

Journal of Contemporary Asia

 ISSN: 0047-2336 (Print) 1752-7554 (Online) Journal homepage: <https://www.tandfonline.com/loi/rjoc20>

Reign-seeking and the Rise of the Unelected in Thailand

Veerayooth Kanchoochat

To cite this article: Veerayooth Kanchoochat (2016) Reign-seeking and the Rise of the Unelected in Thailand, *Journal of Contemporary Asia*, 46:3, 486-503, DOI: [10.1080/00472336.2016.1165857](https://doi.org/10.1080/00472336.2016.1165857)

To link to this article: <https://doi.org/10.1080/00472336.2016.1165857>



Published online: 21 Mar 2016.



Submit your article to this journal [↗](#)



Article views: 1198



View related articles [↗](#)



View Crossmark data [↗](#)



Citing articles: 6 View citing articles [↗](#)

Reign-seeking and the Rise of the Unelected in Thailand

Veerayooth Kanchoochat

National Graduate Institute for Policy Studies (GRIPS), Tokyo, Japan

ABSTRACT

This article develops the concept of “reign-seeking” to capture the unprecedented collective action of the Thai professional and official elite prior to the 2014 military *coup* and the establishment of a military regime. It argues that this phenomenon reflects broad and deep political dynamics, for which the dominant scholarship on authoritarianism and Thai politics cannot adequately explain. The changing incentives of these supposedly non-partisan actors are interwoven with neo-liberal governance reform driven by a desire for depoliticisation and the minimisation of rent-seeking. This idea has been rationalised in Thailand since the promulgation of the 1997 Constitution resulting in the rise of technocratic and judicial bodies designed to discipline elected politicians and political parties. However, such institutional reconfigurations have consolidated the incentive for people considering themselves to be prospective candidates to “reign” in these organisations. As evident in the 2014 *coup*, these unconventional political actors – academics, doctors and civil society leaders – made collective efforts to topple the elected government in exchange for gaining selection into the wide range of unelected bodies. Governance reform in Thailand has hitherto reinforced the status quo, although the article further argues that reign-seekers should be seen as contingent, rather than consistent, authoritarians.

ARTICLE HISTORY

Published online 21 March 2016

KEYWORDS

Thailand; rent-seeking; reign-seeking; depoliticisation; governance reform; contingent authoritarians

The path leading to the military *coup* of May 2014 witnessed a sequence of unprecedented moves by the Thai professional and official elite, who took collective action through their associations to call for the replacement of an elected government with a “special administration.” Veteran academics and university rectors issued political statements in the name of the Council of University Presidents of Thailand. Networks of professional doctors and health officials lodged “white-gown protests” on the streets and at the Ministry of Public Health. Peak business associations such as the Thai Chamber of Commerce, the Federation of Thai Industries and the Thai Bankers’ Association publicly demanded the removal of the government led by Yingluck Shinawatra and for it to be replaced by an interim administration to undertake national reform. Endowed with high social capital, all these moves may be considered a crucial component in crafting and justifying the conditions that paved the way for the *coup*. The role of these groups did not end there. They subsequently became part and parcel

of the junta's regime (2014–present), filled posts in key regulatory bodies and attempted to design a new constitution in the hope of restructuring Thailand's political landscape. How can we make sense of this unusual political role of the supposedly “non-partisan” actors? Is it simply the retaliation of people within the “network monarchy” against an elected government led by Thaksin Shinawatra's sister? How would their collective action shape political contestation and the authoritarian turn in Thailand?

Currently dominant accounts in the literature offer insufficient insights into the rise and role of professional and official elite in the persistence of authoritarianism. On the one hand, prominent studies of authoritarianism such as those by Geddes (2003), Brownlee (2007) and Gandhi (2008) are engrossed with the question of regime durability and collapse, while paying little attention to the inner workings of authoritarian institutions (Pepinsky 2014, 649). They also tell us little about the wider power structures that underpin these regimes (Jayasuriya and Rodan 2007, 775). On the other hand, even though the influential network monarchy concept reveals the political role of the traditional elite and informal networks prevalent in Thailand (McCargo 2005), its focus is limited to actors surrounding the palace and leaves unexplained the distant or autonomous networks. It is argued here that the unprecedented collective action of the Thai professional and official elite reflects deeper dynamics beyond the domestic power play between competing elites. This article seeks to contribute to the literature on Thailand's authoritarian turn by directing consideration to *reign-seeking*. This concept can capture the incentives that shape the collective action of the professional and official elite. The article illustrates the reign-seeking process with special attention to the 2014 military *coup* and its subsequent regime and by showing how it carries profound implications for political contestation in Thailand.

The changing roles and incentives of the professional and official elite are inextricably intertwined with changes in the broader political economy context. Neo-liberal globalisation not only entails a set of economic programmes but also fosters political initiatives for governance reform centring on the idea of depoliticisation and the elimination of rent-seeking (Chang 1999; Jayasuriya and Hewison 2004). This has resulted in a surge of unelected, technocratic organisations charged with increasing official powers and authority, set apart from electoral politics – dubbed by Vibert (2007) “the rise of the unelected.” Having been rationalised in Thailand since the promulgation of the 1997 Constitution, institutional reconfigurations have been undertaken, both within the state apparatus and in state–civil society relations. This is exemplified by the establishment of a host of regulatory and judicial bodies, as well as watchdog agencies and civil society organisations, to monitor, evaluate and punish elected politicians and political parties (Hewison 2007). In essence, this institutional design – the new “rules of the game” – was intended to cope with rent-seeking behaviours that were considered by neo-liberal advocates and many in the elite to be pervasive among elected politicians and senior bureaucrats. Nonetheless, unintended consequences and intended perversions have occurred. Such reconfigurations have engendered and consolidated a new type of interest and incentive among non-partisan actors by enticing them to pursue an objective of being appointed to these unelected agencies to be the “rulers of the game.” Evident in the 2006 *coup* and more explicit following the 2014 putsch, unconventional political actors such as academics, public officials, doctors and non-governmental organisation (NGO) leaders pursued political moves in tandem to endorse anti-

democratic movements and *coup*-installed governments in exchange for joining the cabinets and reform councils, as well as reigning in appointed organisations and committees laden with material and moral prestige. This incentive will be conceptualised here as reign-seeking.

