

SOUTHEAST ASIAN STUDIES

<http://englishkyoto-seas.org/>

<Book Review>

Kamolnich Swasdiphanich

Chris Baker and Pasuk Phongpaichit, trans. and eds. *The Palace Law of Ayutthaya and the Thammasat: Law and Kingship in Siam*. Ithaca: Cornell Southeast Asia Program Publications, 2016.

Southeast Asian Studies, Vol. 7, No. 3, December 2018, pp. 493-496.

How to Cite:

Kamolnich Swasdiphanich. Review of *The Palace Law of Ayutthaya and the Thammasat: Law and Kingship in Siam* translated and edited by Chris Baker and Pasuk Phongpaichit. *Southeast Asian Studies*, Vol. 7, No. 3, December 2018, pp. 493-496.

Link to this book review:

<https://englishkyoto-seas.org/2018/12/vol-7-no-3-book-reviews-kamolnich-swasdiphanich/>

View the table of contents for this issue:

<https://englishkyoto-seas.org/2018/12/vol-7-no-3-of-southeast-asian-studies/>

Subscriptions: <http://englishkyoto-seas.org/mailling-list/>

For permissions, please send an e-mail to:

english-editorial@cseas.kyoto-u.ac.jp



Center for Southeast Asian Studies, Kyoto University



The Palace Law of Ayutthaya and the Thammasat: Law and Kingship in Siam

CHRIS BAKER and PASUK PHONGPAICHT, trans. and eds.

Ithaca: Cornell Southeast Asia Program Publications, 2016.

The Palace Law of Ayutthaya and the Thammasat is divided mainly into two parts: the Thammasat and the Palace Law of Ayutthaya. It seems to be a significant tool for foreign scholars focusing on Thai legal history, which, manifestly, is largely based on philosophy derived from the Thammasat and the Three Seals Code. The book gathers important details regarding the Thammasat and the Three Seals Code in a well-organized structure that not many Thai textbooks can contribute. For Thai scholars, or those with a deep understanding of the Thai language, however, this book might not be as interesting as expected since many Thai-language sources provide more comprehensive and detailed information. Nevertheless, those Thai-language academic pieces share the flaws of being scattered and unorganized. Readers can find small pieces of information about the Thammasat mentioned randomly in many Thai legal textbooks, but there is no volume that systematically gathers and organizes the Thammasat. This book, therefore, will definitely encourage more work in the field.

It is important to read the preface thoroughly for those who have no background in Thai history. The preface gives readers an introduction to the era of Ayutthaya and the status it enjoys in the Thai history timeline. Readers will not understand the role of the Three Seals Code if they have no clue about the Ayutthaya period. It also might not be easy for Ayutthaya experts who are unfamiliar with other periods in Thai history to follow the book as the Thammasat and the Three Seals Code span many, if not all, eras of Thai history, from Dvaravati to Rattanakosin (Bangkok), and the book does not provide such background. The book mentions the notion of the Thammasat being passed down to Siamese through Mon people, possibly since the time of Dvaravati (p. 27). Although the people of Dvaravati were Mons (Pelliot 1904), the majority of the population in the nearby kingdom of Lavo were also Mons (Boeles 1967), and Lavo existed around the same period as Dvaravati. There is no clear answer about which kingdom Siamese inherited the Thammasat from. As such, for the sake of understanding and further research, it is important for readers to

possess fundamental knowledge about these ancient kingdoms that existed on the soil of the Chao Phraya River before Siam. Further, there is a debate in the book arguing that the Thammasat might have been passed down to Siam through Myanmar, not Mon (p. 17); therefore, it is also worth giving a brief explanation about an ancient Myanmar country, which is the Pagan kingdom (Hudson 2008).

