A LAW PROMULGATED BY THE KING OF AYUDHYA IN 1397 A.D.

Epigraphic and Historical Studies, No. 4

bу

A.B. Griswold & Prasert na Nagara

Inscription XXXVIII, in which King Rāmarāja of Ayudhyā promulgates a law in the vassal kingdom of Sukhodaya in 1397, is a document of peculiar importance for the study of legal history.

It is the only known legislative text engraved on stone emanating from any of the Southeast Asian kingdoms. The Indian tradition held that the universe is governed by an immutable natural law, the Dharma, which was miraculously revealed to the sage Manu, and in turn revealed by him to other sages who made it known to mankind through abridged versions called **Dharmasastra**. Only a small part of the Dharmasastra deals with the administration of justice; the rest deals with Hindu rites and sacrifices, purification and penances; and its authority rests on sanctions deeply rooted in Brahmanical religion. It was not the duty of an Indian king to legislate, i.e. to impose laws of a general and permanent character, but to understand the Dharma by studying the Dharmasastra and to settle disputes in accordance with it. Cambodia and the other Southeast Asian kingdoms in which Brahminism predominated adopted the Dharmasastra with little or no change; disputes were settled, and the rites observed, by reference to it; as the King's decisions in specific cases were ad hoc commands which established no precedent, no code of civil law came into being.

As Professor Robert Lingat has shown, Ayudhyā was the only Southeast Asian kingdom to develop a code of civil law. This remarkable achievement, of which the Siamese might well be proud, was an outgrowth of an earlier development among the Buddhist Mons. While we know nothing of the administration of justice in the kingdom of Dvāravatī, we know that the Mons of Burma, as early as the 12th century if not before, started composing a series of works called **Dhammasattha** (the word is the Pali equivalent of Sanskrit

Dharmaśāstra). One of the most influential is attributed to the initiative of Wagaru or Wareru (Siamese: Cau Fā-Rua), who in the late 13th century made himself ruler of Rāmaññadesa, the Mòn country of Lower Burma. Based on the Hindu Dharmaśāstra, but with all the Brahmanical matter removed, and relying for its authority on a Buddhist adaptation of the legend of Manu, it was intended as a guide for Buddhist kings in the administration of justice. Rāmādhipati, when he founded the kingdom of Ayudhyā in the mid-14th century, possessed a Dhammasattha of this type from Rāmaññadesa, which he used in deciding specific cases. The Rājasattha—a record of his decisions, reduced to general form and classified according to subject—took on the sanctity and all-embracing character of the Dhammasattha itself and became an integral part of it. He and his successors were thus real legislators instead of mere issuers of ad hoc commands.¹

It was therefore very fitting for Rāmādhipati's grandson Rāmarāja to cause his law to be engraved on stone; other kings of Ayudhyā may have done the same thing, though no examples have come to light; but rulers elsewhere in Southeast Asia, who were not legislators, would have no reason to use so permanent a material to make known their commands. In his inscription Rāmarāja constantly refers to the Dharmaśāstra, and couples the Rājaśāstra with it; though he calls them by their Sanskrit names, he obviously means the Dharmasattha on which Ayudhyan law was based and the Rājasattha which was the body of laws enacted by his predecessors (later Siamese rulers used the hybrid forms **Dharmasātra** and **Rājasātra**).

The Ayudhyan laws in general are known to us only from the Recension of 1805 A.D., which gives them not in their original form

¹⁾ The whole subject of the development of Ayudhyan law from the Dharma-sastra, via the Dharmasattha, has been admirably studied by Mr Lingat. See the following works by him: L'esclavage privé dans le vieux droit siamois, Paris, 1931, 21ff.; L'influence hindoue dans l'ancien droit siamois, Faculté de Droit de Paris, Conférences 1936, Paris, 1937; Les sources du droit dans le système traditionnel de l'Inde, The Hague, 1967, pp. 294-300; La conception du droit dans les pays hînayânistes de l'Indochine, BEFEO XLIV, 163 f.; Evolution of the Conception of Law in Burma and Siam, JSS XXXVIII/1, 9 f. Cf. Quaritch Wales, Ancient Siamese Government and Administration, London, 1934, Chapters VII, VIII.

