

KING MONGKUT AS A LEGISLATOR

By

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Your Highness and Chairman, Your Highnesses, Excellencies, ladies and Gentlemen,

Looking back on the past great achievements of this Society I realise, with grave misgivings, that it would take a man far better qualified than myself to give an address here at this Society which will be worthy of its past memories as well as its present distinguished gathering.

The fact of my being here before you is due mainly to a combined indiscretion committed by my brother, Kukrit Pramoj, who is sitting at the back there, and myself in getting up a little English translation of some of King Mongkut's public papers and private correspondence. At first, like a good man of affairs that he is, my brother kept talking to various people about the project without actually putting it to a final execution. I, on the other hand, simply put my foot into it by not only lending him a brotherly cooperation to complete the translation but also by waxing confidential about its completion to the press. As the result I am requested to put in appearance here before you this evening with the manuscript to explain our collective effort.

If, in responding to such a request, my performance does not measure up to the tradition of great discourses delivered here at this Society, my only plea in extenuation is that I happen to belong to that peculiar species known as politicians who are in the incorrigible habit of attempting to accomplish the impossible.

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With your leave, I propose to speak of King Mongkut as a legislator. I choose to speak of the King in that capacity because legislation is the field I am more closely familiar with than any other. To do full credit and justice to King Mongkut, however, one should speak about him not only as a legislator but as a Jack-of-all trades and the Master of them all. For indeed King Mongkut's abilities were proverbial and truly comprehensive. He was a poet, scholar, philosopher, legislator, administrator, scientist and diplomat, in each of which capacity he acquitted himself with the greatest of distinction.

Unfortunately some doubts have been cast upon the King's private character as a man, in the sense that he was an autocrat of high irritability and that he was a husband very much addicted to excessive polygamy. On the question of King Mongkut's autocratic dispositions I have with me here the translation of his public papers, a sample of which will provide, I am sure, ample evidence to show that the King was the first and foremost democrat of our country. One of these papers shows that on an occasion when public opinion refused to accept his pet theory on philology, the King admitted defeat readily enough, although he did so with great dignity. Another paper shows that when the Press harrassed him with its incisive criticism, the absolute monarch, the Lord of Life and Death, returned no more painful retribution than compliments in kind which lends an atmosphere of the rambunctious press-and-politician give-and-take that obtains in any healthy democracy of our time. In fact, this document illustrates an interesting feature of the Thai absolute monarchy in that it was never at any time taken to be perfectly absolute. It proves further that when it comes to the matter of argument with the Press or public opinion even the omnipotent monarchy of old Siam was at the receiving end and on the losing side.

With your permission, I will now read the two papers referred to. The first paper is a notification issued in the sixth month in the year of the Cow, being the 1215th year of the Lesser Era.

This is an Order under Privy Seal (No. 1) to call kapi and nampla by the names of yuakoe and namkoe. As most of you know, kapi is a condiment made of salted squills, prawns or shrimps, especially relished by the Thai as well as other peoples throughout South-East Asia. The same may be said of nampla which is an essence of salted fish or prawns. The notification proceeds as follows:

“By Order under Privy Seal, Luang Sidhi, Royal Chamberlain, hereby declares that the words kapi and nampla commonly used by the people from time immemorial and referred to by His Majesty in Court language as gnapi and namkoe are philologically incorrect. Particularly speaking, the word gnapi just mentioned should be referred to as yuakoe, as yuakoe is the source of production of this special delicacy. Whilst the word namkoe is correctly connotated in Court language, being traceable to the true source of its production, the words kapi and nampla still in common usage remain to be rectified.

Be it, therefore, declared to all servants of the Crown attached to the Palaces of the First and Second King, princes ennobled and as yet un-ennobled and the people of the realm that yuakoe and namkoe are the proper words to be used from now on in accordance with His Majesty's Royal Command.

It shall be the duty of the Ministries of Records, Interior, War and City Administration to serve notice of the foregoing Order to all princes ennobled and as yet un-ennobled, members of the Outer and Inner Palaces, servants of the Crown of higher and lower rank, both civil and military, and members of the Palaces of the First and Second King. The Amphur authorities shall likewise cause such Order to be announced and made known to the people of the realm.”

Another notification on the same subject but of later date (No. 2) follows as appears in the Royal Gazette, the translation of which runs as follows:

"By Order under Privy Seal, Luang Sidhi, Royal Chamberlain, hereby declares that following the order given to the Nai Amphur to instruct the people in the Capital as to the proper use of the words yuakoe and namkoe, the Nai Amphur has since sent out criers to announce the same to the people. Nevertheless, notwithstanding such an announcement, the majority of the people in the Capital still use the words kapi and nampla as of old. Worse still, advantage is being taken by some rogues who, by impersonating the Nai Amphur, have, on many and increasing occasions, extorted money from the people.

Be it, therefore, declared that from now on the people may continue to use the words kapi and nampla as they have been used to do so from time immemorial, whilst the use of the words yuakoe and namkoe, previous notice whereof has been served, shall be restricted for reference by His Majesty's servants in Court language.

It shall be the duty of the Ministries of Interior, War and Records to instruct the Nai Amphur to the end that the Order above referred to be announced and made known to the people of the realm."

With that, I shall ask the audience to judge for itself whether King Mongkut was an autocrat or not, leaving alone for the time being his irritability.

The other paper I propose to read is a notification warning against the trustworthiness of newspaper publication on litigation which I hope will help to throw light on the subject under discussion. It proceeds this wise :

"Dissatisfaction by the party concerned with any judgment in a case on trial in the City or outside it should be expressed by an appeal lodged with His Honour the Minister of the particular province or with the court where the case is on trial, whereby charges may be made that the judgment was given through negligence, error or mistake of facts. Wherefore, the Notification on

Petitions submitted to His Majesty has been published advising any person aggrieved, either by himself or an agency, to present Dika to His Majesty sitting in judgment at Suthai Savariya Palace.

Little attention, however, has been paid to the said published notification. Some of the parties aggrieved feel that their cause may better be served by going to the trouble and expense of getting their grievances published in the newspapers to the end that such diatribes as may be composed and presented therein may, through devious channels, reach the eye and ear of His Majesty.

Wherefore, notice is hereby given that His Majesty is not prepared to entertain such circuitous and reprehensible petitions. Publication in the newspapers of a slander against the judges is in itself an offence. The precedent of the petitioner Plab in the Chantaburi case cannot be followed because not only was Chantaburi inaccessible from the Divine City but personalities were involved in that case, etc.

The newspapers are raving about the trouble in the town of Samutsongkram. Doubtless some of the facts published are true, such for instance as the trouble given to people by the town roughs, the cases of rape and murder which formed the subject of several Dika petitions, including the delay and obstruction practised during the course of trial in the court of that town, wherein punishment has been meted out to the offenders by His Majesty sitting in judgment, etc.

