

Can “New Institutionalism” in Thai Constitution (2017) create a peaceful society?

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Abstract

Can the current Thai Constitution (2017), which was analyzed based on the concept of “New Institutionalism”, prevent a coup d’etat and create political stability? Will Bangkok be a peaceful society and how can it be? What are factors that can promote reconciliation or reduce wars between people with different color shirts? Should policy makers/ Thai political leaders step away from the Old Institutionalism and move to the New Institutionalism so that Thailand politics will be better in the near future? The purposes of this article are a) to employ the concept of New Institutionalism to explain the cooperation and conflicts based on the Constitution 2017 to see whether or not it can create peace in the Thai society and b) to explore whether or not, based on the Thai Constitution (2017), Thailand will be able to reduce conflicts and be free from the next coup d’etat. The author would like express political opinions

through various perspectives. The article emphasizes that the New Institutionalism should build up “Institutional” to the Thai politics and create cooperation and harmonious living among Thai people.

Keywords: Institutional, New Institutionalism, peace, cooperation and conflict, Thai Constitution 2017

Can “New Institutionalism” in Thai Constitution (2017) create a peaceful society?

Introduction

Can the concept of “New Institutionalism” prevent a coup d’etat and create political stability as well as a peaceful society? Thailand has a unique history and has informal patterns hidden in different sectors such as military institution, government institution, legislative institution (especially the judiciary institution used the Buddhist principles and beliefs of the subject political culture from the force of the eastern culture to “dominate the main institutions in Thailand”). In this case, the author refers to the Constitution or the 2017 Constitution, No. 20 (BBC, Thai, 2017), which was originated and dominated from the beginning. Therefore, the vaccine injected into the 2017 Constitution could affect the growth of it which “cannot become the New Institutionalism for Thailand” (which type of institutionalism?, which organization?, who is behind the “political structure, both formal and informal”?). It means that the old things do not melt and become new things, the society is obviously separated. The political decision from those involved (political parties, voters, etc.) was based on the decision of groups of people or individuals for the benefit of their own groups. “Constitutions from different periods of time has its own history and origins depending on time.” Military and groups of dictators still exist and only change their existence based on their periods

of time. Democratic depend on participation. Nine words of this are not “ ‘quite good’ democracy” (Morlino, Berg-Schlosser and Badie, 2017, p. 111-112), such as (a) Authoritarianism, (b) Civilian authoritarianism, (c) Civilian0military authoritarianism, (d) Democracy without state, (e) Hybrid regime, (f) Limited democracy, (g) Military authoritarianism, (h) quasi-democracies and (i) Traditional regimes. Please rethink about “ends versus means (Lane, 2000, p. 28)”. If our state be peaceful, we should to do “three major components of political science, such as ethic: What (the 2017 Constitution) ought to be?, empirical: What is (what has been) what (the 2017 Constitution) will be?) ; and prudential: What (the 2017 Constitution) can be? (Riemer; Simon and Romance, 2014, p. 65)”.

The current Constitution (6 April 2017) is unlikely to be able to prevent the next coup d’etat and create the political, economic, social, cultural and environmental stability. Humans in the state and environment tend to be more critical. The competitiveness in capitalism accelerates conflicts and gaps which can move away from the appropriate standing point. Equilibrium is replaced by bias and hatred. Separation between opportunities to eat well and no opportunities to eat well, will there be opportunities to establish peace for the Thai citizens?

The impact of New Institutionalism in economics and New Institutionalism in public administration will create intensive and serious competitiveness for economic wealth. The political, economic, social, cultural, and environmental gaps

of the state extend in width and depth and to the international level which bring about more political protests and changes.

Modern state/nation like Thailand will build up new institutionalism and organizations to adapt the existing organizations to “maintain the old power or traditional power based on traditional belief and political culture” to dominate Thai society both in depth and width in order to take people back to the reigns of King Rama 5-7. It is like freezing Thai bureaucratic policy and freezing or postponing the election (an election is not like Anekchonnikor Samosornsommut (people elected a king) but the election is a significant process to sustain democracy). For Thailand, can election fulfill the meaning of democracy according to the scope of the definition?