but with an undetermined quantity of amendments made by successive monarchs.² Rāmarāja's inscription, the only piece of Ayudhyan legislation we have in a form we can be certain has not been amended, provides a valuable clue to the original form of some of the laws. For example as certain things in it are evidently taken from the first three articles of the Law on Abduction, which the Recension of 1805 attributes to Rāmādhipati, we can be sure those portions of the Law on Abduction go back to the second half of the 14th century, and their attribution to Rāmādhipati—which Dr Quaritch Wales has questioned³—is greatly strengthened. Further comparisons would certainly reveal a good deal about the nature of the amendments to which Rāmādhipati's laws were subjected by his successors.

Several references in Rāmarāja's inscription show that two of Ayudhyā's most remarkable institutions—the system of śakti-nā and the division of the population into territorial groups headed by government officials called Mun Nāy—were already in force in 1397, although they were not perfected until later.

It was customary for Southeast Asian kings, who were of course the absolute proprietors of the land, to allot the usufruct of portions of it to their subjects. The kings of Ayudhyā allotted a specified number of śakti-nā or 'dignity-marks' to each of their subjects according to his rank and the position he occupied, corresponding to the number of rai he was actually or theoretically entitled to; and when the system was fully developed the number of marks ranged from 5 to 25 for ordinary citizens, up to 10,000 for ministers in charge of important departments, and 20,000 for princes of the highest rank. The dignity-marks became a measure of each person's value; and the fines for certain offenses known as india —transgressions against rules established by the king—were calculated in proportion to the dignity-marks of the

²⁾ Mr Lingat's edition of the Recension of 1805 (ประมวลกฎหมายรัชกาลที่ ๑ จ.ศ. ๑๑๖๖ พิมพ์ตามฉะบับหลวงดาวสามดวง, 3 vols. University of Moral and Political Science, Bangkok, 1938-39), made directly from the official manuscripts of the reign of King Rāma I, is the only printed version that reproduces their spelling faithfully. French translations of some of the laws will be found in his L'esclavage privé dans le vieux droit siamois, 293-377.

³⁾ Ancient Siamese Government and Administration, p. 172.

culprit and the victim.⁴ A major wife was considered to have half the number of marks her husband had; a minor wife, one-quarter; and a slave wife who bore him children, one-eighth.

Rāmarāja speaks of this system as if it were already in effect at Sukhodaya, no less than at Ayudhyā, but he may have been anticipating. Probably the Sukhodayan monarchs allotted the usufruct of land to their subjects not according to a set formula but taking into consideration various other factors besides the person's rank, such as his ability as a cultivator, or the particular services he had rendered the Crown. It is doubtful if such allotments became the measure of people's value for calculating fines. In establishing Ayudhyan law at Sukhodaya, Rāmarāja doubtless intended to systematize the practice and bring it into line with that at his capital.

In the kingdom of Ayudhya, at least in the portions that were ruled directly from the capital, the whole population was divided into territorial groups under government-appointed group-chiefs known as Mun Nay, who were responsible to one or the other of two great departments at the capital. All male citizens, except officials above a certain rank, were subject to six months' corvée out of each year, for which they received no pay or even rations. They were assigned to the military or to one of the public services engaged in digging canals, draining swamps, building roads, and various other tasks. In order to prevent anyone from shirking his duty, the population was registered in lists called hang wao - 'kite-tails', suggesting their inordinate lengthgiving each man's name, territorial group, and assignment. The Mun Nay was charged with the duty of supplying as many members of his group as might be required of him, so he had to know the whereabouts of everyone in his group at all times, keep an account of births and deaths, and make sure that no one deserted to another group.

