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Southeast Asia's Troubling Elections

IS THERE A SILVER LINING?

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In the first half of 2019, three key Southeast Asian countries conducted elections: Thailand held a parliamentary balloting in March; Indonesia held presidential, legislative, and local polls in April; and the Philippines held congressional midterms and a large number of local contests in May. The news from these elections is troubling. Democratic prospects in the region were already bleak, and the results of the voting arguably made them worse: In each of these three countries, authoritarian or at least increasingly illiberal rule appears to be consolidating.

In Thailand, pro-establishment forces gathered around the monarchy strove to put a civilian face on what is still essentially a military regime, "winning" the elections in a process tilted against oppositionists. In Indonesia, incumbent president Joko Widodo (known as Jokowi) defeated intolerant populist Prabowo Subianto for the second time, but the price was high: There were concessions to hard-line nationalists and to Islamists who have targeted religious and sexual minorities. Jokowi's administration had been moving in an illiberal direction anyway, and the concessions intensified that trend. In the Philippines, candidates favored by President Rodrigo Duterte dominated the midterms, allowing him to advance his punitive legislative agenda while stepping up harassment of his opponents. Duterte's approval rating is around 80 percent despite—or more likely *because of*—his bloody "war on drugs." This violent populist campaign, waged by police officers acting as vigilantes, has taken thousands of lives.

Are there any silver linings for democracy? There may be. In Thailand, a broad-based civilian coalition emerged to contest veiled military rule, and the ruling junta had to resort to electoral manipulation and a rigged constitution in order to hold on. Indonesia saw a pluralist backlash against extremism as voters reaffirmed both traditional Islamic

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identity and the established national ideology of Pancasila (which dates back to the dawn of independent statehood in the late 1940s). Jokowi, as Edward Aspinall and Marcus Mietzner explain in their article in this issue, is hardly a liberal-democratic paragon, but he has checked Islamist extremism.

In the Philippines, meanwhile, opposition Senate candidates were trounced, but they raised an issue (the territorial dispute with China) that continues to haunt Duterte's administration even as it struggles to manage a swollen and factionalized ruling coalition. Duterte is likely to leave office after his allotted single term ends in 2022, and there remains a chance that more liberal alternatives could come to the fore once he steps down.

Indonesia. The results from this largest of all Southeast Asian countries seem to be the most positive because Prabowo lost, and by a margin nearly twice that of the previous election in 2014. In an echo of the Suharto era (when Prabowo had been Suharto's son-in-law and a general accused of human-rights abuses), Jokowi was called a crypto-communist. Prabowo was backed by Islamist extremists who engaged in local intimidation and smeared Jokowi via the internet. Each camp appealed to much the same base it had in 2014, with Jokowi most popular in the Javanese heartland and the predominantly minority areas in eastern Indonesia, while Prabowo did best in the more conservative Muslim provinces.

Five years in power had shown Jokowi to be no liberal democrat, as he sought to split his opposition by coopting a share of the Islamists. The occasion for Jokowi's "authoritarian turn" came midway through his term when Islamists who remained implacably in opposition staged mass protests over blasphemy charges of which Jokowi's deputy and successor as governor of Jakarta had been convicted in 2017. The protests' real target, of course, was Jokowi. Unfortunately, the latter chose to fight back against illiberalism with escalating illiberal measures of his own. At the same time, the president did little to protect civil liberties as attacks against the LGBT community and religious minorities mounted. The threat to minority rights from Islamists and nationalists alike indicates the retreat of "democratic cosmopolitanism" and the rise of "religious nationalism" in Indonesia.[1] As Islamization advances and intolerance becomes normalized, the relatively liberal *reformasi* era ushered in by Suharto's 1998 fall increasingly seems like a lost world.

Even as Jokowi disappointed his liberal supporters with his weak defense of civil liberties and his choice of a conservative Islamic scholar as his 2019 running mate, the election did produce a pluralist pushback of a sort. Liberal-minded voters shelved plans to boycott the elections as they realized that "any hope for a more democratic society ha[d] been placed on Mr. Joko's shoulders."[2] Jokowi's coalition, despite taking

on a more Islamic hue, countered Prabowo's intolerance by claiming to represent Indonesia's moderate Muslims and non-Muslim minority communities.