This article develops the concept of reign-seeking and demonstrates how it offers a better understanding of present-day and future features of conservative forces in Thailand. The discussion proceeds in the following way. The first section traces the roots of reign-seeking incentive in the context of governance reform driven by neo-liberal globalisation and institutionalised by the 1997 “People’s Constitution.” The second section provides an empirical investigation into the behaviours of reign-seekers by exploring how the professional and official elite had been instrumental in the 2014 military *coup* and the Prayuth Chan-ocha military regime. The third section puts the case into perspective and discusses the implications of reign-seeking for broader political contestation and certain theoretical considerations. A short section of concluding remarks follows.

Neo-liberalism, depoliticisation and institutional reconfigurations

The global political economy has witnessed the rise of neo-liberal globalisation following the decline of the “Golden Age of Capitalism” from the late 1970s. In addition to its well-known economic proposal of market liberalisation, neo-liberalism also features a political proposal, which is the focus of this article, that is, the *depoliticisation* of the policymaking and implementation process by contracting the role of the state and destructing the power of interest groups (Chang 1999, 185). In other words, neo-liberalism

has involved as much a political as an economic transformation, precipitating new forms of state and trans-state relationships. What issues can be contested, how and by whom, has been affected, including the space for non-state political actors. (Rodan and Hughes 2014, 32)

In its broad sense, depoliticisation “essentially refers to the denial of political contingency and the transfer of functions away from elected politicians” (Flinders and Wood 2014, 135). The idea rests upon the premise that politics interferes with economic rationality. Any political determination of economic outcomes would generate either social waste or the dominance of minority interests over the majority, as exemplified in the conventional rent-seeking concept. Neo-liberals also assume that “the particular boundary between market and the state they wish to draw is the ‘correct’ one and that any attempt to contest that boundary is a ‘politically minded’ one” (Chang 2001, 13). In practice, to depoliticise the economy is to restrict the scope of the state and reduce the room for policy discretion by strengthening the rules on bureaucratic conduct and setting up “politically independent” agencies bound by rigid regulations. Depoliticisation therefore coincides with the rise of unelected bodies, ranging from central banks, independent risk management units and independent economics and ethics regulators, to regimes of inspection and audit and new types of appeals bodies (Vibert 2007, 5).

Depoliticisation has been proposed by the World Bank, the United Nations and international think tanks as a blueprint for economic and governance reform worldwide. Even without the term, the idea of depoliticisation has been taken on board widely as the “dominant model of statecraft in the twenty-first century” (Flinders and Wood 2014, 135). This is in part because public cynicism towards politicians and public officials has become the accepted norm across countries – as Hay (2007, 93) puts it: “Politics is a pathogen; depoliticisation an antidote.” In Southeast Asia, particularly in the wake of the financial crisis of 1997–98, this technocratic anti-politics approach has become the key *raison d’être* of governance reform (see Jayasuriya and Hewison 2004, 580). Yet, after all, depoliticisation is just another kind of governing strategy and hence remains highly political (Burnham 2001). The impact of depoliticisation attempts will have been mediated by the differing domestic power structure.

Thai-style depoliticisation

In contrast to the post-economic crisis neo-liberal call for liberalisation, which encountered strong political resistance from elites representing various interests (see Hewison 2004), depoliticisation has been adopted as a further legitimisation, reinforcing the social and political role of the traditional elite against rising electoral forces.

In attempts to retain their political power since the 1932 revolution, the traditional elite and conservative intellectuals centring around the palace have promoted “royalist-nationalist history” and “Thai-style governance” discourses as frameworks for interpreting history and thinking about the ideal future (Hewison and Kengkij 2010; Saichol 2005). The central theme is the role of the past kings in defending the country’s independence against foreign invaders. The People’s Party, which toppled the absolute monarchy in 1932, ironically reinforced this narrative by incorporating it into the compulsory education system. As a consequence, the monarchy has been symbolised as the centrality of the nation and the major source of all good things happening in history. Related, Thai-style governance or democracy is narrated as a legitimate alternative to Western-style democracy. It depicts Thai society as an organism in which the king is the head, while the state and bureaucracy are its organs. If the father-leader is strong and righteous; he can rule and unite the country based on moral principles.

With the advent of democratisation in the 1980s, campaigns by civic groups, usually financed by the military and bureaucratic agencies, have been conducted to hype the above discourses in direct comparison with elected politicians. As Thongchai (2008, 24) points out, four discourses are fundamental to all these campaigns: (i) elected politicians are extremely corrupt; (ii) elected politicians come to power by buying votes; (iii) an election does not equal democracy; and (iv) democracy means moral and ethical rule. Although corruption is known to be widespread among the bureaucracy and private corporations, as it is among elected politicians, the latter are portrayed as “the bigger fish and the origin of more serious corruption” (Thongchai 2008, 24). In addition, it narrows the perception of “political actors” and “political action” to mean only elected politicians and what they do. Any political action taken by the unelected elite, such as military *coups* and judicial reviews, is claimed to be an apolitical intervention necessary from time to time to remove immoral politicians who harm the country (Saichol 2005). Thus seen, in ideological terms, depoliticisation has been warmly welcomed by the traditional elite as an additional support for its political legitimacy.

However, depoliticisation has also been institutionalised, first by the 1997 Constitution and, later, in the 2007 Constitution and in the shaping of the draft charter in 2015 and 2016.

The 1997 constitution and governance reform

The 1997 Constitution was Thailand's sixteenth constitution and known as the "People's Constitution" since it was the first constitution to be drafted by an elected assembly and held public hearings. Driven by disenchantment with politicians and fragmented parliamentary politics, one of the underlying assumptions in the drafting of the constitution was that certain "independent institutions" should be divorced from politics, usually understood as the lobbying and self-seeking behaviours of elected politicians. The drafting assembly laid down rules to ensure that the charter drafters were mainly academics and civil society activists, considered to be well insulated from the influence of these politicians (Connors 2003). As Ginsburg (2009, 91–92) notes: "Here we can see clearly the 'post-political' quality of the constitution: there was an assumption that parties were corruptive and that non-party members were somehow insulated from external pressures." Prawase Wasi, one of the constitution's masterminds, claimed that "Dharma-based democracy will help political parties to recruit good people into politics, which will improve the quality and morality of democracy" (cited in Aim 2013, 98).