There are some issues with citations in the book that modern Thai scholars may find problematic. In several places, the book cites renowned Thai scholars who contributed to the topic (e.g., Prince Dhani and Phraya Vinaisunthorn). It is, however, essential to keep in mind that some opinions were probably critically biased due to political reasons, especially since the focus of the book is kingship in Siam. During the reign of King Rama VI, there were certain groups of people opposed to absolute monarchy. It was, as a result, normal for them to publicly express biased opinions about kingship in Siam. Phraya Vinaisunthorn, for example, was a scholar who wrote several articles against the journalist Klone Tid Lor, whom almost everyone knew was actually King Rama VI. Phraya Vinaisunthorn's opinion of kingship in Siam, thus, might be considered biased. Moreover, the book cites *Khun Chang Khun Phaen*, one of the most famous works of Thai traditional literature written during the reign of King Rama II of Rattanakosin, to compare with cultures and traditions of Siamese in Ayutthaya, such as the traditions and practices of the judicial system held in the royal palace of Ayutthaya. It is true, according to *Khamhaikan Chao Krung Kao*, or the "Testimony of the Inhabitants of the Old Capital," that *Khun Chang Khun Phaen* was assumed to be based on a true story that took place in the Ayutthaya period and people passed on verbally. Yet, there was no written version of *Khun Chang Khun Phaen* until King Rama II's initiative. Hence, details in the story about palace and court procedures that were beyond the understanding of ordinary people of Ayutthaya should not be academically claimed as the law of Ayutthaya. Such details composed by royal poets and King Rama II himself should, instead, be compared to practices in the early Rattanakosin era, considering the origin of the written version. The reliability of *Khun Chang Khun Phaen* as a historical source on Ayutthaya is weakened by the fact that, apart from it, there is no other evidence from Ayutthaya mentioning this story (Damrong Rajanubhab 1917). Furthermore, *Khun Chang Khun Phaen* makes some claims that severely contradict the Three Seals Code. For example, the execution of Nang Wanthong does not comply with *Phra aiyakarn laksana phu mia*, or the Law on Husband and Wife (p. 4) in the Three Seals Code. Consequently, the use of *Khun Chang Khun Phaen* as a supplement to the Three Seals Code is debatable.

As for the Palace Law, the book has created a masterpiece for future researchers by systematically gathering and categorizing a part of the Three Seals Code: the Palace Law. It neatly elaborates the timeline and design of the Grand Palace construction in a way that few Thai historical books do. The book reminds Thai scholars of how far behind they are in academic research on their own legal history. Scholars can easily organize their research process by using the structure of this book. Still, it is worth noting that during the reign of King Rama V, or King

Chulalongkorn as he is referred to in the book, there was a significant legal reformation in order to mitigate the country's risk of being colonized by Western powers. The Three Seals Code faced its doom for such reformation starting from the 1850s. In other words, Siam has not been governed by the Three Seals Code since then. The book should have noted this fact as the authors compare ceremonies appearing in the Palace Law with ceremonies conducted in the reign of King Chulalongkorn (p. 69). The book uses *Phraratchaphithi sip song duean* (Royal ceremonies in 12 months), a literary composition of King Chulalongkorn, as a source. However, *Phraratchaphithi sip song duean* was composed in 1888, decades after the first legal reformation launched by the King. As a result, the difference in royal ceremonies between *Phraratchaphithi sip song duean* and the Palace Law probably has nothing to do with the Three Seals Code. Readers with no background might misunderstand that the contents of the Palace Law regarding royal ceremonies in the Three Seals Code were changed a great deal during the reign of King Chulalongkorn. In fact, Siam at that time no longer used the Three Seals Code for royal ceremonies. This is a flaw of the book: discussing the origin of the Three Seals Code and the Thammasat, along with their contents, but not mentioning their downfall. Some citations in the book may lead to misunderstandings in this regard.

The book also provides a translation of the Thammasat and the Palace Law. This is an extraordinary achievement and a great contribution to scholars interested in Thai legal history. Nonetheless, the translation has been done chapter by chapter, not line by line, which might cause a problem for those who want to cross-check the contents. Moreover, the Thai version of the text is not made available. It would be more helpful for researchers, both Thai and foreign, to understand the translated version if the book showed a comparison between the Pali and the English line by line. Providing a comparison with the Thai version would be useful as well.