Jokowi's decision to hand his ticket's number-two spot to the head of the Sunni-traditionalist organization Nahdlatul Ulama (NU) proved crucial. In addition to heading NU, Ma'ruf Amin chaired the Indonesian Ulama Council, the state-backed body in charge of issuing Islamic rulings.[3] He claimed to have moderated his hard-line stances, including his backing of the charges in the blasphemy case. After having split in 2014, NU united behind Jokowi and Amin in 2019. It was a win for traditional Islamic identity and Pancasila, whose backers had claimed that Prabowo intended to do away with the Indonesian Republic and make the country part of a caliphate.

Aspinall and Mietzner decry the "decoupling of religious pluralism from broader democratic norms"—a view reinforced by the extreme force that police appear to have used against postelection protests. Yet with Prabowo and his extremist allies beaten at the polls a second time, perhaps Jokowi will see that he can afford to lean away from "defensive democracy" and back toward liberal-democratic norms.

Thailand. For nearly two decades, Thai political life has been polarized. On one side are the parties and the grassroots movement (the Red Shirts) that back controversial ex-premier Thaksin Shinawatra. On the other is the establishment gathered around the institution of the "network monarchy." This establishment is represented by the Yellow Shirt movement, whose mobilizations played a role in bringing about the coups of 2006 and 2014 as well as the military's indirect intervention of 2008. Thaksin's base consists of poorer urban voters as well as people in the northern and northeastern parts of the country. Thaksin himself has long been in exile, but sharpening inequalities between classes and regions have continued to fuel the populist movement associated with him. Between 2001 and 2014, Thaksin's camp won six elections, two of which were nullified. His elite opponents could not win at the ballot box, so instead they learned to execute a two-step maneuver—civilian insurrection followed by military intervention—to keep Thaksin and his surrogates out of power.

The junta that took power in May 2014 repeatedly postponed elections while it put in place "reforms" designed to dilute pro-Thaksin votes and give the military veto powers. Duncan McCargo in his essay describes explains that the military's "strategic procrastinations" showed how seriously the establishment took Thaksin's "pro-poor" populist challenge. But seemingly successful efforts to marginalize the pro-Thaksin forces ironically led the pro-establishment forces to embrace elections, which they once had scorned.

In order to "win" the March 2019 elections, the military's proxy party

(the Palang Pracharath) had to resort to multiple manipulations. The 2017 Constitution is heavily biased in its favor. Patronage, gerrymandering, bans on rival parties, harassment of opposition campaigners, and outright fraud were all in evidence as well. The electoral commission even waited until voting was complete before changing the formula for distributing party-list seats—again with the goal of helping the military party. It was an "ineptly rigged election," the "dirtiest in decades," and it provoked widespread anger.[4] The military's party had to court several smaller civilian parties to secure a stable governing majority.

The Philippines had a hyperpresidential system before Duterte took office, but he has transgressed even the loose limits on executive power that remained.

Voters punished Thailand's oldest party, the Democrats, for vacillating in the face of the military's power play. As McCargo recounts, the Democrats did not win a single seat in Bangkok, a traditional stronghold, and have now largely been reduced to a regional party based in southern Thailand. After the election, the Democrats allied themselves with the military-linked government. This caused their longtime leader to resign, suggesting the presence of a civilian-military divide among anti-Thaksin forces. The Democrats who remain in the National Assembly, feeling pressure to show that they are independent of the military, have been calling for constitutional reforms.

The new Future Forward Party, dedicated to opposing the military's involvement in politics, garnered strong support among affluent, urban voters and the young. Vowing to restore civilian democratic rule even if that involved making common cause with the once-spurned Thaksin forces, Future Forward surprised observers by becoming parliament's third-largest party. Seeing Future Forward as a major threat, the conservative establishment has had the party's leader suspended from parliament on transparently dubious charges and threatened the party itself with dissolution. Through it all, Future Forward continues to demand constitutional changes that will take away the political advantages the military has engineered for itself and point the way back to civilian rule.

For Bangkok-based political scientist Prajak Kongkirati, the election results have established that the main cleavage in Thailand is no longer for or against Thaksin, but rather for or against continued military domination of political life. The election showed that military authoritarianism and pro-Thaksin forces retain support, but not enough to prevent the reappearance of the military-civilian split that pervaded Thai politics until the early 1990s.[5]

The Thai military, with backing from the monarchy, has erected an electoral authoritarian regime. But that was the easy part. The hard part will be finding a stable and convincing civilian and parliamentary guise

to mask military control. At this, the Thai armed forces have a decidedly poor track record. The March 2019 polls "failed to induce [the] political obedience" sought by the conservative military-monarchical establishment: Elections showed voters to be subversive, as they often have been in Southeast Asia's recent history.[6]

