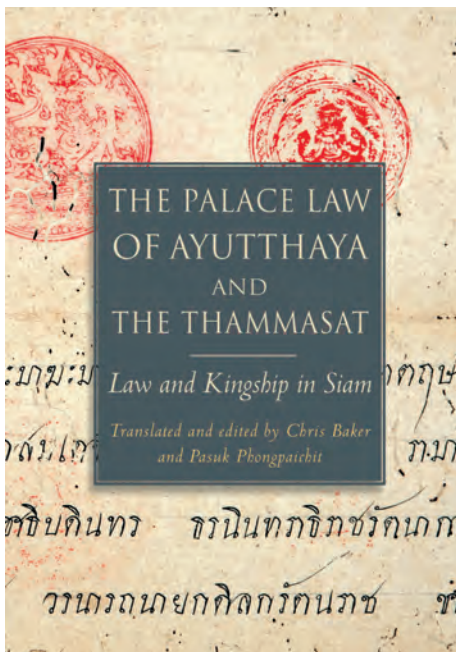


four main characters that have been picked out for special review. Thus, the section on Rama covers from the incarnation of Vishnu as Rama, through his marriage to Sita, exile to the forest, the abduction of his wife, the fight to recover Sita and eventual return and enthronement. For Sita, the entries cover from the exile to the forest, her abduction by Ravana, imprisonment and then eventual recovery by Rama. The entries related to Hanuman tend to focus on his many exploits and heroic adventures in serving Rama, while the pieces assigned to Ravana are a bit more varied, covering his many shapes and forms, in addition to his role in the abduction of Sita and subsequent fight with Rama.

Overall, this heavy (literally) volume is a worthy addition to any library and is an informative work for those interested in adding to their knowledge of the Rama ‘epic’. The large number of images and interesting and enjoyable essays make for a delightful reading experience.

Frederick B. Goss

The Palace Law of Ayutthaya and The Thammasat: Law and Kingship in Siam, translated and edited by Chris Baker and Pasuk Phongpaichit. Ithaca, NY: Cornell Southeast Asia Program Publications, 2016. ISBN: 9780877277699 (paperback). US\$23.95/950 Baht.



Law codes are often seen as a key source of information offering insight into the society over which they govern. In this view, law reflects long-standing traditions and therefore offers scholars a mirror on the social norms and moral code of a society. Adherents of this ‘natural law’ view tend to “deny human agency a principal role for ordering social life and instead seek guidance and instruction in the morality of a universal, ahistorical ‘natural’ law” (Silbey 1989:1). Sociologists who study the relationship between law and society, however, tend to view legal codes more instrumentally. The law makes “available tools, resources, symbols, and languages useful in the construction of social order” (p. 1). In *The Palace Law of Ayutthaya and The Thammasat: Law and Kingship in Siam*, Chris Baker and Pasuk Phongpaichit provide not only the first English language translation

of two of the most important legal documents for Thai historiography, they present an argument that highlights the tension between the ‘naturalists’ and instrumentalists, both in the scholarship on Thai law and in the ways in which law has been made and practiced in Siam over the course of the past five centuries.

As a document reflecting the customs and beliefs of a society, the translation of the

two codes offers an important primary source through which researchers can construct an image of old Siam – its organisation and functioning as well as the official conceptions of justice and authority that prevailed. The Palace Law, for example, outlines the spiritual basis for kingship, ideal family arrangements, and proper ceremonial conduct for the royal family. From this, one can start to piece together a picture of life for the elite in Ayutthaya. One can also begin to imagine the sorts of issues that troubled commoners. Sixteen of the twenty-nine “root matters” of the law, a list of common “types or causes of dispute among people,” for instance, deal directly with material wealth: credit and debt, the partition of inheritance, gifts, labour, theft, debt slaves, mortgage, rentals, land, and so on (p. 46). That material concerns make up more than half of the basic structure of the law is not surprising. European visitors to Siam in the 16th and 17th centuries described Ayutthaya as “a center of Asian trade” (p. ix). Literary sources from the period also indicate the presence of lively markets (Eoseewong 2005). So not only were property and money of paramount concern, there were legal mechanisms for defining and governing their existence in Siam just as there were in Europe. Law codes, then, provide a way to construct a picture of society.