All in all, as the book does not provide an appropriate introduction—especially necessary historical background of relevant kingdoms and some citations—for readers to fully understand the contents, readers need to possess a basic knowledge of Southeast Asia before beginning on this book. Besides, although the book is still a great research source for Thai legal history studies, due to the lack of an appropriate introduction (e.g., the historical backgrounds of kingdoms involved in passing down the Thammasat) and the lack of a comprehensive discussion about the Thammasat and the Palace Laws (e.g., how they were revoked and when), it is rather a collected legal translation, albeit a good one.

Kamolnich Swasdiphanich กมลนิช สวัสดิ์พานิชย์
Legal Division, Fiscal Policy Office, Thailand Ministry of Finance
Bank Information Center, Washington DC
Sunwater Institute, Bethesda, Maryland

References

- Boeles, J.J. 1967. A Note on the Ancient City Called Lavapura. *Journal of the Siam Society* 55(1): 113–114.
- Damrong Rajanubhab กรมพระยาดำรงราชานุภาพ. 1917. Tumnan Sepha ตำนานเซภา [The legend of Sepha]. *Khun Chang Khun Phaen* ขุนช้างขุนแผน, December 16. <http://vajirayana.org/%E0%B8%82%E0%B8%B8%E0%B8%99%E0%B8%8A%E0%B9%89%E0%B8%B2%E0%B8%87%E0%B8%82%E0%B8%B8%E0%B8%99%E0%B9%81%E0%B8%9C%E0%B8%99-%E0%B8%89%E0%B8%9A%E0%B8%B1%E0%B8%9A%E0%B8%AB%E0%B8%AD%E0%B8%9E%E0%B8%A3%E0%B8%B0%E0%B8%AA%E0%B8%A1%E0%B8%B8%E0%B8%94%E0%B8%A7%E0%B8%8A%E0%B8%B4%E0%B8%A3%E0%B8%8D%E0%B8%B2%E0%B8%93/%E0%B8%95%E0%B8%B3%E0%B8%99%E0%B8%B2%E0%B8%99%E0%B9%80%E0%B8%AA%E0%B8%A0%E0%B8%B2>, accessed December 1, 2017.
- Hudson, Bob. 2008. Restoration and Reconstruction of Monuments at Bagan (Pagan), Myanmar (Burma), 1995–2008. *World Archaeology* 40(4): 553–571.
- Pelliot, Paul. 1904. Deux itinéraires de Chine en Inde à la fin du VIIIe siècle [Two routes from China to India at the end of the eighth century]. *BEFEO* 4: 321–348.
- Phasook Indrawooth. 2004. The Archaeology of the Early Buddhist Kingdoms of Thailand. In *Southeast Asia: From Prehistory to History*, edited by Ian Glover and Peter Bellwood, pp. 120–176. New York: RoutledgeCurzon.
- Ronnachai Tosompak รณชัย โตสมภาค. 2013. Pukam: Senthang su khwam pen moradok lok พุกาม: เส้นทางสู่ความเป็นมรดกโลก [Pagan: A part of world heritage]. *Academic Focus* October 2556. http://library2.parliament.go.th/ejournal/content_af/2556/oct2556-3.pdf, accessed December 1, 2017.

* This review expresses the scholarly perspectives of the reviewer only. This review does not represent the perspectives or position of the Thai Government.

Performing Catholicism: Faith and Theater in a Philippine Province

SIR ANRIL PINEDA TIATCO

Quezon City: The University of the Philippines Press, 2016.

Exploring the intimate intertwining between the sacrosanct realm of Catholicism and the almost sacrilegious cultural practices-cum-performance spaces, Sir Anril Pineda Tiatco pushes readers to an uncomfortable corner where they get a full view of the active tension transpiring between faith and spectacle, between orthodox and unorthodox in the Philippines. He probes into the fantastic world of captivating, dramatic, and sensational Catholic devotional rituals, which include carrying of the cross, self-flagellation, and dancing and offers a way to look at the Catholic faith as a “spectacular and performed” religion (p. 5). As Tiatco explains in *Performing Catholicism: Faith and Theater in a Philippine Province*, some of these cultural practices, usually done during the Holy Week, have been discouraged, even opposed, by Catholic Church leaders time and again, and yet countless devotees continue to observe them (and representatives of the Catholic Church take