While the 1997 Constitution strengthened prime ministers and party leaders, more importantly, it inaugurated a group of politically independent agencies or, as many called them, "guardian institutions," to monitor, evaluate and discipline elected politicians and political parties. Key institutions included the Election Commission, Audit Commission, Human Rights Commission, Ombudsman, Supreme Court, Supreme Administrative Court, Constitutional Court and National Counter-Corruption Commission. They were granted more authority than in the past, thereby "creating for the first time a coherent system for judicial review of legislation and administrative action" (Dressel 2009, 308). By design this institutional reconfiguration was put in place to empower unelected agencies and actors as a counterweight to the elected force of the executive and parliament (Hewison 2007).

Despite Thailand undergoing the 2006 and 2014 *coups*, the 2007 constitution and the draft charter of 2016 retained all of these guardian institutions, with a simplification of the selection process and a further empowerment of them vis-à-vis elected bodies, thus making the courts "the guardians of the guardian institutions" (Ginsburg 2009, 93). Following the *coup's* voiding of the 1997 charter, the 2007 Constitution was conceived as the "the re-design of a semi-democracy, where the bureaucracy is at the helm and where there is little participation on the part of political parties and the public" (Ukrist 2008, 139). As a result, depoliticisation has continued to be high on the agenda since the 1997 Constitution. However, despite growing recognition of the role of the judiciary in Thai politics (Dressel 2010; Méribeau 2016), existing studies have yet to enquire how the whole picture of institutional reconfigurations since 1997 has affected the incentive of ostensibly non-partisan actors.

From rent-seeking to reign-seeking

As Rodan and Hughes (2014, 3) have emphasised, it "is not whether accountability is diluted or not but whose authority is championed through accountability reforms." In

the case of Thailand, institutional reconfigurations shaped by the notions of depoliticisation and rent-seeking minimisation have created a systemic incentive structure for unconventional political actors, such as technocrats, academics, senior officials and civil society leaders, towards reign-seeking.

Analyses influenced by new institutionalism are usually misleading in assuming that elected politicians and businesspersons are rent-seekers, while considering the professional and official elite to be at best “above politics” or at worst being “politicised”.¹ Actually, the latter group, endowed with high social capital, can gain material and moral prestige by being appointed to regulatory and judicial organisations. This incentive to “reign” is political in nature and has a profound impact on political contestation (see below). To make it more illuminating, a comparison can be drawn between conventional assumptions about rent-seeking and what is proposed here as a reign-seeking incentive (Table 1).²

Rents generally equate to incomes that are higher than what an individual or a firm would have received in a competitive market. Rents include not only monopoly profits but also subsidies and transfers. In a conventional model, *rent-seeking* is considered to encompass activities in which actors “seek to create, maintain or change the rights and institutions on which particular rents are based” (Khan and Jomo 2000, 5). These activities can be either legal or illegal, although most analyses of developing countries usually connote rent-seeking with unproductive activities such as corruption and patron–client exchanges. In contrast, *reign-seeking* is defined as activities aimed to earn positions or gain promotion in unelected bodies or oversight agencies. The positions, incomes and privileges of reign-seekers will have been statutorily and constitutionally bound following their appointment. At one level, the rise of the unelected is a worldwide phenomenon, as Vibert (2007, 4–5) notes:

In recent years, most democracies around the world have seen a striking expansion in the number and role of bodies in society that exercise official authority but are not headed by elected politicians and have been deliberately set apart, or only loosely tied to the more familiar elected institutions of democracy – the parliaments, presidents and prime ministers. . . . Around 200 unelected bodies now exist in the United States and around 250 in the United Kingdom. Other countries, even with different democratic traditions and structures, are following suit.

Therefore, one should not consider the rise of the unelected as purely technical and having no political implications, particularly in a country where parliamentary politics has yet to be established as “the only game in town.” Of course, the rent-seeking incentive for politicians, businesspeople and bureaucrats are still there. But the coverage

Table 1. Comparing conventional rent-seeking and reign-seeking incentives.

	Conventional rent-seeking assumption	Reign-seeking incentive
What to seek	Rents, defined as incomes above competitive market levels	Reign, defined as positions in appointed technocratic bodies
Who is incentivised	Businesspersons, politicians and bureaucrats	“Non-partisan” actors such as officials, academics, professionals
How to seek	Lobbying or bribing regulators in exchange for favourable rights/rules/transfers	Supporting would-be ruling coalition, either elected or unelected
Expected impacts	Unproductive activities and resource misallocations	A countervailing power to representative bodies

of political actors under consideration should expand to incorporate the professional and official elite who seek to “reign” in appointed bodies. Moreover, in Thailand, although the number of elected politicians has been reduced by design in the past two constitutions, the number of these guardian institutions, as well as the newly established committees and sub-committees, has increased in the meantime. As signified in the administration under General Prayuth, there have been posts in the *coup* council, the cabinet, constitutional drafting assemblies and legislative bodies, in addition to a diverse set of committees and subcommittees – all of which are embodied with a higher prerogative and less transparent accountability process than elective offices.

Reign-seeking and the 2014 *coup*

This section provides an empirical investigation into reign-seeking in the context of the 2014 military *coup*. To make it more tractable, a military *coup* in 21st-century Thailand could be considered as generally creating reign-seeking positions according to two structures, as summarised in Figure 1. The first structure is the junta’s administration, which comprises three tiers of pecking order: (a) the *coup* council; (b) the cabinet and constitutional drafting committees; and (c) the legislative and reform bodies. The second structure is supposed to hold longer term in office, with the three tiers being protected in a constitution or royal decrees: (a) judicial organisations; (b) the guardian institutions; and (c) newly established committees and subcommittees. This can be seen as the schematic “career structure” of reign-seekers.

The roles of reign-seekers in the period leading up to the *coup* and its subsequent regime are fourfold: (a) legitimising the crisis; (b) forming parts in the junta’s administration; (c) assuming posts in regulatory committees and subcommittees; and (d) enhancing the reign-seeking structure.

