, Thai party officials have expressed their interest in exploring additional reforms. Party leaders have identified key areas in need of improvement, including: the centralized decision-making processes that persist to some extent in all of the parties; the undue influence of wealthy donors; the continued unethical behavior of candidates and other party members, including the persistence of vote buying; and the need to become more rule-based and less informal organizations. There are reformers in all of the parties who agree that the party system needs enhanced accountability and transparency in order to rebuild public confidence in the democratic process.

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- <sup>1</sup> For more on the patronage process, see Phongpaichi, Pasuk and Sungsidh Piriyarangsan, *Corruption and Democracy in Thailand* (Chiang Mai, Thailand: Silkworm Books, 1994).
- <sup>2</sup> Laothamatas, Anek, "A Tale of Two Democracies: Conflicting Perceptions of Elections and Democracy in Thailand" in R. H. Taylor, ed., *The Politics of Elections in Southeast Asia* (New York: Woodrow Wilson Center Press, 1996).
- <sup>3</sup> See Kobayashi, Sofia, *Strategies for Success: A study of money politics and electioneering in rural Thailand* (Sweden, Uppsala University, Master thesis, 1999).
- <sup>4</sup> Laothamatas (1996).
- <sup>5</sup> This number has been changed to 255 as a result of Election Commission disqualifications. Upcoming by-elections may alter the results further.
- <sup>6</sup> Crispin, Shawn W., "Thaksin at A Crossroads," *Far Eastern Economic Review*, February 7, 2002.
- <sup>7</sup> McCargo, Duncan, "Thailand's Political Parties: Real, authentic and actual," in Kevin Hewison, ed., *Political Change in Thailand: Democracy and participation* (London: Routledge, 1997).
- <sup>8</sup> Siwaraksa, Parichart and Chaowana Traimas, "Political Parties in Thailand," Institute of Public Policy Studies, 1997.
- <sup>9</sup> Uwanno, Borwornsak, "Political Finance in Thailand," a paper prepared for the Democracy Forum: "Political Finance and Democracy in East Asia: The Use and Abuse of Money in Campaigns and Elections," sponsored by the National Endowment for Democracy and the Sejong Institute, June 2001.
- <sup>10</sup> Limmanee, Anusorn, "Thailand," in Wolfgang Sachsenroder and Ulrike E. Frings, ed., *Political Party Systems and Democratic Development in East and Southeast Asia*, Friedrich-Naumann-Stiftung (England: Ashgate Publishing, 1998).
- <sup>11</sup> Organic Law on Political Parties, 1998, Section 10.
- <sup>12</sup> Election Commission of Thailand, as of November 2001.
- <sup>13</sup> Interview with the Election Commission of Thailand, February 2002.
- <sup>14</sup> Interview with the Election Commission of Thailand, July 2001.
- <sup>15</sup> Records of the Election Commission of Thailand, 2001.
- <sup>16</sup> Interview with Election Commission of Thailand, February 2002.
- <sup>17</sup> Interview with the Election Commission of Thailand, July 2001.
- <sup>18</sup> United States Department of State, Country Reports on Human Rights Practices for 2000, Thailand.
- <sup>19</sup> For the purposes of this report, we have included parties with a significant number of seats in parliament.
- <sup>20</sup> Quoted in McCargo (1997), p. 114.
- <sup>21</sup> Bunbongkarn, Suchit, "Elections and Democratization in Thailand," in R. H. Taylor, ed., *The Politics of Elections in Southeast Asia* (New York: Woodrow Wilson Center Press, 1996).
- <sup>22</sup> Limmanee (1998).
- <sup>23</sup> Siwaraksa (1997).
- <sup>24</sup> Interview with the Election Commission of Thailand, July 2001.
- <sup>25</sup> Interviews with former Palang Dharma leaders and officials.
- <sup>26</sup> Limmanee (1998).
- <sup>27</sup> This number has currently been changed to 255 as a result of Election Commission disqualifications. Upcoming 2002 by-elections and possible disqualifications may alter the results further.
- <sup>28</sup> Thai Rak Thai Organizational Chart.