Does New Institutionalism of Thailand exist? Can the New Institutionalism of Thailand be ethical enough to solve the conflicts? Do Thai people accept roles and integrity of the New Thai Institutionalism? The author views that “For Thailand, the New Institutionalism on environment and natural conservation ideal are considered the only new developed ideas of the New Institutionalism. For the Thai Constitution, whether or not it will grow and strengthen, the author finds that it is unlikely to become the New Institutionalism. Finally, the political vicious cycle will bring back the coup d’etat in the near future. The Thai Constitution is still the Old Institutionalism and unable to link the old to the new. If “Constitution” and “Thai bureaucracy officer” do the rule of law by (a) official power (“constraint, force, subordination, and

dependence”) and (b) official authority (“consent, morality, will, and autonomy”) (Hoffman and Graham, 2015, p. 4-8), the state will be peaceful.

(Remarks: In countries in Europe or America, the natural and world conservation organizations, a group of organizations for LGBT, and etc. are considered the New Institutionalism which empowers the political movement. For example, during the President Barrack Hussein Obama, there was a policy to allow 15,500 people in LGBT to identify themselves at the US Army, Social Security or Obmama Care scheme. There was an agreement to reduce gas or stop global warming. However, the President Donald Trump has abolished these programs.

Content

Definitions of Terms

The study based on American political sciences through Institutionalism is like the “...bringing the state back in...” (Fiorina, 1995, pp.107-115). The study in the past focused on the state or “bringing the state back” to involve in the consideration of different problems. The three important factors were 1) Institutional; 2) History, and 3) New. It means that the political sciences before 1960s put the emphasis on stability of the state or the nation’s benefits. However, the study of political sciences at present do not provide much importance to the above three factors. They were replaced, according to a new academic knowledge of Prof. Morris Fiorina

from Harvard University, by the study based on behaviorism and institutions. What do the behavior-based study and other studies provide to Thai politics? Thailand should to have good governance too (the author).

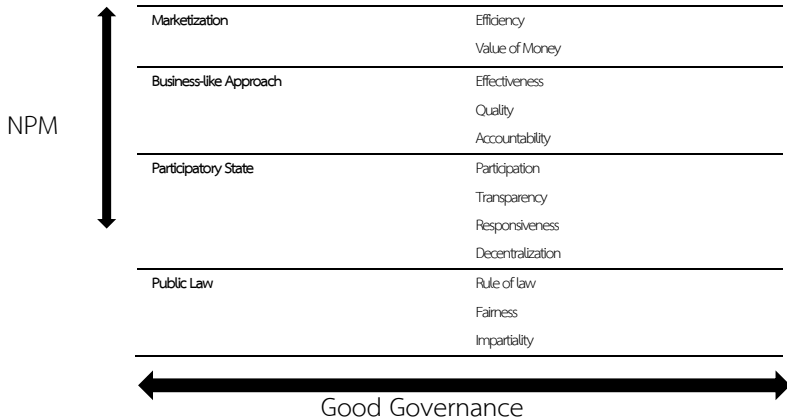


Table1: Apply “Woodrow Wilson concept” by “New Public Management” & “Good Governance” (Sirisamphan, 2004, P. 57)

This table will have been concerting the phenomenon of two main theories, both “NPM (New Public Administration)” and “Good Governance”. NPM will have been focusing the theory of ‘Marketization’ and ‘Business-like Approach’. Good Governance will have been relating the theory of ‘Marketization’, ‘Business-like Approach’, ‘Participatory State’, and ‘Public Law’. Thai Constitution should be practical of NPM theory and prioritize all concept of Good Governance. The root of the Participatory State’ in European democratic country creates “Public Law”. Neither Thai public law nor Thai constitution have not been accepted by both public and international community.