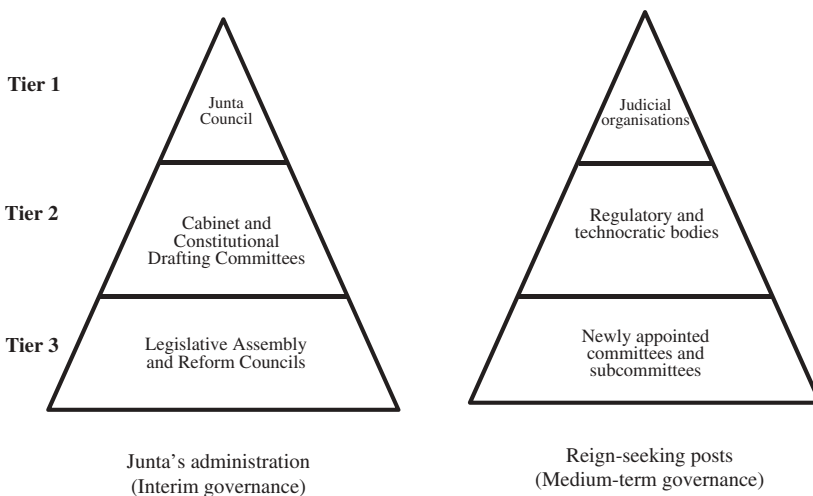


Figure 1. The structure of Thailand’s unelected regime.

Legitimising the crisis

In addition to street protests and electoral violence, steered in part by the People's Democratic Reform Committee or PDRC (see Prajak 2016), the collective action by university leaders and professional associations was instrumental in legitimising the calls for a "special administration." Three groups of players are of political and symbolic importance: the Council of University Presidents of Thailand (CUPT), the medical networks and the peak business associations.

The CUPT played a particularly prominent role. Previously known as the Rectors Conference, it was founded in 1972 with the aim to "share their opinions and experiences on various issues including [how] National Higher Education activities to be conducted effectively."³ Its public involvement in the previous *coups* was almost non-existent, with the exception of March 2006, when Professor Pratya Vesarach, then CUPT's chair, pleaded for a peaceful end to the political impasse and offered to mediate in negotiations (*Bangkok Post*, March 10, 2006).

The Council became more active and controversial in the political crisis that began in late 2013. Between November 2013 and February 2014, the CUPT, chaired by Professor Somkid Lertpaitoon, Thammasat University rector, made four bold political moves. The first began on November 4, a week before a problematic and disputed amnesty bill was expected to be debated by the Senate. Rectors from 25 universities issued a statement opposing the bill on the ground that it would waive punishment for corrupt politicians (*Bangkok Post*, November 5, 2013).⁴ The second act came on November 29, after the House of Representatives had rushed to pass the problematic amnesty bill. After a four-hour meeting the previous night, the CUPT called on the government to dissolve parliament. It also proposed that there should be a meeting held and mediated by "well-respected figures" to "ensure a smooth transition" before a fresh election (*Bangkok Post*, November 29, 2013). The third move made newspaper headlines a week later: *Academics call for dissolution of parliament*. Somkid put forward a strong proposal, virtually identical to the idea of an unelected "people's council" with an appointed premier suggested by the PDRC:

If the House is dissolved, the government can resign from being a caretaker government and pave the way for an interim government to be set up since the charter doesn't require the prime minister to be elected. In so doing, we can have a prime minister with the calibre to guide the country through the situation. (*Bangkok Post*, December 3, 2013)

The fourth action took place after Yingluck dissolved the parliament on December 9 2013 and called for a general election to be held in February 2014. The CUPT immediately recommended that the election be postponed, repeating its call for the establishment of a "non-partisan, interim" government. At the same time, most Bangkok-based universities opened their campus grounds for people joining an anti-Yingluck march on December 9, led by the PDRC (*Bangkok Post*, January 11, 2014). All these moves by high-profile rectors, on behalf of the CUPT, had an explicit political impact, as one report stated: "Their move . . . was widely interpreted as a tactic to heap more pressure on the Yingluck-led administration" (*The Nation*, August 2 2014).

It should be noted that there was also a group of 135 lecturers from various universities who signed a petition criticising the CUPT's standpoint, arguing that it

was based neither on well-rounded discussions nor on consultations with university academics (*Bangkok Post*, December 6, 2013). The CUPT made no official statement on the 2014 *coup*. Thereafter, it has returned to its normal issues of higher education, such as helping new students to obtain loans for study at university and developments in the university admission system. However, certain leaders of the CUPT were appointed to positions by the Prayuth regime (see below).

The networks of professional doctors were another active alliance, labelled the “white-gown protests” by the mass media. The Rural Doctors Society (RDS) embarked on a political move even before the CUPT (on this group, see Harris 2015). On November 2, 2013, the RDS issued a statement opposing the amnesty bill, urging its community hospital staff and public health officials to communicate the RDS’s stance to patients and local people (*Bangkok Post*, November 2, 2013). Later in November, the RDS, following the PDRC’s example, organised a “whistle-blowing rally,” joined by RDS president Kriangsak Watcharanukulkiat and 80 rural-based doctors, in front of Yingluck’s family house, on the pretext of protesting against the Ministry of Public Health’s new performance evaluation system, known as pay-for-performance scheme or P4P (*Bangkok Post*, November 16, 2013).⁵ Furthermore, the Public Health Community made a statement supporting the PDRC’s “reform before election” agenda, calling on the caretaker government to step down.⁶ It also arranged for health professionals (doctors, nurses and public health staff) to gather at the Ministry of Public Health in January 2014 to declare their “civil disobedience” position, declaring that it would no longer abide by the orders of caretaker public health minister, as well as other “unrighteous orders” made by “politicians.” They vowed to follow only orders issued by the Ministry’s permanent secretary (*Bangkok Post*, January 13, 2014). Medical faculties at universities also took action. On January 21, 2014, eight medical faculties issued a joint statement calling for the February 2 election to be delayed and for an interim government.⁷ Together they were reported to organise 1,000 health professionals under the name of the “white-gown protest,” gathering at the Pathumwan intersection in support of the PDRC’s Shutdown Bangkok campaign (*Bangkok Post*, January 21, 2014).

Another key associational player was the set of peak business chambers and associations. These associations made an initial move with joint discussions in November 2013 among the Thai Chamber of Commerce, the Federation of Thai Industries and the Thai Bankers’ Association. However, they were unable to reach a consensus in the early discussion, as the Thai Chamber of Commerce declined to make an official statement (*Bangkok Post*, November 4, 2013). In mid-December 2013, these three organisations were joined by the Board of Trade, Tourism Council of Thailand, Stock Exchange of Thailand, Federation of Thai Capital Market Organisations and the Thai Listed Companies Association. The leaders of these business associations joined together to cajole the caretaker government into issuing an executive decree for undertaking national reform. This activism by business groups was echoed by the Anti-Corruption Organisation of Thailand (ACT), initiated by a group of private sectors in 2012 and chaired by Pramon Sutivong, who is Chairman of Toyota Motor Thailand and Director of Siam Cement Plc. The ACT has actively conducted and advertised campaigns to raise public awareness of corruption.