The King agrees that the conditions in Samutsongkram are peculiarly obnoxious, but He cannot agree to investigate into unwarranted mumblings in the newspapers. The proper procedure to follow is to appeal, by order of jurisdiction, to the governor and the town authorities, to the court trying the case and finally to the Court of Appeal in the Divine City. In the last resort, all cases tried in the City may be appealed by Dika petition to His Majesty sitting in judgment. Such being the proper procedure provided, no allowance can be made for complaints published in the newspapers or transmitted by anonymous letters.

Newspapers usually believe the stories of people who have reached the end of their wits. Particularly speaking, in regards to dead cases thrown out of Court for the lack of merit, such carcasses of law are picked up and put into the newspapers in efforts spent by hook or by crook to gain revival, the futility whereof is all too apparent. It is better for a man to have a clean heart than a clean body; for in a clean heart lies the man. Whereas a man with a dirty mind is no man and our association with him is no better than our association with monkeys. Out of kindness and condescension we throw bananas and sugar canes to the monkeys, but we love them not as brothers, etc."

In this connection, one must admit that His Majesty's language is anything but mild. We have not been able to find out how violent the provocation was. But reading King Mongkut's forceful outburst of righteous indignation one cannot help being gently reminded of the great saying, "I entirely disapprove of what you say but will defend to death your right to say it."

Having now got properly warmed up, I am afraid I cannot resist the temptation to read a few more papers on the subject in question. A modern student of popular government would be surprised to hear that an election took place here in this country nearly a hundred years ago, long before the introduction of Constitutions and coups d'etat. But that is exactly what took place in the reign of King Mongkut as appears in the paper which I now propose to read.

"By Royal Command, Reverberating like the Roar of a Lion:

The bearer whereof, Chao Phraya Dharma Dhigoranadhibodij Srisuvira Mahamatwongse Rajabhongse Nigoranuraks Mahaswami-bhak Boromrajopakarabhiromya Sarabodomkichivicharn Mahamon-thirabal Bodinrajanives Nintramatya Antepurikanath Senabodi Aphai-biriyakrombahu."

I hope you will pardon me if I pause for breath here and take the opportunity to inform our foreign friends present that what

I have just read is only the name of the countersigning Minister. From there I go on :

“Being the Minister of the Royal Household, hereby declares to all princes of the Royal House whether ennobled or as yet un-ennobled and servants of the Crown, being Chao Phrayas, Phrayas, Phras or Luangs attached to the Palace of the First or Second King as follows :

Whereas the Maharajkuru Parohitachariya (Tong Dee) and the Maharajkuru Mahidhorn (Oo) having passed away, the appointment of their successors may be made by His Majesty in consultation with a few princes and ministers in the manner of existing custom. However, His Majesty has graciously considered that the posts of Maharajkuru Parohitachariya and Maharajkuru Mahidhorn are posts of great importance, the incumbents of which being judges of fact on whose judgment lies the issue affecting the happiness or sorrow of the people. Moreover, it has been reported to His Majesty that in accordance with the practice obtaining in other countries persons to be appointed by the Ruler as judges are first elected by the people, whereby only the choices of the people are assigned to the task of sitting in their judgment. Being graciously desirous of promoting the peace, prosperity and happiness of the people of the realm, His Majesty deems fit to modify existing custom in favour of such an election.

Wherefore, be it declared to all princes of the Royal House, whether ennobled or as yet un-ennobled and to servants of the Crown, being Chao Phrayas, Phrayas, Phras or Luangs attached to the Palace of the First King or Second King that they are invited to make their choice in the coming election, whereby the vacancies in the posts of Maharajkuru Parohitachariya and Maharajkuru Mahidhorn will be filled. In making his choice, the elector is requested to put down in writing his own name and the names of the persons he elects to the two posts just mentioned. No one is obliged to make his choice among the servants of the Crown attached to the Palaces of the First and Second King. On the

contrary, any person, even though he be a slave, who is believed to be so sufficiently possessed of wisdom and restraint as to be able to give clear and satisfactory judgment in accordance with truth, justice and the law may be elected as judge.

Election slips will be distributed to all the princes and servants of the Crown by the officers of the Department of His Majesty's Secretary, with the request that each prince and servant of the Crown may please fill in one slip only and return the same to His Majesty. The princes and servants of the Crown are further requested not to treat this election as a joke. Nor should they dilly-dally, thinking that perhaps their choice would not meet with His Majesty's approval, or that perchance they would lose face if whomever they elected were rejected by other electors. Such a habit of thought should be entirely discarded. For human hearts vary one from the other, and well may the choices in the election differ because it is His Majesty's wishes that they be freely made. And whomsoever being chosen by the majority of the electors will be confirmed to the posts of the Maharajkuru, etc."

If any lingering doubts are entertained concerning King Mongkut's autocratic tendencies, I suggest that we study the Edict Forbidding the Use of Crossbows during Royal Procession in which the king shows clear proof of his preference for liberty, equality and fraternity under law. This edict was published on Sunday the 7th of the Waxing Moon of the Ninth Month in the Year of the Small Snake, being the 9th in the Decade. I shall read extracts from it as follows:

"By Royal Command, Reverberating like the Roar of a Lion:

The bearer whereof, borne reverently on his head, one Chao Phraya Yomaraj etc. etc. hereby declares to all servants of the Crown, both civil and military, of the Inner and Outer Palaces and to all the Thai people, as well as to Chinese, Peguans, Laos, Cambodians, Annamites, other foreign Asiatics, Farangs and Portugese settlers:

Whereas in accordance with the law, decrees, custom and usage of the Kingdom of Siam dating back to the time of Davaravadi, the Divine and Invincible City, now commonly referred to as the Old Capital, whenever and wherever His Majesty the King proceeds by land, He is preceded by a horse guard armed with cross-bows, bows, and arrows and spears. The said horse guard is followed in succession by His Majesty's personal guards armed with rattan canes, lances and swords who proceed immediately before His Majesty's royal carriage. And whereas when the royal journey is taken by water the same cross-bows, together with guns and bludgeons are carried in the inner flotillas as well as in the advance and flanking flotillas. Any boat which crosses the line of the royal barge or speeds abreast the procession renders its owner liable to the punishment prescribed by law. Moreover, any person who shows disrespect by walking, standing or looking out of the window at the moment when the royal procession passes his way is, by law and custom, liable to be shot at by the sergeant-at-cross-bow proceeding in the said horse guard or flotilla.

However, with the passage of time and on the occasion of His Late Majesty the Protector of Faith, the Wisdom Personified, the King of Kings in All the Lands and Sky (Rama II) returning by water procession after the performance of the annual rite of presenting priestly robes at Wat Nang and Wat Nang Nong monasteries, a sergeant-at-cross-bow in the advance flotilla shot at and wounded a woman in the eye. Whereupon His Late Majesty immediately ordered the royal barge to stop and commanded one Luang Dibayanetr, Royal Eye Physician, proceeding in the royal retinue to examine the woman. Upon the said physician reporting to His Late Majesty that the woman's eye was hit by a shot from the cross-bow and damaged beyond repair, His Late Majesty ordered compensation in money and cloth for wear awarded to the injured woman. Owing to this unfortunate incident His Late Majesty did graciously pass an Act forbidding sergeants-at-cross-bow proceeding in any royal procession to discharge their missiles on the people. Although cross-bows are still carried in royal processions in accordance with the

custom, the sergeants being permitted to make use of the same only for threatening purposes at persons who show disrespect, no cross-bow has been discharged at people as from the passing of the said Act. Wherefore, His Majesty deems fit to confirm the Act aforesaid, whereunder any sergeant-at-cross-bow proceeding in a royal procession found guilty of discharging his weapon at the people will be punished under the Act and a reasonable compensation will be awarded to the injured party.

