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700 words

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Foreword

Acknowledgement

This summary book is the result of my study group member's work, and I couldn't make it without these persons: Mr. Pawat Kurovat, Mr. Chalongraj Bangwatana, Mr. Napat Korsincharoen, and Ms. Anchalika Akkarawibonkij.

During our pre-examination preparation, we divided chapters among the members, each study, and take turn to teach each other. This method ensures that we understand the concept of each chapter to a certain degree. And as the result, this book has been created.

Chapter One

The 1932 Revolution as a Critical Juncture

1932 (2475) Khanarassadorn

#

What is Khanarassadorn?

- A group of elite people who studied in France and Switzerland and wished to change of regime (absolute monarchy —> constitutional monarchy)
- At first, consists of seven people:
 - Pridi Banomyong
 - Prayun Phamonmontri
 - Plaek Phibunsongkhram
 - ทศนิยม มิตรรักดี
 - Tuo Laphanukorn
 - Jaroon Singhaseni
 - Nap Phahonyonthin
- Six main goals:

- Autonomy
 - Security
 - Economy
 - Equality
 - Ethics
 - Education
- Divided into 4 department:
 - High-ranking military (Phraya Phahonphonphayuhasena)
 - Low-ranking army (Plaek Phibunsongkhram)
 - Navy (Sindh Kamalanavin)
 - Civilian (Pridi Banomyong)

#

24 June 1932 (2475)—Dawn of Revolution

- Before 6 a.m., Phraya SongSuradet was the planner to gather Army Cadet (นักเรียนนายร้อย) with firearms and tanks at Equestrian statue (พระบรมรูปทรงม้า) for practicing, including navy.
- ~6 a.m., Phraya Phahonphonphayuhasena read the first statement of the Khanarassadorn to control the situation.
- ~7 a.m., the soldiers entered and seized Ananta Samakhom Throne Hall
- Captured members of the royal family

25 June 1932 (2475)

- Rama VII was invited to come back from Huahin to PhranaKorn to become a king under constitution.

26 June 1932 (2475)

- Rama VII arrived at PhranaKorn
- ~10:45 a.m., Pridi and the gang of 9 people came to meet Rama VII to submit the draft of the Constitution Act 1932
- Rama VII refused because the draft Constitution Act was related to communist, ordering the gang to fix it and present it again in the next days

27 June 1932 (2475)

- Rama VII signed the Temporary Constitution Act
- The Constitution began by announcing that “the highest power in the land belongs to all people.”

#

Constitutional Court

A specialized 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.

Unlike courts of general jurisdiction, a constitutional court’s 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 isn’t 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.

#

Key Functions:

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

The Main Purposes are to:

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.

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.

Adjudicate Constitutional Disputes

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

Constitutional Court of Thailand.

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, re-established 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 court's 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.