The Philippines. Although he was not on the ballot, there is no question that the Philippines' May 2019 midterms belonged to Duterte. Accusations of massive human-rights violations associated with his bloody "war on drugs" have failed to hold down his stratospheric popularity. Voters see his violent strongman rule as needed to bring reforms and establish order in a country where key institutions are weak and dysfunctional.[7] To demonstrate unbending political will, he regularly makes use of what Hong Kong–based political scientist Denise van der Kamp terms "blunt-force regulation," not merely searching for wrongdoers, but arbitrarily shutting things down across the board. In April 2018, for instance, he completely closed Boracay Island, a major international vacation destination, to clear the way for six months of cleaning and infrastructure upgrades. In late July 2019, he abruptly ordered the Philippine Charity Sweepstakes Office and its Small Town Lottery to cease operations following corruption allegations.

Not a single opposition candidate emerged victorious in the midterm Senate races—the first time that has happened since 1938. Like past presidents, Duterte had easily gained control of the lower house through patronage distribution. The Supreme Court had become pliant when its chief justice was removed through a nefarious legal maneuver and other justices reached retirement age. With the jailing or removal from office of key oppositionists and "resurgent nationalist" attacks on "foreign meddlers" and their "domestic lackeys," civil society organizations have been unable to sustain antigovernment protests. After the 2019 Senate routs, no opposition bastion remains to stand in Duterte's way.[8]

As Björn Dressel and Cristina Regina Bonoan point out in their contribution to this issue, the president has already gone far toward dismantling constitutional checks "through nominally legal means." Now, his Senate supporters are positioned to change the 1987 Constitution (under the guise of replacing the Philippines' unitary system with federalism). The Senate will probably also help him to restore the death penalty, which he wants reimposed as part of his drug crackdown. As for high-profile Senate inquiries into Duterte and his family, those appear to be things of the past.

Duterte has long targeted the independent media and other critical voices, but shortly after the election, his harassment of critics hit a new low: He had subversion charges filed against the vice-president (in the Philippines a separately elected official) and almost three-dozen others, including opposition senators and Senate candidates, human-rights ac-

tivists, academics, and a quartet of outspoken Roman Catholic bishops. Extrajudicial killings of left-wing activists have accelerated recently: In the province of Negros Oriental alone, twenty were shot dead during a single week in late July. The Philippines had a hyperpresidential system before Duterte took office, but he has transgressed even the loose limits on executive power that remained. He is now the most powerful single political figure the country has seen since dictator-president Ferdinand Marcos was forced from office in 1986.

But in a sense, Duterte has become a victim of his own success. His electoral tsunami left behind an oversized coalition that has begun to split as he enters the second half of his term-limited six years in power. In his 1962 classic *The Theory of Political Coalitions,* U.S. political scientist William H. Riker posited the idea of the "minimum winning coalition." Riker held that leaders will gather as many allies as they need in order to rule, but not so many that resources must be spread thinner than is necessary. The bigger a coalition is, the less durable it is likely to prove.

Winning elections by a margin that is "too big," in other words, means having to satisfy too many supporters. There are rival political clans and factions in Duterte's camp. They were openly competing against one another during the midterms. Duterte did not prioritize the "systematic mobilisation of patronage" to promote unity during the campaign, but relied instead on his popular political narrative as a strongman.[9] After the elections, a battle royal broke out for the speakership of the House of Representatives. Duterte found himself forced to carry out an unprecedented personal intervention, brokering a power-sharing arrangement in order to achieve a tenuous equilibrium in the lower house.

None of this bodes well for whomever Duterte chooses to endorse as his preferred successor. Philippine presidents have generally been failures at deciding who will come after them in office. The last chief executive to manage this feat was Corazon Aquino, the first post-Marcos president. In 1991, she recommended her defense chief, Fidel V. Ramos, for the top job. He squeaked to victory in 1992, winning with less than a quarter of the vote in a six-candidate field.

Sara Duterte, who like her father before her is the mayor of Davao City on Mindanao, is thought to be his preferred presidential successor. The 41-year-old's introduction to nationwide audiences during the 2019 campaign was far from flawless, however, and history does not favor her becoming president. As the speakership contest revealed, the multifactional power struggle is already heated; it will only grow hotter as the 2022 presidential election draws near. This might promote open contestation, since no faction seems strong enough to seize the playing field, and all therefore feel some interest in keeping it relatively level as they vie for votes. It is also possible that some candidates seeking to succeed Duterte could try to make themselves stand out by promising to end current abuses of power.