And whereas it has been brought to the attention of His Majesty King Mongkut that wherever His Majesty should choose to proceed by land or water, the occasion would invariably be taken by the City authorities, the Nai Amphur and all the rest of the officials to chase His Majesty's subjects out of His way and, further, to order them to close all the doors and windows in their houses, boat-houses and shops, whereby not the least little danger is avoided. Such a practice is graciously considered by His Majesty to be more harmful than good. In the first place, those among the people who are acquainted with His Majesty are shut out of His sight. In the second place, the houses and shops with closed doors and windows provide the best hiding place for those who wish to hide, among whom no one can distinguish between the sane and the lunatic. Wherefore, it is hereby provided that the practice aforesaid shall be discontinued as from now on. Henceforth no one of the people gathered along the route of the royal procession shall be chased away, nor shall doors and windows of the people's houses, boat-houses or shops be ordered to be closed at the passing of the procession, but all householders shall, on such an occasion, be permitted to appear before the sight of His Majesty, so that He may graciously take the opportunity to speak to those of His acquaintants among them some such words of greeting as to gladden their hearts, etc.

As for the etiquette to be observed at the passing of the royal procession by water, the owners of the houses, boat-houses and shops along the route should present themselves before His Majesty at such places as suitable for the performance of the act of prostration. Should any paddle boat be found by a householder at

the moment when the royal procession appears within sight to be crossing the line of the procession or running abreast the procession, the householder shall caution it to stay aside. In the event of the operator of the boat so crossing the line of or running abreast the royal procession being a Chinese newly arrived or a foreign Asiatic or a Farang who is ignorant of the Thai custom and language, sign language shall be employed to caution him. If the householder himself is a Chinese he may, at the passing of the royal procession, choose either to prostrate himself in accordance with the Thai custom or to stand and kowtow in such a manner as a Chinese would stand and bow to his Emperor. The same act of prostration is permissible to a Farang who prefers the Thai custom. Should he prefer to stand up, take off his hat and bow or salute in the custom of his country or in the manner of a foreign Asiatic, let him be. No officer proceeding in the royal procession, no City authorities or Nai Amphur or any of the officers responsible for maintaining order among the crowd, nor any one among the Thai people in attendance on His Majesty shall forbid him his choice or force him to do homage against his own custom and inclination, etc."

I do not think the audience would like me to add anything to that other than that it is entirely heart warming.

Speaking about King Mongkut one cannot avoid referring to that celebrated publication "Anna and the King of Siam". No doubt the King owes much of his present western fame to two ladies, the dead Anna and the living authoress who brought her back to life. And on the top of that Hollywood has since crowned the efforts of the two good ladies with the supreme favour of a super production. However, some of the incidents reproduced in the book and the film really take us Thais by surprise. Instead of appearing creditably as incidents from a historical novel we find that they provide us with such interesting, though somewhat apocryphal and novel a history, especially the incident of burning people at the stake. You will find an account related by King Mongkut himself, as a matter of course, in one of his private letters to Chamun Sarapeth Bhakdi,

His Second Ambassador in London, which furnishes an anti-climax to the whole exciting show. It appears from this royal correspondence that when one of the King's women had been abducted by a man from a royal boat, after arrest, trial and conviction, instead of being burnt at the stake or made to suffer such other outlandish consequences as might be picturesquely speculated, the man was fined by a sum of a little over one cati worth of money which at the present rate of open market exchange amounts to only about one pound and ten shillings or roughly six United States dollars! That is a very cheap fine to pay for abducting a King's woman. Here is the translation of the letter I refer to of which I shall read only the concluding passage as follows:

"As regards the case of Phra Indradit who committed adultery with your wife, Sarapeth, I have ordered the judges to hold a trial. They have decided on a fine and compensation amounting to over 28 cati of money. The fine will not be paid over to the Government as revenue but will be paid to you as compensation, since I have sent you far away from home."

Then follows the royal consolation for the Ambassador and the anti-climax to the M-G-M show.

"I should like to bring to your notice," concluded His Majesty, "the fact that the amount of fine awarded by the Court in the case of abduction of one of the King's women from a royal boat was a little more than one cati of money only."

I have another paper to illustrate King Mongkut's personal dislike of the Joan-of-Arc-treatment for people. This is a proclamation concerning religious freedom and superstitious practices issued in the year of the Horse, being the completing year of the Decade. By this declaration the King not only deprecated the practice of burning live people but also scaled the height of liberal idealism with his sentiments on religious freedom, and perhaps by that very expression preceded the United Nations Declaration on the same subject by a matter of nearly one hundred years.

With your permission I shall now read the famous proclamation of King Mongkut.

"Whereas no just ruler restricts the freedom of his people in the choice of their religious belief wherewith each man hopes to find strength and salvation in his last hour as well as in the future beyond;

And whereas there are many precepts common to all religions, such for instances as the injunctions not to kill, nor steal, nor commit adultery, nor speak falsehood, nor partake of intoxicating liquor, and the advices to forbear anger, to be kind and truthful, to practise gratitude and generosity and to perform innumerable other merits which mankind of whatever race and language hold to be good, true and righteous.

Wherefore, in the exercise of the said freedom of religion some persons do commit acts which are inconsistent with policy, although such acts may appear to be praise-worthy in the eye of those who are about to lose their mind, having been led to believe in the merit of such acts by reports and hearsay or by the scattered-brain and aberring sermon of some priests unlearned in the Holy Tripitaka, whose mind is about to go as well. Such for instance as the acts of committing oneself to the fire in worship of the Triple Gems, of presenting one's severed head as token of veneration to the Buddha, of offering one's blood collected from self-inflicted wounds as burning oil for the temple lamp and others are oft performed to the surprise and consternation of the Government. One glaring example of such misplaced religious fervour is the case of the novice Sak who committed himself to the fire at Wat Hongsaram; another example is that of Nai Rueng and Nai Nok doing the same thing before the Buddha of Wat Arun Vararam; still another example is that of a nun burning herself to ashes in worship of the Buddha's Footprints. Just rulers and wise men in all the lands and religious faiths find in such self-destructive acts nothing but an expression of worthless credulity. Such being the irrational acts of a lunatic or of a person about to lose his reason, none should be taken as meritorious under the Buddhist teaching, etc.

