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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

# 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.

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## 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.

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## 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.