Related Literature

The term New Institutionalism includes the new institutionalism which focuses on political sciences in the three main factors and the new institutionalism based on economics (Williamson, 2000, pp. 595-613) from the economics field. This refers to “the political sciences based on public administration must have the Rule of Law which corresponds to governance” and the political sciences on international relations must have tolerance and prudence which corresponds to global governance” and “the political sciences based on public administration must have a new state management/efficiency and effectiveness which corresponds to good governance. The three majors in political sciences will result in the worthiness of risk in economics in terms of budget spending and advocate the people’s well-being. The table below shows the concept of political sciences and economics that support state administration for the people benefits.

From the above mentioned causes, the author does not bring clauses in the Constitution 2017 to be analyzed since it may not be appropriate at the present time, however, there may be more freedom for academics in the future. In addition, the author has made an effort to explain the institutionalism more than the content in the Constitution. “... ‘*New Institutionalism*’ is not only reflect many features of the older version of this approach to understanding politics, but also advance the study of politics in a number of new theoretical and empirical directions. It utilizes many of the assumption of

older institutionalist thinking but enriches that thought with the research tools and the explicit concern for theory that had informed both behavioralism and rational choice analysis. ... This internal differentiation of the institutionalist approach implies several additional things about contemporary theoretical development; first, some components of the New Institutionalism are more compatible with the assumptions of the dominant individualistic approaches to the discipline than others are not relevant. This differentiation further implies that three (rule of law, fairness, impartiality) may well be a need in many instances to blend several of the versions of the New Institutionalism if researchers want a more complete perspective on the structural characteristics of the political system and the influence of structure on public policies and the conduct of government. In short, we will be arguing throughout this exploration of the institutional approach that some eclecticism in the use of approaches is likely to pay greater intellectual dividends for political science than a strict adherence to a single approach. ...” (Peter, 2012, p. 2). From the above claim, an example of institutionalism is shown as follows:

Main Concept	Institutionalists
Normative institutionalists	Normative institutionalists study how the norms and values embodied in political institutions shapes the behavior of individuals
Rational choice institutionalists	Rational choice institutionalists argues that political institutions are systems of rules and inducements within which individuals attempt to maximize their utilities
Historical institutionalists	Historical institutionalists look at how choices made about the institutional design of government systems influence the future decision-making of individuals
Empirical institutionalists	Empirical institutionalists, who most closely resemble the ‘traditional’ approach, classify different institutional types and analyses their practical impact upon government performance
International institutionalists	International institutionalists show that the behavior of states is steered by the structural constraints (formal and informal) of international political life

Main Concept	Institutionalists
Sociological institutionalists	Sociological institutionalists study the way in which institutions create meaning for individuals, providing important theoretical building blocks for normative institutionalism within political science
Network institutionalists	Network institutionalists show how regularized, but often informal, patterns of interaction between individuals and groups shape political behavior
Constructivist or discursive institutionalism	Constructivist or discursive institutionalism see institution as shaping behavior through frames of meaning – the ideas and narratives that are used to explain, deliberate or legitimize political action
	‘Post-structuralist institutionalist’ goes further in arguing that institutions actually construct political subjectivities and identities

Main Concept	Institutionalists
Feminist institutionalism	<p>Feminist institutionalism studies how gender norms operate within institutions and how institutional processes construct and maintain gendered power dynamics</p> <p>Revealing fragmentation, a ‘feminist historical institutionalism’</p> <p>‘feminist discursive institutionalism’</p>

Table 2: Different strands of new institutionalism (Lowndes and Roberts, 2013, p. 31)

Remarks: March and Olsen stated that “...*The New institutionalism is an empirically based prejudice, an assertion that what we observe in the world is inconsistent with the ways in which contemporary theories ask us to talk. Like other prejudices in knowledge, it may be wrong-headed or muddle-headed, but it may also a useful continuation of that gentle confrontation between the wise and the smart that describes much of intellectual history. On the chance that it is the latter, which of course does not exclude the possibility that it is also the former, we have tried to draw some possible implications for theoretical research in political science. They are, at best, theoretical directions suggested by a sympathetic appreciation of a tradition of*

institutionalist thought. Such an effort is a little like trying to write a useful commentary on Heidegger in the form of a Shakespearean sonnet. If it has virtue, it is an attempting to encourage talking about a subtle body of thought in a way sufficiently native to entice the technically proficient. ...” (March and Olsen, 2005)