And whereas women who for a long time have been divorced from their husbands or whose husbands have been long dead, including spinsters who have never met their mates are prone to choose bachelors for their husbands. As the masses of laymen are occupied in matrimony, the only field left open for such women to exercise their energy is the monastery. The institution is a place where the priests are kept confined to long celibacy, thus capable of providing the ladies with brand new husbands. Even more so are the priests looked upon as a fattened hog, for indeed many of them have grown great in fame and wealth, having been promoted to the rank of Head Priest with the title of nobility, awarded their degrees and royal grants, and what with a wordly offering here in a sum of money at a public preaching and another such an offering there at a cremation or official function, such a pile of feungs, salungs, taels and bahts as accumulated by them may be had for the convenient taking after their being lured into matrimony.

That the priests are expected to fall easy victims is because they are likely to be driven crazy by their newly found love. For this reason the artful ladies would place their son in the custody of their prospective catch, or assign a grown kinsman or neighbour to wait in attendance on the priest, whereby their line of communication and intelligence being firmly established, they would feed through that channel all the toothsome tidbits and choice delicacies calculated to break down the resistance of the holy brother they intend to victimize. The result is invariably as might be expected. For the priest, having been favoured with such kindnesses, would begin to show signs of weakness, first by getting on terms of civil intimacy with his benefactress, calling her Milady Benefactress at the House, at the Boat-House or at the Building up North or South, as the case may be. Later, having divested himself of the yellow robe, the man would be wedded to the benefactress under consideration, or to her sister or daughter as suits the convenience. Worse still, sometimes the said civil intimacy oversteps its bounds and the crime of fornication is committed in defilement of the Yellow Robe. That some women prefer priests for their husbands, whilst some

priests, having left the monastery, prefer divorcées, widows and spinsters as wives is a rule which finds so wide and general an application that to go into enumeration of the actual cases would not only be a waste of time, but would also offend the ear in its susceptibility, as well as antagonize the persons with the guilty conscience.

Be this, therefore, given as a warning, that His Majesty is firmly resolved to preserve the purity of the Holy Order, so that it may continue to be a help and guidance to His people, for whom He ever wishes a long life in coolness and felicity. Be it hereby declared, therefore, that henceforth any woman charged with the crime of fornication with a priest, or any priest charged with the like crime with a woman being divorced from her husband, a widow or a spinster, upon being found guilty will be punished under the Act."

So much for King Mongkut's autocratic temper. But what about his domestic excesses which, perhaps, have earned for him a certain amount of unwanted publicity. It is an accepted fact that the number of the King's wives was truly astronomical. However, far from being a mark of immorality polygamy in the Thai Court of those days was also an accepted fact. So far as royalties were concerned, it served as a handy political weapon. For, whenever a prince or noble was suspected of intriguing against the Throne all that the King had to do was to take one of the suspect's daughters to wife. That would have the desired effect of putting an end to any incipient revolution. The reason was quite obvious then. It was simply not "cricket" to rebel against one's in-laws. Thus it had come to pass that although all the King's wives got their share in the way of public honour and office, not all of them received the King's private attention. Strangely enough, polygamy was sanctioned by the women themselves, being realists one and all these worthy ladies of old Siam. They must have realised that polygamy, like charity, must begin at home, otherwise it would begin and beget itself elsewhere to their own material disadvantage and spiritual discomfort.

Be that as it may, it is a point of interest to note that King Mongkut was the first Thai monarch to break the age-old custom and palatine law by permitting the Palace ladies to resign in favour of private matrimony. In one of the proclamations issued in his reign the King virtually declared that he had so many wives that anybody could have them for the picking. So far so good for the idealist and philosopher in the King. But when twelve of the Palace ladies actually resigned one finds that His Majesty was not so pleased with them after all and the references he gave them on leaving the service were not as brilliant as the ladies themselves might have expected.

I now refer you to two illuminating papers on this very intriguing subject. First we have the Proclamation Pledging Royal Permit to Ladies of the Inner Palace to Resign, issued on Thursday the 3rd of the Waxing Moon of the First Month in the Year of the Tiger, being the 6th in the Decade which declares as follows:

"His Majesty King Phra Chom Klao is graciously pleased to pledge his Royal Permit, bound in truth and veracity, to all Lady Consorts serving in the Inner Palace, Middle Palace and Outer Palace, excepting Mother Consorts of the royal children, as well as to Forbidden Ladies of all ranks, Ladies Chaperon and Chaperons and all Palace Dancers and Concubines as follows:

Whereas it is no longer the desire of His Majesty to possess, by means of threat or detention, any of the ladies above referred to. Wherefore, that it has been His Majesty's pleasure to support them and to bestow on them annuities, annual gifts of raiment and various mark of honour and title befitting their station. This is due to the regards He entertains for the honour of their families and the merit of their own service.

Should any of the ladies, having long served His Majesty, suffer discomfort and desire to resign from the Service in order to reside with a prince or noble or to return home to live with their parents, or to dispel such discomfort by the company of a private

husband and children, let her suffer no qualms. For if a resignation be directly submitted to His Majesty by the lady accompanied by the surrender of her decorations, her wishes will be graciously granted, provided always that whilst still in the Service and before submitting such a resignation the lady shall refrain from the act of associating herself with love agents, secret lovers or clandestine husbands by any means or artifice whatsoever. For such a misbehaviour would prejudice the immemorial custom of the land. Moreover, after resigning from the Service, should the ladies belonging to any of the ancient Houses proceed to reside with their parents or other members of their family, or join in matrimony with the Higher Princes or be wedded to high ranking servants of the Crown, His Majesty would be pleased to continue paying some of them annuities of a reasonable amount.

As for the Ladies Consort serving in the Inner Palace who, although finding in the application of the law much cause for constricted heart and life therein a veritable source of ennui, are still ashamed to put in their resignation, should they desire to be demoted, be it to the service in the Middle or Outer Palace, or even to the service in the rank of a Forbidden Lady, and there to continue in loyal service to His Majesty befitting their new assignment, they shall please do so as they wish; provided that His Majesty shall first be informed and that before presenting such a request for demotion the ladies in question shall refrain from abandoning themselves to laxity unworthy of the dignity of their office, etc.

However, the Mother Consorts of the royal children can in no case be permitted to resign in favour of matrimony because such an action will prejudice the dignity of the royal children. In this case resignation is only permissible if the purpose is restricted to residence with the royal children unaccompanied by matrimony.

The said royal intention, in spite of repeated declarations to the same effect as above stated, seems to make little progress with popular credence, it being mistaken either as a joke or a sarcastic remark. Since in truth and veracity His Majesty bears such an

intention in all earnestness, His pledge is hereby doubly reattested by being declared and published for public perusal. Such a course of action has been taken in order that all manner of men and women will be completely reassured that His Majesty harbours no possessive desire in regards to the ladies, nor does he intend to detain them by any means whatsoever, and that previous declarations do represent His Majesty's true and sincere purpose. Therefore, let every one bear witness to the present declaration and should the future reveal its lack of sincerity, the same would deservedly become of itself a subject for adverse comments and criticism by all men and gods, etc."

Following close upon the issuance of the proclamation just read there was published in the Royal Gazette a Court Circular, countersigned by the Lady Aab, describing the following interesting reaction.

