

Contents

| | |
|--|-----------------|
| <i>List of Tables</i> | <i>page</i> vii |
| <i>List of Contributors</i> | viii |
| <i>Preface</i> | xi |
| <i>Chronology</i> | xiii |
| <i>Table of Cases</i> | xvi |
| <i>Table of Statutes, Constitutional Provisions, and Treaties</i> | xviii |
| <i>List of Abbreviations</i> | xxx |
| | |
| 1 Introduction | 1 |
| Andrew Harding | |
| | |
| 2 Thai Legal History: A Brief Literature Review | 15 |
| Rawin Leelapana, Andrew Harding, and Eugénie Mérieau | |
| | |
| PART I TRADITIONAL LAW AND ITS MODERN RESONANCES | |
| | |
| 3 Thammasat, Custom, and Royal Authority in Siam’s Legal History | 23 |
| Chris Baker and Pasuk Phongpaichit | |
| | |
| 4 The History of the Initial Royal Command: A Reflection on the Legal and Political Contexts of Kingship and the Modern State in Siam | 41 |
| Kongsatja Suwanapech | |
| | |
| 5 Buddhist Influence on the Ancient Siamese Legal System, from Ayutthaya to the Twenty-First Century | 60 |
| Khemthong Tonsakulrungruang | |
| | |
| 6 A History of the Thai Lèse-Majesté Law | 77 |
| Eugénie Mérieau | |
| | |
| 7 Blood Curse and Belonging in Thailand: Law, Buddhism and Legal Consciousness | 89 |
| David M. Engel | |

PART II FOREIGN INFLUENCE AND THE REFORM PERIOD

| | | |
|----|--|-----|
| 8 | British Judges in the Supreme Court of Siam Surutchada Reekie and Adam Reekie | 103 |
| 9 | The Fundamental Misconception in the Drafting of the Thai Civil and Commercial Code of 1925 Munin Pongsapan | 122 |
| 10 | The Modernisation of Thai Criminal Law: From the 1908 Penal Code to the 1956 Criminal Code Kanaphon Chanhom | 138 |
| 11 | Thai Trust Law: A Legal Import Rooted in Pragmatism Surutchada Reekie and Narun Popattanachai | 153 |
| 12 | The History of Thai Family Laws: Strong Women and Weak Gender Equality under the Law Apinop Atipiboonsin | 170 |
| 13 | The Origins of Thailand’s Bureaucratic State and the Consolidation of Administrative Justice Peter Leyland | 185 |
| 14 | Siam and the Standard of Civilisation in the Nineteenth Century Krisdakorn Wongwuthikun and Naporn Popattanachai | 202 |

PART III CONSTITUTIONAL CONFLICTS 1932–2017

| | | |
|----|--|-----|
| 15 | The Thai-Style Democracy in Post-1932 Thailand and Its Challenges: A Quest for Nirvana of Constitutional Saṃsāra in Thai Legal History before 1997 Rawin Leelapatana | 217 |
| 16 | Permutations of the Basic Structure: Thai Constitutionalism and the Democratic Regime with the King as Head Henning Glaser | 233 |
| 17 | The 1991–1992 Judicial Crisis: Personalities or Principles? Duncan McCargo | 252 |
| 18 | Without Account: Coups, Amnesties and Justice in Thailand Tyrell Haberkorn | 265 |

| | | |
|--|-----------------|-----|
| | <i>Glossary</i> | 278 |
| | <i>Index</i> | 280 |