The Thammasat is a broader document than the Palace Law in that it presents a philosophical treatise on leadership, morality, and governance and, as with the Palace Law, one can draw from the Thammasat a sense of the society in Ayutthaya. One aspect of life that becomes clear, as Baker and Pasuk point out, is the importance of hierarchy. The Palace Law “prescribes a top-down social order headed by a king” (p. ix) while the organizational structure outlined for the royal family becomes a “social principle” (p. 59). The articulation and maintenance of this hierarchy subsequently become key preoccupations of the state. Status was articulated through regalia, titles, and the size of one’s entourage (p. 59), while order was preserved through prohibitions against people of middle rank socializing, talking to each other in private, or meeting with members of the royal family (p. 62). Additionally, severe punishments were meted out for violating either the physical space of the palace or members of the royal family (p. 60). Baker and Pasuk note that many of these rules were probably impossible to enforce. Their existence does, however, indicate a marked concern with preventing palace intrigues (pp. 66-7).

By themselves, then, the annotated translations are enough to qualify *The Palace Law of Ayutthaya* and *The Thammasat* as an important contribution to the field of Thai studies. It offers scholars a detailed source for understanding Thai society and provides the foundations for future research. What makes the book especially significant, however, are the two introductory essays that accompany the translated legal codes. In them, Baker and Pasuk argue that lawmaking in Thailand has been driven in large part by the king (p. x). The law was not something transplanted neatly and unchanged from India via Myanmar. Evidence in the descriptions of European visitors to the kingdom and in Ayutthaya period literature support this view (p. 7), indicating that a king’s proclamations and his rulings in legal cases were collected and would from time to time be organized into a more coherent law code (p. 7). In other words, specific judgements became general rules. Additionally, these kingly laws lapsed upon royal succession (p. 8), meaning that the law emanated from and changed with individuals. The 1805

recension of the Three Seals Code, for example, was not a “preservation exercise” but an attempt to generate a “new code” for a new dynasty (p. 59). Law is made to serve an instrumental purpose, bringing this discussion back to the tension between natural and instrumental views of the law.

The compilers of the Three Seals Code, of which the Palace Law and the Thammasat are a part, may have indeed conceived of the law as natural. It existed from earliest times, reflecting unchanging traditions. Yet, as Baker and Pasuk note, substantial changes exist in Siamese versions of the Thammasat. For example, the content under each of the twenty-nine root matters is completely different from the code found in Myanmar and Lanna. In maintaining the structure of earlier versions of the law, the kings of Siam seem to have been aware, even if only vaguely, of the need to ground their changes in older texts as a means of legitimating their rule. Royal lawmaking was thus embedded into a pre-existing framework seen as natural and universal. In subsequent studies of the law, scholars have sometimes taken this naturalism for granted, missing out on the instrumental aspects of law that Baker and Pasuk point out. The two introductory essays thus remind the reader of law’s dual nature.

The argument for a royal lawmaking tradition in Siam is important in that it helps explain the nature of law and society today. The expectation that law is tied to specific persons mitigates against the existence of an unchanging code that exists above all else. The idea of a single law under which governments, civilian or military, must operate is not something for which history provides a precedent. As such, prospects for the sort of constitutionalism that might offer stability in Thailand today will require more work. The constant transition of power between civilian and military rulers and the parade of constitutions, as instruments of power, find echoes in legal history. Baker and Pasuk’s translations and the accompanying critical apparatus are therefore timely and important contributions to the study of Thailand’s history, society, law, and politics.

Samson Lim

References

- Nidhi Eoseewong. 2005. *Pen and Sail: Literature and History in Early Bangkok*. (Chris Baker, Benedict Anderson, Craig J. Reynolds, Hong Lysa, Pasuk Phongpaichit, Patrick Jory and Ruth McVey, trans.). Chiang Mai: Silkworm Books.
- Silbey, Susan S. 1989. “A Sociological Interpretation of the Relationship between Law and Society.” In Haffen, Bruce, Thomas Shaffer, and Susan Silbey (eds.), *Law and the Ordering of Our Life Together* (pp. 1-27). London: Sage Publications.