"By Royal Command,

Whereas by a previous proclamation, Ladies of the Inner Palace, irrespective of youth and maturity, excepting only Mother Consorts, are entitled, by Royal Permit, to exercise their choice to resign of their own accord or at the request of their parents free from any restraint or detention being practised on them as was the old custom;

Wherefore, in this Year of the Horse, being the completing year of the Decade, twelve ladies have been granted leave to resign by Royal Permit without the benefit of a grant of annuity as follows:

1. Puek, daughter of Phraya Prachachib (Kot) age 38.
2. Saeng, daughter of Phraya Pejda (Noi), age 39.
3. Hoon, daughter of Phra Loethai, age 23.
4. Taad, daughter of Nai Sri, Royal Page, age 37.

The four ladies above referred to entered the Service in the reign of His Majesty King Phra Nang Klao. The two first named were promoted to the rank of Lady Consort attached to the Royal Bed Chamber. The third lady, however, remained without any

special assignment. The fourth lady served as one of Miladies of the Lamp. In the present reign the first two above named were moved down to serve as Miladies of the Lamp and Tea Service, whilst the third was moved up to the Royal Bed Chamber. The last of the above-named, however, remained in her former post, and having expressed her wishes to seek physical and spiritual comfort outside the Royal Palace, was granted leave to resign.

1. Liem, daughter of Phraya Rajbhakdi, age 21
2. Poom, daughter of Phraya Prachachib (Kratai), age 16
3. Klib, daughter of Phraya Prachachib (Kratai), age 15
4. Sangwal, daughter of Phra Rajsompati, age 18
5. Prig, daughter of Luang Udom Chinda, age 16
6. Liam, daughter of Luang Udai Nadhikorn, age 15
7. Sarapi, daughter of the late Khun Burindr, age 15
8. Pun, daughter of Khun Chamnan Kadi, age 15

The eight ladies above referred to entered the Service in the present Reign. The first lady served as Milady of the Royal Sword, but had to resign on being stricken with a nervous break-down. The second and third ladies entered the Service after the death of their father for the purpose of getting a larger share in the inheritance of the deceased for the reason of having entered into His Majesty's Service. Having been awarded their duly increased shares of the inheritance, they resigned. The rest on the list are gifted dancers. A difference of opinion arose with regard to the fourth and fifth ladies. Their respective fathers wanted them to remain in the Service, but the ladies themselves and their respective mothers decided in favour of resignation. Wherefore, His Majesty gave them leave to resign. The sixth lady was much feared in the Palace for her dangerous eye and ear. After a violent quarrel with her friends in the Palace she was permitted to resign on the approval of her parents. As for the seventh on the list, the lady was possessed of doubtful beauty. Her mannerism was altogether over-cultivated. Considering that she might be desirable in the eye of someone who desired her, His Majesty graciously granted her leave to resign.

The eighth and last lady on the list was afflicted with the malady of fast hand, and having been found by responsible persons in the Palace to be untrust worthy with valuables and such like, was advised to resign from the Service.

The twelve ladies above named are now resigned from the Palace and are wholly free to pledge their service to any prince or noble. Should there be any such a prince or noble who would desire any of them in marriage, His Majesty would gladly and sincerely offer them congratulations. That a man should be free to choose a woman of his heart's desire as his wife is the wish of His Majesty, and so happy He will feel to know that the satisfaction of any such man is shared by any of the ladies who recently resigned. In fact, His Majesty might have gone one step further by graciously giving the said ladies away in marriage; but He was restrained by the consideration that He might have erred in His choice to the dismay of the parties concerned. Wherefore, the present middle course has been adopted in the hope that the honour and liberality of His Majesty will be firmly established in the newly founded custom."

Your Highness and Chairman, time is getting short and I fear the audience might justifiably complain to you, Sir, that the speaker for to-day has deviated too far from his theme of King Mongkut as a legislator. I must pause here, therefore, to say that I am coming to that subject presently and to consult your pleasure, your Highness, as to the advisability of my proceeding.

I gather from your gesture of approbation that I am directed to go on with the address, for the length of which I crave the indulgence of your Highness and this distinguished audience. Although, notwithstanding your Highness' kind reference to his lineage, he is but a distant and indirect descendant of King Mongkut, what your speaker feels in his bones to descend very closely and directly on him from the King, with the whole weight of inescapable Fate itself, is the heritage of His Late Majesty's interminable rambling.

King Mongkut, as a legislator, was as prolific as he was in the role of a husband and father. His total output in legislative production adds up to something like five hundred juridical pronouncements. As might be expected of a man of his vitality and gifted imagination the King ranged the whole expanse of legislative field covered by his predecessors. With a relaxation of the law on *lèse-majesté* here, an amendment of the law on property, marriage and inheritance there, and again a modification of the archaic law on procedure, King Mongkut rapidly filled up four solid volumes before his startled subjects actually realised that a great bloodless revolution was brought about by the sheer trick of His Majesty's juggling with jurisprudence.

Time does not permit me to go into the matter in detail. However, as examples of King Mongkut's, shall we say, candid legislation which, like a candid camera, helps to portray, with great clarity and ingenuousness, the life and customs of his time, I propose to read to you three of the King's legislative works, one dealing with drunkenness, another with municipal administration, the third being the famous Act on Abduction which is well known to all students of law in this country.

I refer you now to the following notification issued on Sunday the 14th of the Waxing Moon of the Fifth Month in the Year of the Horse dealing with New Year drunks:

"Whereas in accordance with the custom observed from time immemorial, on the occasion of celebrating the arrival of new year, by far the greater majority of manhood, partly consisting of rogues and ruffians, see fit to get themselves drunk all over the place; These revellers drink their way on to the highway and even naughtily into the temple and monastery, leaving in their wake scattered remnants of drunken brawl, assault, battery and mayhem. With the celebration running into eleven days altogether, that is to say, five days in honour of the lunar year, with three days for actual celebration, one day for preparation and another day for the send-off and six days in honour of the solar year, with three or four days

for actual celebration, one or two days for preparation and another day or two for the send-off, the countless cases of drunken brawl, assault, battery and mayhem occurring within and without the City wall are beyond the power of the Nai Amphur and the police to cope with.

• Wherefore, it shall be the duty of every householder, as from now on, to seize all persons getting drunk and disorderly in front of his house and deliver the same to the police at the prison gate while they are still in the state of insobriety. The performance of such a duty shall be made only by the house-holder in front of whose house the person to be seized shall have been getting drunk and disorderly, and no neighbours of his shall be permitted to render assistance. If upon delivery the person seized in the said manner is found to be drunk by the police the householder who makes the delivery shall not be made answerable even were the person seized and so delivered is found bodily hurt or wounded. In order to prevent a possible rescue of the person thus seized for delivery while being taken on the way to the police, the house-holder may detain him at his house, pending the immediate examination by the Nai Amphur or the police into his state of sobriety, which examination shall be conducted immediately. Drunken revellers during the New Year celebration are hereby warned to confine their hilarity within the limits of their household, and any urgent business which they may wish to perform abroad before they get over the reaction of their over indulgence must wait until they are sober."

