

ภาคผนวก ง.

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พระราชบัญญัติเรื่อง Democracy in Siam

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NOTE

DEMOCRACY IN SIAM

The question whether a democratic form of government is suitable, or ever will be suitable, for Siam or not, has been discussed among the intelligentsia of Siam for a long time, and is even now being discussed by the semieducated people, some of whom having aired their opinions in the Siamese press. The general consensus of opinion is that Siam is not at present ready to have a democratic form of government, but may have to adopt it at some distant date. Some people assert that parliamentary government will never be suitable for the Siamese people, giving as reason that it is only the AngloSaxons who have been able to make a success of that form of government.

There is no doubt that a democratic form of government requires a high degree of development of the people to be a real success. It is even possible that there must also be certain racial qualities (which the AngloSaxons possess to a high degree) if democratic institutions are to be really beneficial to the people as a whole and to be really and truly democratic, not only in form, but also in fact. Too many democracies are so only in form.

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Now I am also inclined to think that a real democracy is very unlikely to succeed in Siam. It may even be harmful to the real interests of the people. One could readily imagine what a parliamentary form of government would be like in Siam, and there is no need to go into details. I shall just mention one fact, that is the parliament would be entirely dominated by the Chinese Party. One could exclude all Chinese from every political right; yet they will dominate the situation all the same, since they hold the hard cash.

Any party that does not depend on Chinese funds cannot succeed, so that politics in Siam will be dominated and dictated by the Chinese merchants. This is indeed a very probable eventuality. One could easily find many arguments to support the idea that Siam ought not to have a parliamentary form of government. This being the case, one may ask "Then why think about democracy at all?" The answer is that one must remember that the majority of people do not think rationally, but think only sentimentally. This is particularly true of the crowd. There may come a time when the Siamese people will clamour for a parliament. (Are there not signs of that even now in Bangkok?) It would be of no avail to explain, even with the best of reason, that a parliamentary government is not suited to the racial qualities of the Siamese! They will surely yell louder that they are being oppressed by a tyrannical ruling class, and there may be some trouble. (At the present moment I do not believe that there is any Siamese who would sacrifice his life for a political faith.)

Perhaps some countries have adopted democracy merely as a necessity, knowing full well that it does not suit the character of the people. That is why there are countries who play at having parliaments. It seems to me that it is quite on the cards that we shall have to play that sort of game in Siam sometime. It is with these considerations in view that I am now considering certain reforms.

It seems to me that, if it is admitted that some day we may be forced to have some form of democracy in Siam, we must prepare ourselves for it gradually. We must learn and we must educate ourselves. We must learn and experiment so as to have an idea as to how a parliamentary government would work in Siam. We must try to educate the people to be politically conscious, to realize these (their?) real interests so that they will not be misled by agitators or mere dreamers of Utopia. If we are to have a parliament, we must teach the people how to vote and how to elect representatives who will really have their interests at heart.

The reorganization of the Privy Council is an attempt to carry out the first step of these ideas. It will be said that the Committee of the Privy Council as reorganized will not really represent public opinion in general, and that as a body it will not really be representative of the interests of the people. This is, of course, quite true. It is firstly intended to be an experiment and an education in methods of parliamentary debate. I believe that the experience to be

gained will be useful. The body may possibly reflect something of the general public opinion, and I do not think that it will be entirely useless. It is to be expected, however, that the creation of this body will not satisfy everybody, and that it will be variously criticized. (I do not believe that it is possible to do anything or organize anything without being destructively criticised by a certain section of the people in Siam.)

The next step in our education towards democracy would be the organization of municipalities. This will be a means of teaching the people how to vote, and the experiment would also prove useful and instructive. It will certainly be better for the people first to control local affairs before they attempt to control state affairs through a parliament. I sincerely believe that if reforms are gradually introduced in this way, a democratic form of government could possibly be introduced without too much harm. But the process must be very gradual and carefully administered in doses. If the experiments fail at every step, then it may be possible to persuade the people that democracy is not for Siam. The danger lies in impatience.

Another question which has also occupied the minds of all thinking men in Siam is the danger of unrestrained absolute power of the King. Absolute monarchy, like democracy, may become harmful at any time, because both principles rely on the perfection of human nature, a very frail thing to depend

on. A sound democracy depends on the soundness of the people, and a benevolent absolute monarchy depends on the qualities of the King. It is unfortunately a fact that every dynasty, however brilliant, will sooner or later decay, and the danger of having some day a bad king is almost a certainty, I believe that every method has been tried so as always to obtain a good king on the throne, and every method has developed some flaw. The method of elected kings seems to be sound in principle; yet it produced some of the worst tyrants, i.e. some of the Caesars of Rome.

The alternative method used is to chance on having a bad king and make some institution that could control him.

This method also fails occasionally, as in the case of King Charles I of England, but on the whole it has worked fairly well.

I most earnestly desire to organize some institution which will serve to restrain any arbitrary or unwise actions of the King in Siam. (I presume that nobody will want to restrain his good actions?) I felt that if I succeed in evolving some thing really useful, I would have done a great service to my country and the Dynasty.

The question is, what institution shall we organize now, admitting that the parliamentary system is impossible for the moment?

Perhaps the new Committee of the Privy Council could be made to serve that purpose in a small way? This is the reason why I think Mom Chao Sithiporn's opinion is of some interest. I should like, however, to suggest a slight modification. A clause could be added to or after Article 13 saying that--"

• If fifteen members of the สภานิติบัญญัติ make a written request to the President of the Committee, asking the President to submit to His Majesty the King that certain matters are of importance for the general welfare of the country and the people, and that His Majesty should be graciously pleased to allow the matters to be discussed by the Committee, the President shall submit a petition to His Majesty, asking for a Royal sanction to hold a meeting to discuss the matters." It is understood that the King may grant the permission to hold the meeting or not as he thinks fit. (It is the right of veto recognized by all democracies. The King can also dissolve parliament.) I think that in this form, it is quite admissible and is much better than to grant a general right to a non - elected body to hold a meeting at any time. I believe that it will be able to fulfil its purpose of being a deterrent to those in power from acting arbitrarily or against the interests of the State. Anybody in power would hesitate to refuse such requests, unless he has very good reasons. Of course, a perfectly unscrupulous man may possibly refuse the request. But then with such a man, no institution could prevent him from doing bad actions, not even a parliament (cf. Charles I), and the only thing to do then is to chop off his head!

Thus the formation of this Committee may possibly serve two useful purposes (however imperfectly) :--

1. As a means of experimenting and learning in methods of parliamentary debate.
2. As a restraining influence against misuse of power.

Note:

It should be noted that the English translation of องคมนตรี as Privy Councillors is somewhat misleading, as our Privy Council, particularly as reorganized, will resemble the English Privy Council only in name. There is no intention of imitating the British Privy Council. We must try and evolve our own Political Institutions and not merely copy others. That is why I believe in making experiments.