March and Olsen were the earlier academics who studied New Institutionalism (“...new institutionalism as ‘normative institutionalism’...” (Peter, 2012, p. 26). New Institutionalism is like normative institutionalism for B. Guy Peter, behavioralism and rational choice are considered a fundamental concept for the New Institutionalism. In addition, academics divide the political analysis based on the new institutionalism into seven fields (Chakkri Chaiphinit, 2015) which consists of: first, Normative Institutionalism (studying the norms and values that are deep-rooted into political institution. How can they determine an individual’s behavior?; second, Rational Choice Institutionalism. It argues that, the politics based on the Old Institutionalism, the political institution is actually the rule system and individual’s motivation to obtain the most benefit for themselves; third, Historical Institutionalism is studies of how the government’s decision can affect the individual’s decision in the future; fourth, Empirical Institutionalism studies different types of institutions, analyze the impacts toward the government performance (the fourth field is the most similar to the political analysis of the

Old Institutionalism); fifth, International Institutionalism focuses on the state behavior being mobilized by the limit of the international politic structure; sixth Sociological Institutionalism studies directions that institutions built for individuals; and seventh, the Network Institutionalism (getting together to be an institution or a group of political mobilization) studies the informal relationship of individuals and different groups that determine the political behaviors.

It is concluded that the concept of Institutionalism does rarely exist in Thai politics and political sciences. It provides importance to institutions in a certain level but it does not focus on building political institutions and it does not support academic and encourage the examination of institutions. Instead, it focuses on political contexts and political sciences based on the Old Institutionalism (not encourage the change). However, the author suggests to bring the knowledge of political sciences to create dynamics of change. Change should not be fearful. To make it obvious, in the future, the Constitution 2017 will be skeptical, especially how a coup d'état occurred even when the New Institutionalism did not exist because it was trapped by the traditional politics which were based on power, especially the power beyond the democratic scope.

Can peace in the Thai society VS New Institutionalism in political sciences occur? New Institutionalism in political sciences may not be able to build peace in the future due to the Constitution that comes from the coup d'état and lack of weight of New Institutionalism support. The New Institutionalism

replaces Old Institutionalism by the study of political sciences based on behavioralism and rational choice analysis.

In the nineteenth century, political sciences were studied through the Old Institutionalism (which focused on the stability of the state and the political analysis based on the Old Institutionalism were explained from the bottom-down process.) Since 1980, political science has studied based on the New Institutionalism.

Remarks: The institutions belonging to both formal and informal have influenced our decision and our “informal” relationship in the society. The author of this article had opportunities to talk to a well-known university professor in Chonburi province. From the conversation, the author received new knowledge and perspectives which benefit political sciences and public administration. Special thanks are given to the professor who provided new knowledge to be included in this article. **From the above situations, when studying the history and situations, path dependency and critical juncture of political history, it was found the struggles of Thai Constitution.** The struggles lead to the new institutions. However, the new institutions were asked with ethical questions whether they were for benefits of the country or for those beyond the constitution frame. What did people gain and what did people lose? Did the unintended consequences occur? (Were there people who lived in Bangkok and other parts of Thailand not affected by the Black May or

Rajaprasong events?). People, interest groups, and some organizations acted as free riders rather than show their intensive to solve the country problems. They let alone political institutions to deal with collective action problems. As a result, the people should realize that the transaction costs affected everybody in the country. If people act as free riders and ignore the freedom of organizations under the Constitution 2017, it may affect the well-being of the citizens. The worst of all is that a coup d'état might come back sooner or later. This is because the roles of norm, belief, and culture which affect the political institutions and limit the scope of individual's decision. (There is no trust in the Constitution 2017 and the different color shirts may replace the yellow and red shirts who may cause the chaos in the future. Can people who believe in democracy or power popularity ask the politicians and the contexts that are deep-rooted in the politics and Constitution to take control the rule of law?