After having published the above notification for the benefit of the common people, the King found that two high ranking members of his own family also joined in the celebration which they were in the habit of extending throughout the year. How King Mongkut faced his problem can be studied from the following notification of a later date.

"Notice is hereby given to all servants of the Crown attached to the Ministry of the Royal Household that the Prince D. and the Prince A. are in the habit of getting drunk whilst resident within

the confines of their respective palaces. Wherefore, with the exception of the Officers of the Oars and Lawn Sweepers under the command of the Prince D. and the officers of the Rifles and Arsenal under the command of the Prince A., no person is permitted to enter into the palaces of the said princes for any purpose whatsoever. This injunction applies even in the case where the person seeking entry is summoned by the order of either one of the princes. Upon such an order being made the person summoned shall attend on the prince only when he puts in appearance at the Royal Palace. The purpose of this injunction is to prevent the caller at the said palace from becoming an object of the prince's sudden outburst, whereby uncontrollable acts of violence might be committed by the prince on the person of the caller without any justification. As by law the presumption in the case of a brawl committed within a household lies against the caller, the case will go still harder against him were the caller to get either involved in a scuffle within the palace of either one of the princes. Be it clearly brought to the attention of all likely callers at the palaces aforesaid that the princes hardly ever get sober. Wherefore, no one is guaranteed a safe and uneventful visit thereto. Even those who come under the exemption, namely the Officers of the Oars and Lawn Sweepers and the Officers of the Rifles and Arsenal, are advised to exercise due care and prudence on the occasion of their attendance, official or otherwise, on either one of the said princes. Whilst the princes are on the rampage, they had better stay outside. Should the attendance be possible on the abatement of the princes' temper, they are to get into argument with either one of the dignitaries at their own risk. Even when an urgent call must be made, such for instance as when bearing a Royal Command, seeking an audience with the princes on affairs of State or conveying the official bulletin concerning the state of His Majesty's health, it really matters not whether either one of the princes can be approached. Upon the failure of such an expedition His Majesty is to be informed without delay so that a request may be made to the prince concerned to

put in a personal appearance at the Royal Palace. In this connection it should be borne in mind that the presumption of law above referred to cannot be raised against the bearer of Royal Command. Further, the presumption does not apply in the case where a caller appears at a palace or household at the request or invitation of the owner thereof. Trespass, whereby the said presumption may be raised, takes place only when the caller puts in appearance without leave or licence of the house-holder."

With your permission I will now read the Notification concerning His Majesty's Advises on the Inelegant Practice of Throwing Dead Animals into the Waterway, the Construction of Fire-places and the Manipulation of Window Wedge.

"By Royal Command, Reverberating like the Roar of a Lion,

Be it declared to all servants of the Crown of higher and lower rank and to the people of the realm as follows :

Whereas it has been brought to the attention of His Majesty that in the words of foreigners and provincials who are Laos, Cambodians and dwellers in the upland who draw their supply of water from wells, as well as other peoples, the inhabitants of the City Divine are great polluters of water. For it is said that the Divine City dwellers do dishonour to their own city by throwing carcasses of dead animals into the river and canals where they float up and down in great abomination, and that having thus contaminated the water, the City dwellers themselves do make an inelegant habit of constantly using the same water for purposes of drinking and ablution.

Wherefore, His Majesty is graciously pleased to advise that under no circumstances whatsoever should any person allow himself to throw a dead dog, a dead cat or the carcass of any other dead animal into the river or canal, whether big or small. The people are requested to have such carcasses disposed of in the proper burial ground by the agency of those whom they can command or hire or whose kindness and good offices they can solicit to accomplish the

task in question. Should the people find it inconvenient to proceed from their homes by the waterway to a distant burial ground for the purpose, they are required to bury the offensive carcasses on the spot and to bury them deep enough so as to prevent their escape on to the waterway where they will float up and down in great abomination.

By the exercise of a little imagination it should not be too difficult to perceive that other people using the water along the waterway do object to such an exhibition. Were provincial priests and novices from the Lao country and other northern districts or other country gentry to pay a visit to the Divine City and find the said objectionable custom still in practice, they would undoubtedly carry away the impression that conditions inside the City are not as healthy as outside it, the water supply in the City being so unclean as to breed in the dwellers thereof a number of unhappy ailments. The same or similar impression would be given to Englishmen, Chinese and other foreign Asiatics who come to do business in the Divine City.

Appeal is, therefore, made to the better instincts and humanity of City dwellers who are requested not to throw carcasses of dead animals into the waterway to the revulsion of their fellow dwellers. Henceforth, should any person disregard His Majesty's gracious advice and still allow himself to practise the said inelegant habit as heretofore he shall, after due testimony being given against him by his neighbours, be conducted in ignominy around the City by the Nai Amphur so that the spectacle may serve as a sorry warning to others against committing such an inhumane and irresponsible act of water pollution.

Again, by nature and habit, the Siamese are financially self-contained and of limited liberality. There are some among them rich enough to construct a brick building for themselves for habitation who prefer to live in a shack made of inflammable attap palms, split bamboos and wood than to allow themselves what

seems to them an unnecessary expenditure of constructing a brick-building for the purpose of habitation. However, in such inflammable a habitation these people are in the habit of building a fire-place near the inflammable partition or the pile of faggots used for cooking purposes where, having built a fire and being unable to exercise an uninterrupted vigilance over it owing to various other affairs engaging their attention, conflagration frequently occurs through negligence to the loss and suffering of the neighbourhood. Wherefore, His Majesty, being graciously concerned about the welfare of His people and desirous of taking measures to prevent such conflagration from occurring, whereby property is destroyed by fire, lost during graceless removal or stolen in the confusion, as well as putting the people to a great expense of building new houses, has deemed fit to give the following advice:

From now on house-holders are required to build their fire-place not too near the inflammable partition and to build it with bricks, lime or earth after the model fire-place which is placed on exhibition at the Royal Field by the Twin Buildings bordering the main avenue. Should the poorer people find it too costly to copy the model for use in their house-hold, they are requested to give the partition near the fire-place a coating of mixture of earth, clay and paddy husks, and also to remove the pile of faggots to a safe distance from the fire-place, as well as to exercise great care to prevent fire. The police will be instructed to examine every house in the City and to order the vacation by the owner of any house found to be a source of danger from failure to follow His Majesty's advice. The possession of the house thus vacated will be made over to some other person who is able to exercise greater diligence.

Finally, in the matter of preserving the peace of the realm, it transpires that cases of burglary and house-breaking regularly conform to a strange and identical pattern, that is to say, the burglar would ascend the window by a ladder, cut a hole in the partition wall, lift the window wedge and enter the somnolent household to make leisurely appropriation of gold and silver articles

to be found for the unlawful taking. Wherefore, His Majesty deems fit to advise His people to keep moving the window wedge beyond the reach of the burglar's guessing, that is to say, by the tactic of sometimes inserting it at the top or bottom of the window and placing it at other times side-wise, or otherwise manipulating the window wedge in such a manner as a man of prudence and ingenuity would employ in safeguarding his property against burglary. Let the people be more loyally bound to His Majesty in grace and gratitude and let them carry out His benevolent advice. And may peace, prosperity and happiness reign over the people now and forever-more."