Forming parts of the “five rivers”

Upon seizing office in 2014, General Prayuth called his administrative bodies the “five rivers,” comprising: (i) the National Council for Peace and Order (NCPO, meaning the junta); (ii) the Cabinet; (iii) the Constitution Drafting Committee (CDC); (iv) the National Legislative Assembly (NLA); and (v) the National Reform Council (NRC). Members of these *coup*-installed bodies received a generous salary and meeting allowances, equivalent to those of elected members of parliament, yet without the normal monitoring process by the opposition and the public (Table 2).

All fifteen members of the NPCO are personally close to the three so-called Big Ps, that is, General Prawit Wongsuwon (“Big Pom”), General Anupong Paochinda (“Big Pok”) and General Prayuth, the *coup*’s chief engineers (see Chambers and Napisa 2016). Among 34 portfolios in Prayuth’s first cabinet, 12 were retired or active military officers, with four being the premier’s former military school classmates. Ex-bureaucrats accounted for another 12 posts. The rest had either academic or business backgrounds.⁸ Rajata Rajatanavin, a former rector of Mahidol University and a key member of the CUPT, was appointed public health minister, while Kobkarn Wattanavrangkul, Toshiba Thailand’s chairwoman and a key member of the ACT, assumed the tourism and sports ministry.

A number of active or retired academics were appointed to the NLA, NRC and CDC. That many university rectors made it to the Legislative Assembly was obviously recognising their support. As one report put it: “High-profile academics who have made it onto the National Legislative Assembly clearly have one thing in common – a stance against the so-called Thaksin regime” (*The Nation*, August 2, 2014).⁹ The rectors and academics also provided justifications for a military regime.

NLA and NRC members earned a payment of 113,560 baht per month, the same rate as that received by members of the House of Representatives. In addition, they received a meeting allowance of 1,500 baht per session, as well as an allowance for travelling within the country, at the same rate as that given to most senior officials in government ministries. NLA and NRC sub-committee members were not offered a salary but a meeting allowance of 800 baht per session instead, plus a national travel allowance. Likewise, CDC members did not receive a salary but their meeting allowance ranged from 6,000 to 8,000 baht per session (*Bangkok Post*, October 3, 2014). From November 2014 to August 2015, 36 members of the CDC held 140 meetings and received meeting allowances of approximately 35 million baht in total, equivalent to approximately 963,000 baht per person (*Matichon*, September 15, 2015).

Appointing assemblies such as the NLA and NRA does not avoid the problem of patron–clientelism or nepotism, which is allegedly prevalent among elected

Table 2. The administrative bodies of the Prayuth government.

Body	No. of members	Salary (baht per month)	Meeting allowance (baht per session)
NCPO	16	119,920	n.a.
Cabinet	35	113,560–115,740	n.a.
Constitution Drafting Committee	36	–	6,000–9,000
National Legislative Assembly	200	113,560	1,500
National Reform Council	250	113,560	1,500

Source: *Bangkok Post*, various issues.

politicians. An examination by the Isra News Agency found that 70 of 200 NLA members and 12 of 250 NRC members placed spouses, children and other direct family members on the payroll as salaried “specialists,” “aides” or “experts.” A personal assistant gets a monthly salary of 15,000 baht, a personal expert 20,000 baht and a personal specialist 24,000 baht. Some NLA members hired the same person two or three times – once for each position – drawing salaries from all. For example, one NLA member hired his wife three times, meaning she received 59,000 baht per month. The NLA decree on these hires only sets the minimum age, but does not limit the number of appointees. When this became public and was criticised, General Prayuth defended the legal right of NLA members to employ family members (*Bangkok Post*, March 4, 2015).

Assuming committees and sub-committees

In addition to the “five rivers,” there has been a burgeoning of regulatory committees and sub-committees appointed by the military junta. From May 2014 to May 2015, 35 committees were appointed by the junta’s decrees, each of which has its own discretion to appoint further sub-committees (Table 3). For example, the Digital Economy Committee established five sub-committees to oversee different issues (*The Nation*, December 5 2014). The junta-appointed parliament also endorsed a new regulation on the meeting allowance for the commission and its sub-committee. It increased the monthly meeting allowance for the commission’s chair from 10,000 baht (set in 2004) to 20,000 baht and from 9,000 to 18,000 baht for the deputy chair. The sub-committee chair’s allowance rose from 5,000 to 7,500 baht per month plus 2,500 baht for every meeting s/he attends. Sub-committee members are offered an additional 2,000 baht for one meeting (*Royal Gazette* 131/193, September 30, 2014).

One of the most high-profile and powerful committees is the State Enterprises Policy Commission, or the so-called Superboard, appointed to “ensure efficiency, unity and encourage private sector investment in government enterprises” (*Bangkok Post*, June 27, 2014). Appointees who are not from government agencies and the NCPO have been identified as having the “Kasikorn [Bank] connection” (*Thairath*, July 2, 2014), such as: Bantoon Lamsam, chairman and CEO of Kasikorn Bank; Rapee Sucharitkul, chairman of Kasikorn Asset Management; and Prasarn Trairatvorakul, Bank of Thailand Governor and formerly president of the Kasikorn Bank. Rents and discretionary authority aside, selecting persons from a major commercial bank to oversee state-owned enterprises inevitably raises questions about conflicts of interest and fair competition in the banking and financial sectors. For example, the Superboard can decide how to restructure, financially and organisationally, state-owned telecommunication companies or direct a recapitalisation/rehabilitation plan for state-owned banks and enterprises, some of which are among the largest businesses in the country.

Enhancing the reign-seeking structure

The professional and official elite who worked for the Prayuth regime demonstrated a clear aspiration to enhance the reign-seeking structure by diversifying and bolstering

Table 3. Sample list of committees appointed by the Prayuth government (as of May 21, 2015).