It may be said that the past Constitutions showed uncertain institutions, such as, the use of the Constitution as a tool to negotiate in politics or use the Constitution as a tool to build up the nation or to wake up the nationalism. The Constitution creates status or structure to determine scope of state power or limit the power. (E.g. anything benefits their groups will be written in the Constitution to maintain their stability or power for their groups. They are not the stability of the country.) Or they use the Constitution as a tool to set up people's duties and to define the relationships

and responsibilities between the state and citizens. They use the Constitution to frame the change in the society.

“The author could not to analyze the content in the Constitution due to the incompleteness of the organic law and cannot criticize the current Constitution since we are in the special administration due to the wars among people from different color shirts.” However, the author can summarize that the New Institutionalism is a political science framework to help the study of Constitution as multidisciplinary and/or the Constitution 2017 will be or build the democracy by behavioralism and rational choice analysis, which can combine the old with the new. Instead, the Constitution 2017 obviously separates the Thai people, for example the justice has more power. The author has followed up closely the roles of these institutions in politics and hope that they will be institutional and will alleviate the conflicts as well as building up peace in the Thai society. Therefore, the author analyzed the situations; and academic literature and conclude that the Constitution (2017) is unable to prevent conflicts like before the change of the Constitution (2007). For the Constitution (2017), the author means the wars of people with color shirts and lack of harmony. At least, there will be protests about the Constitution (2017) because of the coup d’etat which may cause the abolishment or failure of the next Constitution. The author finds that the above mentioned events may lead to the cycle in table 1 (or figure 1) of this article. In political sciences, it is called a political

vicious cycle. All of this, the final of state policy must to be submitted to parliament and parliament must submitted too. (Gladden, 1952, p. 31-33)

Conclusion

In the future, the Constitution 2017 will need to be changed or canceled due to the reason of how it came from and the amendments of some clauses. (The author does not put the emphasis on it in this article.) The problems may arise from the Constitution itself which allows the favoritism in their own groups. In addition, having had too many clauses may restricted to the change of the political administration.

From the development of the Thai Constitutions No.1-19 and 20, none of them has been considered as the New Institutionalism. The author thinks that the Thai Constitutions cannot be evolved like those in other countries. The Thai Constitution No.20 is not different from the past Constitutions. In other words, it is called the Old Institutionalism.

The Constitution No.20 (6 April 2017) was drafted for “avoiding the charisma leader and military leader” (BBC Thai, 2017). When people do not feel for the Constitution 2017, the Thai society had a tendency to be chaotic because the New Institutionalism does not really exist in the society. Our nation is still under the Old Institutionalism. The academics who supported this included Assoc. Prof. Yutthayporn Issarachai and Assoc. Prof. Suthachai Yimprasert.

They were not confident that Thailand would not have the next coup d'état.

Assoc. Prof. Yutthayaporn Issarachai, the lecturer of the Faculty of Political Sciences, Sukhothai Thammathirat University states that there is nothing to guarantee, that this Constitution will be the last one since the Thai Constitution is not the one that Thai people care off. When there was a coup d'état, it was destroyed. Even though the military has continued this Constitution, it could be done only in the first five years. All of the senators are from the appointment by the National Council for Peace and Order (NCPO) and only when the army power is strong.” “After the five years, I believe that there will be needs to change the content in the Constitution which was written to make the state stronger and it does not correspond to the democracy and the globalization.” For the chance that the next coup d'état will occur, he finds that it is always possible as long as the military and the court justice are not seriously revolutionized. Especially, when the military is still based on the seniority, it is hard for the young and capable military officer to occupy a top position.