I now come to the Act on Abduction, the somewhat lengthy reading of which will, I hope, give you a true idea of what I call King Mongkut's candid legislation.

"Act on Abduction

By Royal Command, Reverberating like the Roar of a Lion,

Be it declared to all judges of fact and justices of law and to the people of the realm as follows:

Whereas on Sunday, the 7th of the Waning Moon of the First Month in the Year of the Cow, being the 7th Year in the Decade, a Dika petition was presented before His Majesty the King sitting in judgment at Suthai Sawariya Palace, with the following complaint:

I, the slave of our Lord Buddha, one Muen, age twenty-one years, residing at Bang Mueng in the town of Nondhaburi, being the daughter of Nai Ged and Noom and Thine humble petitioner, with sorrow and fear, hereby submit my prayer to the dust of Thine feet and myself to Thine gracious jurisdiction.

Whereas I was first in love with and was compromised to one Nai Rid with the knowledge of my parents. Then in the Fourth Month of the Year of the Rat, the sixth in the Decade, one Nai Boo appointed a love agent to my parents to ask for my hand

in marriage. Upon learning that my parents gave their consent to the said Nai Boo's proposal I protested. Whereupon my parents exercised their anger and scolded as well as beat me. Thereafter at twilight on the 11th of the Waning Moon in the same month the said Nai Boo, with the knowledge and approval of my parents, forcibly took me to his house and attempted to force me into his room. Thine humble petitioner lustily resisted and sat out on the veranda until dawn, where I was found by many in the neighbourhood. Upon my returning to the house of my parents I was again scolded and beaten by them who wished me to consent to become Nai Boo's wife. Again my parents permitted Nai Boo to take me by force to his house. This time Thine humble petitioner refused to ascend the ladders of Nai Boo's house, and yet again returned to the house of my parents. Whereupon, my parents were so exercised in their anger that they threatened to shoot me dead with a gun if I did not consent to become Nai Boo's wife. Fearing the peril of my life I fled to the house of Nai Rid, my lover. Two or three days thereafter, upon my parents sending words to Nai Rid that he might appoint a love agent taking incense and candles to ask their pardon, Nai Rid did gladly follow their instructions. But upon the agent's arrival at my parents' house he was taken to the house of the Kamnan and there was promptly placed under attachment by the Kamnan at the request of Nai Boo who was present in waiting. Thereafter, in the Seventh Month of the Year of the Cow, the 6th in the Decade, after a writ of summons has been issued by His Honour Luang Siam Nondhakhet calling upon Thine humble petitioner, Nai Rid and his parents to put in appearance at the Town Building, I appeared and gave my deposition in reply to the question put to me by the Chief Deputy that I was never in love with Nai Boo and would never consent to become his wife. Wherefore, Phra Nondhaburi, the Chief Deputy of the town, proposed as a compromise that if Nai Boo could swear against my deposition, his case would be upheld against Nai Rid, but Nai Boo did not consent to swear. Again another compromise was proposed that upon my swearing to my deposition the case of Nai Boo would be dismissed,

and again Nai Boo refused to accept the proposal. Then on the 2nd of the Waxing Moon in the Eighth Month, the Year of the Cow, being the 7th in the Decade, he, Nai Boo, proceeded to bring a charge against Nai Rid, as well as the latter's parents and two named love agents. Upon the Appearance of the defendants on a writ of summons they were ordered to deliver my person to the custody of the judges pending trial. As for Thine humble petitioner, having testified before the judges in truth and veracity that I had never consented to be the wife of Nai Boo, I was arrested by one Nai Piam, the gaoler, and was then thrown into prison. There my mother appeared, and with threat and vituperation yet again attempted to force me into marriage with Nai Boo, which again failed for the lack of my consent. In the meantime Thine humble petitioner appealed to the judges to proceed with the trial, because whilst in prison Nai Piam, the gaoler, maliciously made me perform all kinds of hard labour. Wherefore, having reached the end of my endurance, I escaped from the prison to submit to His Majesty the King this humble Dika and myself to His gracious jurisdiction. I declare that I will never consent to be the wife of Nai Boo. I choose to take Nai Rid, my lover, as my husband. May Thine grace and benevolence be my salvation. Thine will be done. Your humble petitioner.

Having examined the Dika, His Majesty has graciously endorsed the same to the effect that if the facts as stated therein are found not to be too far from the truth, Chamun Rajamatya and Nai Rod Mon, Royal Page, shall proceed to Nondhaburi and award the woman petitioner to her lover as wife. For at the age of twenty a woman is old enough to be able freely to choose a husband for herself. It is provided, however, that the husband in this case shall be made liable to pay damages of one cati to the woman's parents, together with damages at the amount of ten taels to the other man to whom the bride was intended to be given in marriage by the parents, including cost of litigation to be paid by the husband as well. Wherefore, this case is dismissed for both parties, subject to the following amendments, in case the facts appeared beyond

those stated in the petition. In the first place, the averment that the parents who had given the hand of their daughter to one man in marriage were obliged to allow the same man twice and forcibly to drag her to his house appears somewhat unusual. It gives rise to the suspicion that they might have made a written contract selling her into bondage to the man, for which reason they were obliged to permit the use of force by the buyer. If such be the truth, then a decision shall be given laying down the rule that no parents own their children as if they were cattle, which can be disposed of by sale at a price. Nor are children slaves belonging to parents who can be disposed of in the like manner as slaves are sold for the price of their bondage. Parents are not permitted to plead poverty in a sale of their children. Such a sale shall always be subject to the consent of the person being sold, and whatever the price being consented to by such a person shall be the price in the sale. Any old law to the contrary shall be hereby repealed. Wherefore, should the parents in this case have sold the woman to the man whose act of abduction they approved, whatever the price stipulated and paid to them in the transaction shall be reimbursed to the man accordingly, etc.

All issues of attachment and all actions by or against the love agents are hereby dismissed.

And whereas by existing custom a man is pleased to consider any woman his wife whom he is able secretly to compromise. So is the general belief of litigants and so has the Court passed judgments handing women over to the men by whom they have been compromised. These women are not animals. Even so, the old law concerning the freedom of divorce was once repealed. However, such a measure cannot be deemed to be just. For the choice of separation should be freely exerciseable by either the husband or the wife. Therefore, the old law is hereby confirmed, and all judgments on the status of a wife under the custom above referred to shall be revised to conform to the rule of free will in the woman.

