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RESULTS OF THAILAND'S NATIONAL REFERENDUM AND PROSPECTS FOR A TRANSITION TO CIVILIAN RULES

Yoshifumi Tamada

- 61% of the voters accepted the military-backed draft constitution partly because of tight restrictions on criticism and opposition imposed by the government.
- China has used its stance on non-interference in domestic politics to nurture closer relations with the military junta, but the Thai people do not appreciate China very much.
- Japan should not overemphasize its economic interests to avoid supporting the preservation of the military junta in Thailand.

The views expressed in this piece are the author's own and should not be attributed to The Association of Japanese Institutes of Strategic Studies.

A constitutional referendum was held in Thailand on August 7. Approval of the draft constitution gave rise to public expectations that general elections would be held by the end of 2017. As this new constitution restricts the authority of political parties and politicians and seeks to preserve the military's authority, there is little likelihood that a democratic government will come to power after the general elections. Japan should not be so greedy in pursuit of its own economic interests as to overlook undemocratic politics under the junta in Thailand.


The new constitution arose out of the 2014 coup d'état. That coup sought to achieve the failed aims of the 2006 coup, namely, to restrict the authority of political parties and politicians and, above all, to keep out of power the pro-Thaksin factions that had won consecutive general elections since 2001. Another characteristic of the new constitution is that it is designed to preserve the military's political power. More specifically, this new constitution introduces changes to the electoral system that make it difficult for larger parties to win an overall majority, allows for persons other than elected legislators to serve as prime minister, stipulates that all senators are to be appointed rather than publicly elected and, for a five-year period after the first general elections, grants to the Senate voting rights in choosing prime ministers.

Many voters approved the draft constitution for several reasons: (1) dislike of politicians and corruption, (2) support for the 2014 coup and the junta's performance in restoring order and stability, (3) the populist policies of the military government, (4) a desire for an earlier return to electoral politics, and (5) strict restrictions on opposition to the draft constitution. The last seemed critically important because the military government could not tolerate free and fair campaigning in light of the harsh criticism leveled against these restrictions by Western countries. The draft constitution could hardly be described as democratic compared with the constitutions of 2007 and 1997. To ensure approval of the new charter, the military junta did not permit free and fair campaigning. Following the 2014 coup, the government severely restricted political freedom to a degree comparable with martial law, monitoring, arresting and imprisoning people critical of the government. For the national referendum, the government passed additional laws prohibiting campaigns seeking to sway

opinion on the draft constitution. While placing tight limits on criticism and opposition, the government mobilized Interior Ministry and military officials around the country to explain the draft constitution's advantages. Their efforts paid off with a 59% turnout and a 61% vote in favor.

The adoption of the new constitution enabled the National Council for Peace and Order (NCPO) to preserve its power. The 250 NCPO-appointed senators only need to secure the cooperation of 126 members of the 500-strong Parliament to be able to select the prime minister. It would not be hard for the NCPO to employ conciliation and threats to have its favorite candidate chosen as prime minister, someone supported by the military who can represent the military's interests. The leading candidate is Prime Minister Gen. Prayut of the military junta. The military has cited the ongoing royal transition as a reason for its continued involvement in politics after the general elections. With Thailand having few advocates for a republican form of government, it is unfortunate that the military may be necessary to support a monarchical system.

The military regime has been criticized by the West for rejecting democracy and infringing on human rights, and has consequently become a little isolated internationally. Seeing this as an opportunity, China has used its stance on non-interference in domestic politics to establish closer relations with Thailand. Though absorbed in economic competition with China, Japan should not disregard the political realm. At the recent TICAD Conference held in Kenya, Prime Minister Abe declared that Japan supports democratization, the rule of law, and market economy principles. This position should apply in Asia as well. There is a strong possibility that any military-backed government that takes office after the general elections in Thailand will continue to restrict political freedom and infringe on human rights. Even if Japan were to become tolerant of infringements on freedom and human rights, it would not be able to match China on that matter and would certainly not gain the support of the Thai people. The Japanese should not be regarded as "economic animals." Thailand's junta is seeking both economic cooperation and political recognition from Japan probably because it finds value in Japan's practice of, and emphasis on, democracy, value that would diminish if Japan becomes indifferent to democracy

and the rule of law in its foreign relations. It is vital that Japan persistently encourage Thailand to democratize politics without destabilizing its good relationship with the country. 

Yoshifumi Tamada is a professor at Graduate School of Asian and African Area Studies of Kyoto University. He has engaged in Thai studies for many years.