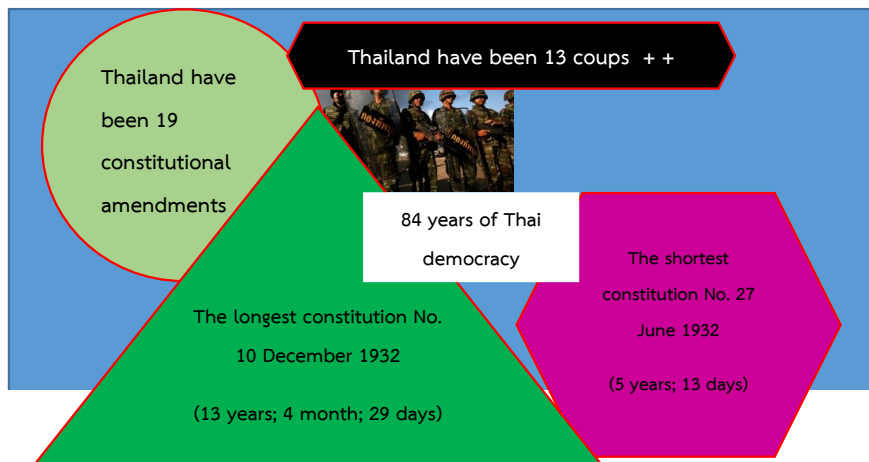


Figure 1: Applied historical institute of (old/fashioned formation of) the constitution No. 1-20 (The author)

Thai mob/protests from people will take place in the future. Are Thai political parties in decline? (Yes), “...*the collapse of real extra-parliamentary opposition and the weakness of intra-parliamentary opposition...* (Axford; Browning; Huggins and Rosamond, 2002, p. 368)”, the answer is “YES”.

Assoc. Prof. Suthachai Yimprasert, a former lecturer at the Department of History, Faculty of Arts, Chulalongkorn University, states that looking at the Constitution from the history points of view, he believes that the Constitution will not be the last one due to its own problems. There are flaws in the content and it is hard to make amendments. It is a gap for the military to destroy and make the next coup d’état. Appointing the senators from military does not guarantee that there will be no coup d’état

because when they do it, they do not care for the Constitution. In 1957, Field Marshal Sarit Thanarat seized the power from Field Marshal Plaek Phibunsongkram while he was the appointed senator. “This historian pointed out that what happened in the past, whether or not to make a coup d’etat, depending on the leader’s decision, the Constitution could not prevent the leader from making it. Consequently, he believes that this Constitution will not be the last one and does not believe that the coup will not happen again.

Remarks: For whom the Constitution was written? Is it written for people? The judicial decision 5/2008 stated that the Constitution 2008 were legal to the Constitution and law. Then, it is assumed that it is legal and can be enforced. The argument that it is against the Constitution is considered unsound.” In addition, the Constitution 2017, Section 44 and Section 265+269 may affect the country administration in the future. (Section 44 seems to be a time bomb of conflicts. The author finds that the Constitution 2017 does not show that there is anything related to the New Institutionalism because the Constitution 2017 still shows the pictures of military power in every corner of the Thai society. More importantly, the Constitution 2017 is unable to combine old organizations with new organizations. In addition, it is unable to mix the old Thai culture and international cultures together. (For example, the weakness in human rights and the supervision of the environment based on the rule of law)

The author would like to suggest that the knowledge of political sciences has a way out for development of the democracy. This article introduced the New Institutionalism to develop the Thai Constitution, not to take sections in the Constitution to block the political parties. Instead, it provides opportunities for people with all color shirts to take part in the development of democracy provide importance to the New Institutionalism and build up peace for the country. The author looks at the power and politics through the Constitution and the organic law which has hidden the conflicts. It seems like the Constitution is not accepted and there are still conflicts from different groups. This is the true problem. The new Constitution becomes new conflicts. The Thai society may not be in peace if there are still conflicts stemming from lacking of harmony due to the Constitution cancellation or amendments. Protests from people will take place in the future.

The conflicts and gaps, which were obvious in the Thai society before the Constitution 2017, were exemplified clearly through political situations that showed conflicts resulting from the Constitution 1997 and 2007, especially the organizations that were built to serve the leader's power or the one who rules Thailand. Journal of Contemporary Asia was written by Michael K. Connors and Kevin Hewison, Thailand talk about "the good coup" and "the bad coup" (Connors and Hewison, 2007, pp. 1-10). Ironically, for the author, there is not the good coup; "coup" is always

bad for every country/state. “...’good coup’ that royalist-military and their supporters trumpeted when the tanks rattled through Bangkok’s streets...” (Connors and Hewison, 2007, p. 3)