This is more likely if Duterte's political messaging weakens. His image as a tough guy (*siga*), seemingly untouchable at home, appears threatened by aggressive moves by China in the South China Sea and by increasing Chinese immigration into the Philippines. During the midterms, the opposition criticized Duterte's weakness in countering China's island grabs and warned that Chinese-financed infrastructure projects could mire the Philippines in debt. The influx into the Philippines of 150,000 or more Chinese workers, many of them to staff the online-gaming industry, has also raised concerns. On 9 June 2019, shortly after the elections, a steel-hulled Chinese vessel rammed and sank a wooden-hulled Philippine fishing boat at Reed Bank in the South China Sea and then sailed away. Only when two of the 22-member Filipino crew managed to reach a Vietnamese fishing boat was the crew rescued.

Duterte's attempt to minimize the ramming as "a little maritime accident" was contradicted by the Philippine Coast Guard's account. Duterte later acknowledged that he had secretly allowed the Chinese to fish in waters that the Permanent Court of Arbitration at The Hague had ruled in 2016 were within the Philippines' exclusive economic zone. He had made the deal, he said, because it was the only way to avert war with China. That more Filipinos have been voicing negative views of that giant neighbor in opinion polls is not surprising.

A sense that Beijing is taking advantage of a president who lacks the will to guard Philippine interests could damage Duterte in the future despite his current popularity. Interestingly, aside from political oppositionists, Duterte's highest-profile critic in this matter has been Supreme Court justice Antonio Carpio. Named to the Court by Gloria Macapagal-Arroyo, now a close Duterte ally, Carpio decries China's "grand theft" of Philippine maritime rights in the "West Philippine Sea."

Most recent Philippine presidencies have begun with a bang but ended with a whimper. Duterte's predecessor, Benigno "Noynoy" Aquino III, came to office promising a "straight path" to honest governance but hit a dead end of scandals. Duterte's drug war with its systematic state violence is the subject of an International Criminal Court investigation (despite Philippine withdrawal under Duterte). It is also the target of a probe by the UN Human Rights Council, suggesting that it is an issue which will not go away easily. As questions about China policy dog the president, and as competing factions in his oversized ruling coalition maneuver to succeed him, calls for change in foreign policy and even for safeguarding human rights are likely to contribute to increasing political pluralism.

The Dictator's Dilemma

That elections have a democratic silver lining is not unusual in illiberal contexts. Even where governments have fallen short in their adherence to democratic norms, as was the case during Jokowi's first term in

Indonesia, a pluralist pushback can take place. In the course of the 2019 campaign, pro-Jokowi forces outmobilized extremists and managed to turn the vote into a majority reaffirmation of traditional Islamic identity and the national ideology of Pancasila.

Elections have often been used to legitimize illiberalism or electoral authoritarianism.[10] Authoritarians look to elections to provide the appearance of democracy even when its substance is undermined, whether by direct manipulation or by limits on freedom and participation that render elections unfair. But dictators face a dilemma: Elections, sometimes even unfree ones but especially ones that are "only" unfair, have a logic of their own. In Malaysia in 2018, the longtime ruling party tilted the field in its own favor, but still suffered a stunning defeat at the polls. Stolen elections can lead to revolutionary mobilization and regime overthrow, as happened in the Philippines in 1986.[11] But even if an illiberal ruling party "wins" elections, its resort to unfair advantages to do so may leave its legitimacy diminished. That has been the story in Thailand in 2019.

To the extent that election campaigns allow the airing of antigovernment criticism, they may activate latent cleavages unfavorable to illiberalism. In Thailand, the five years of military rule between the 2014 coup and the 2019 vote led more citizens to embrace the notion that soldiers should withdraw from politics. A new party was formed to give voice to this idea, and it entered a coalition with the pro-Thaksin populists whom the Thai middle classes used to scorn. This left the military's proxy party scrambling to hold on to its own coalition partners, who can read the antimilitary trend and realize that they have an interest in convincing voters that they, too, are committed to greater civilian authority.

Finally, the joys of illiberal electoral victory may lose their luster if, as is now happening in the Philippines, an oversized winning coalition breeds infighting. Myriad victors elbow one another as they race to grab spoils and to position themselves most favorably for the next election. The happy upshot for democracy can be a quite selfish and widely shared interest in keeping elections competitive. Openings for pluralism, moreover, may appear as controversial issues (maritime troubles with China in the Philippines, for instance) become fodder for future campaign appeals. In short, authoritarian systems have cracks—and democracy can sometimes get in through them.

NOTES

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