

# The 1932 Revolution as a Critical Juncture

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Study Group 2

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# Overview

This presentation unfolds in three parts:

- 1 Functions of States

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- 2 Khana Ratsadon 1932 (2475)

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- 3 Constitutional Court

# Part I: Functions of States

## How Many Functions?

- 1 Primary
- 2 Secondary

# Primary Function

Examples:

- Security and Protection
- Regulation and Law
- Dispute Resolution
- Economic

# Secondary Function

Examples:

- Social Welfare
- Diplomat
- Provision of Public Utilities

## Part II: Khana Ratsadon

### What Is Khana Ratsadon?

Khana Ratsadon “The Peoples Party”, is a group of elite people who studied in France and Switzerland and wished to change of regime (absolute monarchy → *constitutionalmonarchy*)



# Members of Khana Ratsadon

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- 2 Prayun Phamonmontri
- 3 Plaek Phibunsongkhram
- 4 Tassanai Mitrapakdi
- 5 Tua Laphanukorn
- 6 Jaroon Singhaseni
- 7 Naep Phahonyonthin

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- To maintain the people's rights and liberties, insofar as they are not inconsistent with any of the above mentioned principles.
- To provide public education for all citizens.



# Principles of Khana Ratsadon

## Core Principles

- 1 Autonomy
- 2 Security
- 3 Economy
- 4 Equality
- 5 Ethics
- 6 Education

## Part III: Constitution

### Key Function

Constitution is the **primary function**, where the court examines laws and government acts to determine if they are consistent with the constitution.

# Purposes of Constitution

## 1) Protection of Rights and Liberties

The court plays a vital role in protecting the fundamental rights and freedoms guaranteed by the constitution to the people.

## 2) Uphold the Rule of Law

By ensuring that political organs and institutions adhere to the constitution, the court helps maintain the supremacy of constitutional law.

## 3) Adjudicate Constitutional Disputes

The court resolves problematic issues of constitutionality that arise from legislation, regulations, or government actions.

# Constitutional Court

## What is Constitutional Court?

A **specialised judicial body** with the exclusive power to interpret the constitution, review the constitutionality of laws and government actions, and safeguard the rights and liberties of citizens.

## Role of Constitutional Court

Unlike courts of general jurisdiction, a constitutional courts primary role is to ensure that all legislative acts, royal decrees, and administrative actions comply with the supreme constitutional law of the land.

# A Specialized Judicial Body?

The constitutional court isnt mandatory for democratic countries.

- The Constitutional courts are found in more than 80 countries, particularly in civil law country.
- The concept of a specialized constitutional court, following the model of Hans Kelsen, became significant after World War II and was influential in the democratic reconstruction of countries like Germany, and Italy.

# Constitutional Court of Thailand

The concept of a constitutional court in Thailand was **modeled after European** examples, such as *the Constitutional Courts of Austria* and *Germany*, and was first established by the 1997 Constitution. This, then, reestablished under the 2007 and 2017 Constitutions, though with changing structures and powers.

# Constitutional Court of Thailand according to 2017 Constitution

A specialized judicial body responsible for reviewing the constitutionality of laws and bills, ensuring the supremacy of the constitution, and adjudicating questions regarding the powers and duties of government bodies.

- It consists of a President and eight Justices who are approved by the Senate and appointed by the King.
- The courts powers include ruling on draft amendments to the Constitution and ensuring that governmental actions and laws align with the Constitution, which also protects human rights and liberties.

# Thank You

Questions and discussion are not welcome! Contact: [punnawatcont@gmail.com](mailto:punnawatcont@gmail.com)