- <sup>29</sup> Thai Rak Thai Regulations Manual.
- <sup>30</sup> Thai Rak Thai Regulations Manual.
- <sup>31</sup> At the time of writing, the New Aspiration Party (NAP) had just voted to merge with Thai Rak Thai, although the Constitutional Court must approve this merger. For the purposes of this report, however, it will maintain its own section.
- <sup>32</sup> “The Ten Tenets and the Survival of Thailand,” speech by Party Leader General Chavalit Yongchaiyudh, 2000.
- <sup>33</sup> New Aspiration Party Regulations Manual.
- <sup>34</sup> Naewmalee, Kiratipong, et. al., “Policies of Thai Political Parties in the 1995 General Election,” The Institute of Policy Studies, Bangkok, 1995.
- <sup>35</sup> These results may change following the 2002 by-elections and possible disqualifications by the ECT.
- <sup>36</sup> Democrat Party Organizational Chart.
- <sup>37</sup> Democrat Party Regulations Handbook.
- <sup>38</sup> Democrat Party Regulations Handbook.
- <sup>39</sup> These results may change following the 2002 by-elections and possible disqualifications by the ECT.
- <sup>40</sup> Chart Pattana Regulations Manual.
- <sup>41</sup> Chart Pattana Regulations Manual.
- <sup>42</sup> These results may change following the 2002 by-elections and disqualifications by the ECT.
- <sup>43</sup> Chart Thai Organizational Chart.
- <sup>44</sup> Chart Thai Party Rules and Regulations Manual.

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## REFERENCES

- Bunbongkarn, Suchit, “Elections and Democratization in Thailand,” in R. H. Taylor, ed., *The Politics of Elections in Southeast Asia* (New York: Woodrow Wilson Center Press, 1996).
- Chart Pattana Regulations Manual, Organizational Chart, Constitution, and Brochure.
- Chart Thai Party Rules and Regulations Manual, Organizational Chart, and Constitution.
- Crispin, Shawn W., “Thaksin at A Crossroads,” *Far Eastern Economic Review*, February 7, 2002.
- Democrat Party Regulations Handbook, Constitution, Organizational Chart, Mandate, Code of Conduct, and Platform.
- Democrat Party, “Inheritance of Excellent Traditions: Stand by principles, work for the people,” 2000.
- Government Gazette, Organic Law on Political Parties, 1998.
- Government Gazette, Organic Law on the Elections of members of the House of

- Representatives and Senators, 1998.
- Government Gazette, Organic Law on the Election Commission, 1998.
- Kobayashi, Sofia, *Strategies for Success: A study of money politics and electioneering in rural Thailand* (Sweden, Uppsala University, Master thesis, 1999).
- Laothamatas, Anek, "A Tale of Two Democracies: Conflicting Perceptions of Elections and Democracy in Thailand" in R. H. Taylor, ed., *The Politics of Elections in Southeast Asia* (New York: Woodrow Wilson Center Press, 1996).
- Limmanee, Anusorn, "Thailand," in Wolfgang Sachsenroder and Ulrike E. Frings, ed., *Political Party Systems and Democratic Development in East and Southeast Asia*, Friedrich-Naumann-Stiftung (England: Ashgate Publishing, 1998).
- McCargo, Duncan, "Thailand's Political Parties: Real, authentic and actual," in Kevin Hewison, ed., *Political Change in Thailand: Democracy and participation* (London: Routledge, 1997).
- Naewmalee, Kiratipong, et. al., "Policies of Thai Political Parties in the 1995 General Election," The Institute of Policy Studies, Bangkok, 1995.
- New Aspiration Party Regulations Manual, Organizational Chart, and Constitution.
- Office of the Council of State, Constitution of the Kingdom of Thailand, 1997.
- Office of the Prime Minister, Code of Ethics for Political Office-holders, 2000.
- Phongpaichi, Pasuk and Sungsidh Piriyarangsarn, *Corruption and Democracy in Thailand* (Chiang Mai, Thailand: Silkworm Books, 1994).
- Siwaraksa, Parichart and Chaowana Traimas, "Political Parties in Thailand," Institute of Public Policy Studies, 1997.
- Thai Rak Thai Regulations Manual, Organizational Chart, and Constitution.
- United States Department of State, Country Reports on Human Rights Practices for 2000, Thailand.
- Uwanno, Borwornsak, "Political Finance in Thailand," a paper prepared for the Democracy Forum: "Political Finance and Democracy in East Asia: The Use and Abuse of Money in Campaigns and Elections," sponsored by the National Endowment for Democracy and the Sejong Institute, June 2001.
- Yongchaiyudh, Chavalit, "The Ten Tenets and the Survival of Thailand," 2000.
- Yongchaiyudh, Chavalit, "A Secured Country – A Prosperous Nation," 2000.



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