Economic committees	Legal and oversight committees	Other committees
<ul style="list-style-type: none"> • Small and Medium Enterprises Promotion Commission • Energy Regulatory Commission • National Energy Policy Committee • Committee on Energy Policy Administration • Energy Conservation Fund Committee • Joint Private–Public Standing Committee • Special Economic Zone Committee • Eastern Seaboard Development Committee • State Enterprises Policy Commission • Advisory Committee of the Council of National Security and Transportation • Committee for National Innovation System Development • National Committee on Competitive Advantage • Digital Economy Committee 	<ul style="list-style-type: none"> • Committee on Public Budget Expenditures • ASEAN Economic Community Preparation Committee • National Water Board • Committee for Reviewing Local Administrative Organisations’ Budgets • National Logistics Development Committee • Steering Committee for Thailand’s Southern Conflict Policy • Legislative Process Committee • National Anti-Corruption Committee • Steering Committee for NCPO’s Strategy 	<ul style="list-style-type: none"> • Committee on Managing the Problem of Foreign Workers and Human Trafficking • National Environment Committee • Buddhism-related Issues Committee • Committee on Rice Policy and Management • Sub-committee on Rice Production and Marketing • Sub-committee on Rice Stock • Cassava Policy Committee • Food Policy Committee

Source: Author’s collection and categorisation

Note: Almost all of the committees have neither official nor consistent English translations.

unelected bodies. This can be seen in the reform proposals submitted by the NRC, chaired by Thienchai Kiranan, and the draft constitution submitted by the first CDC, chaired by Borwornsak Uwanno.

The NRC delivered a blueprint for the “reform” of the country, with 37 agenda items plus six special items, to General Prayuth in August 2015. The blueprint designated no less than 100 new agencies and provided 505 legislative suggestions with a reform timeframe that extended until 2032. On bureaucratic reform, new oversight agencies were proposed, such as an internal quality enhancement team, a state agencies’ consultation team and an internal assessment of state agencies’ development (*The Nation*, September 11 2015). NRC chairman Thienchai admitted that “a special power might be needed in the reform process to get things done” (*The Nation*, August 14 2015). However, a study by iLaw, a rights group advocating legal reform, found that “the NRC is adhering to an ethos of ‘good people’ and ‘moral state’ ” by assuming that the national malaise can be cured by appointed agencies filled with moralistic people. It argues that many of the NRC’s proposals were not new or tangible, such as the plan to make citizens more informed and to enhance participation, to make government more transparent, to reform police investigation work and to provide better protection for the elderly. However, no prioritisation over the reform agenda was identified (*The Nation*, September 9, 2015).

Meanwhile, although the CDC's first provisional charter was rejected by the NRC in September 2015, it provides a useful measure of how the unelected elite attempted to make further institutional reconfigurations.¹⁰ It was planned to give birth to a new set of unelected bodies such as the Civic Sector Scrutiny Council in each of the 77 provinces, a National Ethics Assembly and the Human and Consumer Rights Protection Council (*Bangkok Post*, March 23, 2015). The most controversial idea was the 23-member National Strategic Reform and Reconciliation Committee, better known as the "Crisis Panel." Members of this panel would include the army, navy, air force and police chiefs, with special authority to intervene in a "political crisis" by overruling both executive and legislative branches. Critics argue that this is the cultivation of "a state within a state" (*Bangkok Post*, August 22, 2015). These "reforms" ethos have continued into the new charter being developed by the junta in 2016.

Reign-seeking and political contestation

Reign-seeking and the rise of the unelected have profound implications for political contestation. Over the past two decades governance reform in Thailand has been employed to reinforce the *status quo*, manifesting the dominance of moral ideologies over liberal or democratic principles. However, in the long term, reign-seekers need not be consistent authoritarians. Their political leaning is contingent upon their relationships to other social groups and the wider political dynamics.

Reform as a reinforcement of the status quo

The general finding in this article is in line with that of Rodan and Hughes (2014), that is, in Southeast Asia governance reform has been shaped by conservative moral ideologies rather than liberal or democratic values:

Democratic accountability ideologies advance the authority of the sovereign people; liberal ideologies advance the authority of the freely contracting individual in the political or economic sphere; moral ideologies advance the authority of established or charismatic moral guardians who interpret or ordain correct modes of behaviour for public officials. (Rodan and Hughes 2014, v)

Notwithstanding diversity across countries, Southeast Asia has shared a common historical specificity in the poverty of substantial independent civil societies and organised labour, through which the democratic agenda can be advanced in a systemic manner. Elite rule has thus survived even when authoritarian regimes have collapsed and has embraced governance reform as a new institutional and ideological means for preserving their power (Rodan and Hughes 2014, 27–29). However, while elites in Singapore and Indonesia still dominate the reform agenda with their morally conservative ideologies, they have to do so within the broader democratic settings (see Hadiz 2012; Rodan 2012). In contrast, conservative moral ideologies in Thailand have been founded and developed upon the prerogative of the monarchy and, in recent decades, with direct comparison to an allegedly immoral electoral force (Thongchai 2008). Hence, governance reform has been used not just to preserve the power of the traditional elite, but also to topple the elected

governments and establish a regime of its own. At the same time, to an increasing degree, governance reform has been redefined to mean the creation of unelected bodies staffed by morally conservative minds.

The dominance of moral ideologies in governance reform would also have a significant impact on policymaking. As implied by the 2015 constitutional draft and the NRC's reform proposals, morally conservative rules of the game would deter future ruling parties and parliament members from taking any risk in pursuing innovative policies or structural transformation that would engender obvious winners and losers or controversial public debates. Other things being equal, there will hardly be such a thing as grand bureaucratic restructuring, industrial upgrading, tax reforms or military budget cuts – many of which witnessed in Thaksin's first administration (2001–2005) and to a lesser extent the Chatchai government (1988–1991), both of which were ousted by military *coups*. “Populist” policy packages, topped up with royalist components and cosmetics, or infrastructural megaprojects, would be the rational policy choices under these rules of the game.

Reign-seekers as “contingent authoritarians”

Bellin (2000) coined the well-known term “contingent democrats,” arguing that there is no deterministic relationship between particular social forces (labour and capital) and political ideologies (democratic or authoritarian). She stated: “[T]he pairing of material and democratic interest is contingent upon specific historical circumstances that are not necessarily replicated in the context of late development” (Bellin 2000, 179).

In a similar vein, it would be premature to make an inference that those motivated by the reign-seeking incentive will always be supportive of authoritarian politics. Reign-seekers in Thailand are rather “contingent authoritarians.” Their foundational impetus is gaining selection into unelected bodies or promotion to higher-ranking positions. Essentially this means they can support either democratic or authoritarian regimes through which they could be taken into office. However, in the short and medium terms, the professional and official leaders are prone to pledging allegiances to the anti-democratic coalitions, as such groups strongly follow and endorse the depoliticisation discourse upon which they claim their legitimacy. In the long term, however, if political parties or newly emerging social forces could become a new spearhead for initiating and fostering the unelected bodies, a political realignment could also take place. Yet, from the definitions provided by Rodan and Hughes (2014, 4–11), the ideologies with the potential to bind reign-seekers are likely to be *liberal* (advancing the authority of the freely contracting individual) rather than *democratic* (advancing the authority of the sovereign people) ones, as the former is more proximate to the depoliticisation idea than the latter.