And whereas any woman whose hand having been asked in marriage by a man and given by her parents, who consented to cohabit with the man, and thereafter the two of them have before the eyes of many other persons, lived together as husband and wife, joined in common happiness and sorrow, profit and loss, and in such a manner have long dwelled together for many days and many months, witnessed by all their friends and neighbours and unchallenged in their union, shall be judged the true and lawful wife of the man. In this case, however, such a period of time has not elapsed, wherefore the rule concerning the free will on the part of the woman has been followed. This rule is based on a previous judgement in the case where a mother sold her young daughter into bondage to Phraya Singharaj Ridhikrai, the father of Luang Sena Bhakdi. When the child grew up into womanhood, Luang Sena Bhakdi desired her for wife. However, her parents persuaded her to withhold her consent and, with the permission of her master in bondage, the woman returned home to her parents, the latter repaying the price of bondage. Erelong the parents put the woman up for sale to some other man to be had for his wife. Whereupon the unwilling daughter presented a Dika petition seeking an order permitting her to return to Luang Sena Bhakdi in order to become his wife. The said Luang Sena Bhakdi was prepared to pay more for the woman than the original price of her bondage but less than the price demanded by the parents from the other man. It was decided by the King sitting in judgment that the wishes to be followed were those of the woman, not those of the parents or the man to whom the woman was offered for sale.

Some litigants to whom previous judgments have been awarded might complain that there is an inconsistency between the decisions in the foregoing cases and theirs. Such a complaint cannot be upheld. For the judgement in the other cases was based on the dignity of the nobles concerned. In one of these cases one Nai Thai, Royal Page, formerly holding the title of Nai Rong Chid, and now promoted to the rank of Khun Nakornkhet Kasemsri, Assistant Deputy to the Right Department of Police, did ask for the hand of

the Mistress Sapaya, daughter of Phraya Debvorachun, in marriage. After their marriage, the two lived together in their matrimonial home, and the lady was later presented to His Majesty in Court by Lady Somsakdhi and received certain royal favours in grant. However, after a quarrel, Nai Rong Chid left Sapaya to stay at his paternal home, and thereafter continued to pay her but occasional and civil visits. It was during this period of time whilst Phraya Debvorachun, the father, was sent on His Majesty's Service to Nakorn Sri Dhamaraj that the woman committed adultery with one Pun Sorasidhi, an officer attached to the Department of His Majesty's Personal Guards. By coincidence Nai Rong Chid, the husband, paid one of his usual visits and on that occasion found the man in bed with his wife. Wherefore in deference to the fact that Sapaya was once presented in His Majesty's Court, Nai Rong Chid submitted the case to His Majesty's pleasure. His Majesty directed the judges to fine the adulterer in the amount calculated by the rank of Nai Rong Chid, the injured party. However, upon the request being made by the man and woman to live together, such a request being supported by the contention they had indemnified the injured party by payment of a large sum of money, it was decided by His Majesty sitting in judgment that Sapaya being the daughter of a man with the title of nobility, her request to live with her adulterer should be rejected. Moreover, Phraya Debvorachun was away at the time, and no one knew what he might have to say about the matter. Wherefore, Nai Baisal, Silk Wearer attached to the Palace of the Second King, and a number of Royal Pages who were the sons of Phraya Debvorachun were summoned to appear before His Majesty. A question was then put to them that Sapaya having been caught by her husband, Nai Rong Chid, in the act of committing adultery with Pun Sorasidhi, for which a fine had been duly paid, would the members of her family approve of her request to live with her adulterer and what would be the likely wishes of Phraya Debvorachun in the matter. One and all of the sons of the said Phraya Debvorachun submitted that they themselves would not

approve, and that they knew their father would strongly disapprove of such a request. Wherefore, Sapaya was committed to the custody of her brothers to await the pleasure of the father, Phraya Deborachun.

One would criticise this last judgment as drawing a distinction between the nobility and the common people. But far better it is to draw the distinction than to displease the nobility in these cases. Were the rule of free will to be followed with regard to their women these nobles would be stricken with surprise and mortification, whereby to see a judgment allowing any of their woman-folk to be brought to dust by the effrontery of a commoner would provoke in them a painful suspicion that the Ruler no longer upholds their honour and tradition. No amount of damages paid to them in compensation would assuage the pain of such a suspicion. Even were the compensation to amount to one hundred catis, having spoken their word of disapproval these nobles would never take it back. The judge in such a case, therefore, would be a fool to follow the rule of free will in the woman. Thus it had come to pass in the past as well as the present reign that dark and seditious figures walked in and out of the Royal Palace under the very nose of their benign and benevolent Ruler. Wherefore, the same may serve as a future example for persons of insufferable impudence to sully the dignity of the Royal Palace. Therefore, it is pointed out to the critics of the judgment that wisdom and restraint are the qualities to be exercised in such cases.

Wherefore, in deciding cases arising in the City as well as outside it the judges are hereby directed to consider the degree of nobility involved. Among people of lower birth they are to follow the rule laid down as in the foregoing, whereby the doctrine of marriage by mere touch and compromise is overruled, and the wishes of the woman are to be followed, whilst those of the parents and kinsmen are to be consulted among the nobles.

The fact is undeniable that people of lower birth are more interested in acquiring wealth than in furthering the welfare of their

children. As the result, children who should receive nothing but kindness and mercy from their parents are oft consigned by the latter to miserable slavery in mere exchange for gold and silver. Therefore, the rule of free will must be made applicable so as to prevent havoc being brought upon the persons of women oft sold into bondage by their parents. The rule, however, must be otherwise in application to the nobles. For in such a case even a small liberty taken of the woman through a marriage contracted below her rank grows big and intolerable in the eye of her sensitive kinsmen. If liberties must be taken of the woman, her nobility of kinfolk prefer that they be taken by a nobility of equal rank, so that through fear of their power and influence the general public who perceive something insinuating would find wisdom in keeping their mouth shut, whereby dignity would be saved and the scandal relegated in the course of time to happy oblivion."

Such are the laws of good King Mongkut. Judging from the magnificence of style and the generous contribution of jaw-breaking grandiloquence which is the special attribute of the monarch, these laws must have been drafted by the King himself, which helps to grace the works with his own inimitable wit and charms. To read one of King Mongkut's laws is like reading a complete book of life in itself, so full of old world sweetness and sympathies. One enjoys the comedy in the notification concerning the New Year drunks and the princes on the rampage, in which the King shows that he was conscientious enough to practise on the members of his family what he preached to the common public. From then we go on to the tragedy of a beaten and frustrated monarchy when public opinion disagreed with the King's linguistic findings. The pathos and persistency of true love was brilliantly dramatized by the King's judgment in the case of the woman Muen tried before His Majesty sitting in judgment. For lofty ideals, King Mongkut was incomparable when, in the role of an absolute monarch and the Lord of Life and Death, he declared, nearly a hundred years ago, that "No just ruler restricts the freedom of his subjects in the choice of their religious belief."

It is characteristic of King Mongkut's legislation that although his law was somewhat short the reason he gave for its promulgation was ever always long. From these laws of his, one learns something more than the *raison d'être*. In them one sees clearly the *elan vital* of legislation. Compared with such of his illustrious predecessors as Ram Kamhaeng and Tri Loganath, King Mongkut may not rank as the greatest legislator. But alone of all the Thai monarchs King Mongkut wrote his law with all his heart and with the greatest of sincerity. In that respect, I think King Mongkut can claim to be the most humane of Thai legislators. The support to that claim is not far to seek, for one finds that nearly all of his laws are inspired by those little humanities that go to make the best and greatest law of all.