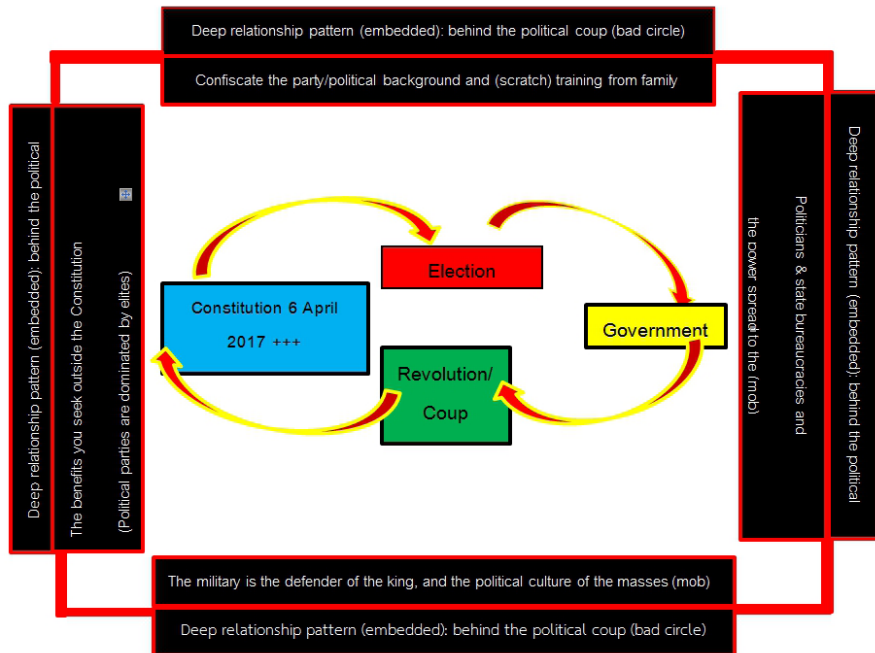


Figure 2: Deep relationship pattern (embedded): behind the political circuit (The author)

This figure show the loop of Thai politics, such as, election (again), (new) government, (ex-sovereign made something) revolution/coup, and (new or other constitution) Constitution 6 April 2017. Many bad contexts of Thai political culture made neither bad government nor good government. What are these contexts? There are about: (a) “‘deep relationship pattern (embedded): behind

the political coup (bad circle)’ and ‘confiscate the party/political background and (scratch) training from family’ ” (b) “‘deep relationship pattern (embedded): behind the political’ and ‘politicians & state bureaucracies and the power spread to the (mob)’ ” (c) “‘the military is the defender of the king, and the political culture of the masses (mob)’ and ‘deep relationship pattern (embedded): behind the political coup (bad circle)’ ” and (d) “‘the benefits you seek outside the Constitution (Political parties are dominated by elites)’ and ‘relationship pattern (embedded): behind the political’ ”. In this figure, the 20th Constitution of Thailand, Meechai Ruchuphan, chairman of the junta-appointed (the womb-starter and creator of CDC (Constitution Drafting Commission)), President of the national legislative Assembly, conceal both the mighty of junta’s absolute power and the foist of junta’s order to Thai public appearances, such as the outsider PM, the readiness of appointed senate-150 member(‘ed’), fast track visa of whom mixed-member proportional (MMP) electoral vote, and big issues about “transitory provisions”. Many politic issues have been come from “NCPO Announcement, NCPO Order, Head of NCPO and ‘Section 44 of Constitution (2014)’ ”. The most of all are the weakness about “the leak/blur of ‘ethics of persons holding political positions and state officials (Section 279-280)’ and the poor of ‘local administrative (Section 281-290), such as Section 284: a local administrative committee or local administrators shall be directly elected by the people or shall be from the approval of a local assembly’ ”.