Concluding remarks

This article set out to explain the unusual collective actions made by the professional and official elite in the context of Thailand's military *coup* in 2014. The currently dominant accounts in the literature provide only limited insights into the issue. While influential studies of authoritarianism overlook the inner workings of regimes, the network monarchy concept does not incorporate distant groups that are relatively

autonomous from the palace and yet still have important political roles. To capture this phenomenon and its broader implications, the concept of reign-seeking has been used. The expanding role of the unelected, particularly the professional, elite is not specific to Thailand. It is driven by neo-liberal governance reform agenda, with the high aspiration for depoliticisation and rent-seeking minimisation. As in other Southeast Asian countries, the elite in Thailand has adopted and adapted such neo-liberal governance reform to reinforce its morally conservative ideologies and its hold on political power. The anti-politics mentality of neo-liberalism has become a bedfellow with the Thai-style governance discourse and been institutionalised in the 1997 Constitution. A wide range of independent agencies and unelected bodies have been established and embodied with moral and material prestige. This, in turn, has created and consolidated the incentive in a systemic way for people considering themselves to be prospective candidates to reign in these organisations. The collective action of veteran academics, prominent doctors, wealthy businesspersons and civil society leaders was evident in incidents before the 2006 *coup* and became more conspicuous in the events both before and after the 2014 *coup*. They legitimised the arguably self-made political crisis, joined the junta's administration, assumed posts in newly founded committees and worked to redesign the rules of the game to foster the role of the unelected bodies. Future analyses of Thai politics need to take this incentive into account. The uneven assumptions made between rent-seeking politicians and above-politics, non-partisan actors would be misleading at best and fictitious at worst.

Thus far the attempts at governance reform since the wake of the Asian economic crisis in the late 1990s have turned out to be a reinforcement of the incumbent in most countries of Southeast Asia. However, while the elite in some other places are constrained to manipulate reform under the democratic settings, in Thailand depoliticisation-led reform has been used as part of the ideological and institutional tools to endorse the authoritarian regime. Yet, the article further argued that reign-seekers in the Thai case should be seen as contingent, rather than consistent, authoritarians. Their stance relies upon the broader contexts of political and ideological struggle, although drawing an alliance with the liberals rather than the democrats would be more viable for them.

After all, it is the very idea of depoliticisation that has politicised non-partisan actors. Even assuming away corruption and rents, the material and moral prestige stemming from these positions are massive by Thai standards. Without devoting a career to a political party or running for a competitive election, they can earn a salary and allowance that is equivalent to that of senior government officials or elected members of parliament. Moreover, the normal tenure in these organisations is usually longer than that of elective offices, the prerogative generally higher and the accountability process far less transparent. Reign-seeking has become a lucrative incentive and seems to entail its own career structure and prospects under this long neo-liberal turn. While military rule inherently faces political and economic difficulties, reign-seekers and their organisations are constitutionally bound to prevail over future democratic transitions. As Rancière (1995, 19, 11) reminds us: “depoliticisation is the oldest task of politics” and it is politics itself that brings about depoliticisation because “politics is the art of suppressing the political.”

Notes

1. For example, Doner (2009, 54) argues that: “Thailand’s traditionally sound macroeconomic policies were possible only due to the presence of a set of coherent, capable, and relatively insulated technocratic agencies; indeed, the more recent *politicisation* of these agencies was an important factor in the country’s 1997 financial meltdown” (emphasis added).
2. This does not mean I agree with this conventional rent-seeking assumption, as there are alternative frameworks to analysing rents and rent-seeking, such as that of Khan and Jomo (2000), who consider rents from a wider perspective than the neo-classical school.
3. From www.cupt-thailand.net, accessed April 12 2015.
4. The statement was signed by the rectors of Thammasat University, Srinakharinwirot University, Suranaree University of Technology, Mahidol University, Ramkhamhaeng University, Chulalongkorn University, Kasetsart University, Walailak University, the National Institute of Development Administration, Sukhothaimathirat Open University, Khon Kaen University, Chiang Mai University, King Mongkut University of Technology Thonburi, Nakhon Phanom University, Maha Sarakham University, Silpakorn University and Prince of Songkhla University, Thaksin University, Princess of Naradhiwas University, Naresuan University, Burapha University, the University of Phayao, Mae Fah Luang, Ubon Ratchathani University, Mae Jo University and Mahasarakham University.
5. Opponents of the proposed P4P said that it would create a burden for medical staff because they would have to record their daily activities. It would also lead to rural doctors’ pay being cut and result in a mass exodus of medical professionals from remote areas (*Bangkok Post*, November 16, 2013).
6. The PHC consists of eight health professional groups such as the Provincial Public Health Directors Club, Regional Hospital and General Hospital Federation, Dentists Club and Community Hospital Directors Club (*Bangkok Post*, January 11, 2014).
7. The statement was signed by the heads of eight medical faculties from seven universities: the Siriraj and Ramathibodi campuses of Mahidol University and Thammasat, Burapha, Chulalongkorn, Prince of Songkhla, Naresuan and Rangsit universities.
8. The second Prayuth cabinet increased military domination (*Bangkok Post*, August 21, 2015).
9. Examples are: Somkid Lertpaitoon of Thammasat University, Rajata Rajatanavin of Mahidol University, Chalermchai Boonyaleepun of Srinakharinwirot University, Wutisak Lapcharoensap of Ramkhamhaeng University and Pirom Kamolratanakul of Chulalongkorn University.
10. According to the procedure set by the junta, the CDC was required to submit the draft constitution to the NRC for them to consider. On September 6 2015, the NRC voted 135:105 to reject the draft. This also ended both the NRC and the CDC. A new CDC was appointed to draw up a new constitutional draft.

Acknowledgements

This article was prepared for the GRIPS–JCA workshops, supported by the Emerging State Project (Comparative History Approach) under the Grant-in-Aid research project No. 25101004 of the Japan Society for Promotion of Sciences as well as the GRIPS Policy Research Center. Most grateful thanks are due to Takashi Shiraishi and Kevin Hewison. The author also benefited from discussions with Kevin Hewison, Richard Robison and Garry Rodan at Murdoch University, Pitch Pongsawat and Pandit Chanrochanakit at Harvard University and Kasian Tejapira, Khoo Boo Teik, Pasuk Phongpaichit, Chris Baker and Michael Connors at GRIPS.

Disclosure statement

No potential conflict of interest was reported by the author.

References

- Aim Sinpeng. 2013. "The Power of Political Movement and the Collapse of Democracy in Thailand." PhD Diss., University of British Columbia.
- Bellin, E. 2000. "Contingent Democrats: Industrialists, Labor, and Democratization in Late-Developing Countries." *World Politics* 52 (2): 175–205.
- Brownlee, J. 2007. *Authoritarianism in an Age of Democratization*. Cambridge: Cambridge University Press.
- Burnham, P. 2001. "New Labour and the Politics of Depoliticisation." *British Journal of Politics and International Relations* 3 (2): 127–149.
- Chambers, P., and Napisa Waitookiat. 2016. "The Resilience of Monarchised Military in Thailand." *Journal of Contemporary Asia* 46 (3): 425–444.
- Chang, H.-J. 2001. "Breaking the Mould: An Institutionalist Political Economy Alternative to the Neoliberal Theory of the Market and the State." Geneva: United Nations Research Institute for Social Development, Social Policy and Development Programme Paper Number 6.
- Chang, H.-J. 1999. "The Economic Theory of the Developmental State." In *The Developmental State*, edited by M. Woo-Cumings. Ithaca: Cornell University Press.
- Connors, M. 2003. *Democracy and National Identity in Thailand*. London: Routledge.
- Doner, R. 2009. *The Politics of Uneven Development: Thailand's Economic Growth in Comparative Perspective*. Cambridge: Cambridge University Press.
- Dressel, B. 2010. "Judicialization of Politics or Politicization of the Judiciary? Considerations from Recent Events in Thailand." *The Pacific Review* 23 (5): 671–691.
- Dressel, B. 2009. "Thailand's Elusive Quest for a Workable Constitution, 1997–2007." *Contemporary Southeast Asia* 31 (2): 296–325.
- Flinders, M. and J. Buller. 2006. "Depoliticisation: Principles, Tactics and Tools." *British Politics* 1 (3): 293–318.
- Flinders, M. and M. Wood. 2014. "Depoliticisation, Governance and the State." *Policy & Politics* 42 (2): 135–149.
- Gandhi, J. 2008. *Political Institutions Under Dictatorship*. New York: Cambridge University Press.
- Geddes, B. 2003. *Paradigms and Sand Castles: Theory Building and Research Design in Comparative Politics*. Ann Arbor: University of Michigan Press.
- Ginsburg, T. 2009. "Constitutional Afterlife: The Continuing Impact of Thailand's Post-Political Constitution." *International Journal of Constitutional Law* 7: 83–105.
- Hadiz, V. 2012. "Democracy and Money Politics: The Case of Indonesia." In *Routledge Handbook of Southeast Asian Politics*, edited by R. Robison, London: Routledge.
- Harris, J. 2015. "Who Governs? Autonomous Political Networks as a Challenge to Power in Thailand." *Journal of Contemporary Asia* 45 (1): 3–25.
- Hay, C. 2007. *Why We Hate Politics*. Cambridge: Polity Press.
- Hewison, K. 2004. "Neo-liberalism and Domestic Capital: The Political Outcomes of the Economic Crisis in Thailand." *The Journal of Development Studies* 41 (2): 310–330.
- Hewison, K. 2007. "Constitutions, Regimes and Power in Thailand." *Democratization* 14 (5): 928–945.
- Hewison, K. and Kengkij Kitirianglarp. 2010. "Thai-Style Democracy: The Royalist Struggle for Thailand's Politics." In *Saying the Unsayable: Monarchy and Democracy in Thailand*, edited by S. Ivarsson and L. Isager, Copenhagen: NIAS Press.
- Jayasuriya, K. and K. Hewison. 2004. "The Anti-Politics of Good Governance: From Global Social Policy to a Global Populism?" *Critical Asian Studies* 36 (4): 571–590.
- Jayasuriya, K. and G. Rodan. 2007. "Beyond Hybrid Regimes: More Participation, Less Contestation in Southeast Asia." *Democratization* 14 (5): 773–794.

- Khan, M. and K. S. Jomo. 2000. *Rents, Rent-Seeking and Economic Development: Theory and Evidence in Asia*. Cambridge: Cambridge University Press.
- McCargo, D. 2005. "Network Monarchy and Legitimacy Crises in Thailand." *The Pacific Review* 18 (4): 499–519.
- Mérieau, E. 2016. "Thailand's Deep State, Royal Power and the Constitutional Court (1997–2015)." *Journal of Contemporary Asia* 46 (3): 445–466.
- Pepinsky, T. 2014. "The Institutional Turn in Comparative Authoritarianism." *British Journal of Political Science* 44 (03): 631–653.
- Prajak Kongkirati. 2016. "Thailand's Failed 2014 Election: The Anti-Election Movement, Violence and Democratic Breakdown." *Journal of Contemporary Asia* 46 (3): 467–485.
- Rancière, J. 1995. *On the Shores of Politics*. London: Verso.
- Rodan, G. 2012. "Consultative Authoritarianism and Regime Change Analysis: Implications of the Singapore Case." In *Routledge Handbook on Southeast Asian Politics*, edited by R. Robison, London: Routledge.
- Rodan, G., and C. Hughes. 2014. *The Politics of Accountability in Southeast Asia: The Dominance of Moral Ideologies*. Oxford: Oxford University Press.
- Saichol Sattayanurak (2005) "The Construction of Mainstream Thought on 'Thainess' and the 'Truth' Constructed by Thainess." translated by Sarinee Achavanuntakul, www.fringier.org/wp-content/writings/thainess-eng.pdf.
- Thongchai Winichakul. 2008. "Toppling Democracy." *Journal of Contemporary Asia* 38 (1): 11–37.
- Ukrist Pathmanand. 2008. "A Different Coup D'état?" *Journal of Contemporary Asia* 38(1): 124–142.
- Vibert, F. 2007. *The Rise of the Unelected: Democracy and the New Separation of Powers*. Cambridge: Cambridge University Press.