Even though the Rajaprasong events would not be like the American Civil War, the war between the north and the south, the conflicts between the yellow shirts and the red shirts brought the chaos like the civil war in Bangkok. However, it cannot be called the civil war of Thailand. The undergraduate students who major in political sciences know that it is hard to avoid a civil war. When the civil war occurs, there is a complete separation. When a country faces the civil war, it tends to go back to the Old Constitution or Old Institutionalism. Later it becomes the New Institutionalism and develops the new political institutions combining with capitalism to include thoughts and organizations that have been there for a long time. They apply or adjust the Constitution to be the new Constitution that becomes more institutional to respond to the change and be competitive in the globalization.

Even though the numbers of large wars decrease, the small wars are increasing and expanding continuously. In Thailand, the gaps among groups of people are more and away from each other both in width and depth. Each Constitution was not worth the investment and opportunities were lost. The conflicts are expanding and cannot be limited. It is like the mountain of ice but the root is still under water. It is also like the political entrepreneur who is separated from the voter and the political businessmen of Plutocracy (Thanasathit, 2006, p. 6). Thailand should put the frame for organic law which consists of the Constitution 2017 to be able to negotiate with state and to create Bureaucracy and Intergovernmental Relations (Shep-

sle, 2010, p. 407), which are not separated. The Constitution 2017 (or the next ones in the future) should fulfill the definitions of election.

How do people want the election to be? Is the Constitution 2017 institutional enough to convince people to take part in the politics? The author need an organization to be appointed so that it will be responsible for the election in order to reduce vote buying (they may be divided into three organizations. Which are “election administration organization”, “monitoring and supervision organization”, and “knowledge providing organization”. It should be done to develop political parties and when they are claims that people or politicians buy votes. Therefore, the Constitution 2017 and the following ones should provide legal criteria and punishment to help reduce the vote buying. It should be relevant structure of the ethical of Thai politics by “increase punishment”, “limit rights to vote”, “make voter ineligible”, “provide bribe”, “state that buying votes is illegal and selling votes is legal”, and “voters are entitled to receive tax reduction”.

The following statements showed the deep power of a powerful organization. The words “constitutional” and “lawful” mean they comply with the Constitution and law. But the author (refers to Section 44 and Section 265+269) believes that the Constitution 2017 is not the New Institutionalism because the development of history, culture and politics forces academics and people to admit the Constitution 2017 and compromise with the Old Institutionalism. The author emphasizes that the current Constitution is unable to prevent coup d'états.

The author finds that the Constitution 2017 is not able to build popular institutions or organizations to handle the conflicts in the future. This is due to the fact that the special organizations empowered by the Constitution are “skeptical and asked questions by people concerning their performances and righteousness of these organizations.” Therefore, the author analyzed that “the political vicious cycle” is still based on the Figure that the author had drawn. If a coup d’etat still goes on, the Thai society is unable to accomplish peace. As a result, in the near future the Constitution 2017 will be challenged and asked about mechanisms in the Constitution related to “the ability to build peaceful society without setting up conditions to allow the next coup d’etat and other questions which reflect the ability of the Constitution to reduce the conflicts in the society.”

The Constitution institution has been struggling until now. What direction will the Constitution 2017 point to? The author lacks of confidence to believe that the existing Constitution could prevent a coup d’etat from occurring. The author also believes that this Constitution could reduce the gaps and “wars from people in different color shirts”. However, my true wish is for people to employ the concept of New Institutionalism to become institutional in Thai politics. Especially, the special organizations that are written special functions in the Constitution 2017 so that the country will, in a certain level, find peace.

The current Constitution is unable to create stability in politics, economics, society and specifically environment which will become the issue in politics. More importantly, the current Constitution is unable to build well-being to all people equally. The military institution takes control the embedded relationships in the Constitution. Finally, the author finds that norm for civic education should be built among people and young adults to stay with democracy based on relative gains rather than finding way out through for a coup d'état. In the future, if studies of political sciences focus on the explanation of different sections in the Constitution 2017, it would bring more details to be analyzed in order to solve problems. The author believes that new academics will develop their writing to explain each section in the Constitution. The author hopes that the Constitution should be written in short and contains fewer sections and become more New Institutionalism. In the next paper, this constitution may/may not change to other form by coup or something of nexus politics issues.

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