⁴⁾ For เฉเติด, see Lingat, L'esclavage privé, 355 note 1; the word is mentioned in the preamble to Rāmādhipati's Law on Abduction (ibid., 362). For a discussion of the Ayudhyan sakti-nā system, see Quaritch Wales, Ancient Siamese Government and Administration, 25, 35-50, 60, 75-78. For its origin, see Lingat, Les origines du prêt à intérêt au Siam, Revue historique de droit français et étranger, 1950, 232-3.

some services were overburdened with heavy work while others had much lighter duties, there was always the risk that a group might become depleted by desertions; and some of the work was so hard that people tried to escape it by voluntarily selling themselves into slavery in order to join another group in which life was easier.⁵

The details we have given are of uncertain date, and some of them may not be applicable for 1397; but Rāmarāja's references to 'Mun Nāy' show that the system in its essentials was already in operation at Ayudhyā. Whether it had more than a theoretical existence at Sukhodaya is open to question. We do not know how the corvée had operated during the period of Sukhodaya's independence, or for how many months of each year; there is some reason to think it had been administered mainly by vassal lords rather than by government appointees, and that the kings made an effort to set humane limits on it.6

In our first paper of the present series, A Declaration of Independence and its Consequences (JSS LVI/2), we have discussed the historical information that can be extracted from Rāmarāja's inscription, one of the purposes of which was to reassert Ayudhyan suzerainty over the kingdom of Sukhodaya—a suzerainty which had been to all intents allowed to lapse during his father's reign. In our paper On Kingship and Society at Sukhodaya, to appear in Volume II of Studies in Felicitation of Professor Lauriston Sharp (Ithaca, 1969), we have commented on the inscription from several other points of view. Here we shall give as complete a translation as possible, together with notes on the textual problems involved in it.

⁵⁾ For the system of territorial groups headed by officials called Mun Näy, see Lingat, L'esclavage privé dans le vieux droit siamois, 82 f.; id., Les régimes matrimoniaux du Sud-est de l'Asie, Paris, 1952, I, 168 f.; LaLoubère, Du royaume de Siam, Paris, 1691, I, 237 f.; Quaritch Wales, Ancient Siamese Government and Administration, 46-62.

⁶⁾ It is true that the **Traibhūmikathā**, composed by *Lii Tai* in 1340, mentions ผูงถูกเจ้าเหง้าขุนทมุนทนาย (Edition of B.E. 2498, Bangkok, p. 604), but the context gives no clue to their functions. In Inscription III (II/39 f.), when he wants to set humane limits on the corvée, he addresses himself to the vassal lords (ขุน), not to the Mun Nāy.

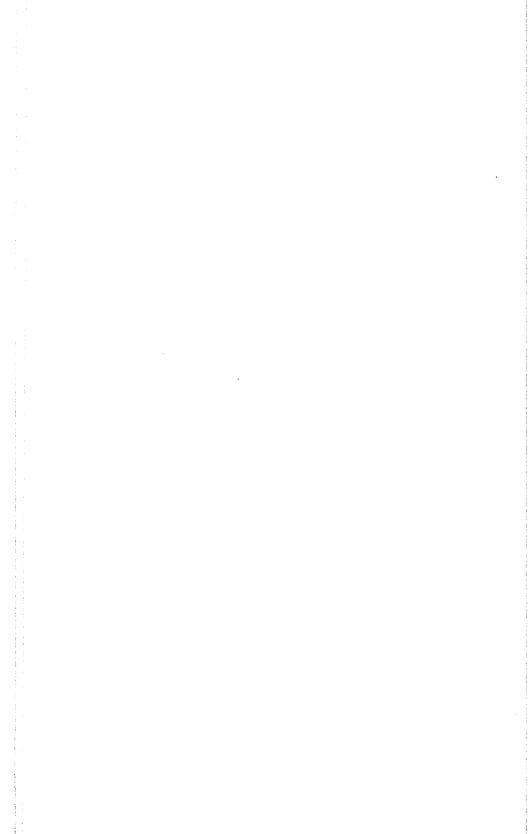
The inscription, which was discovered by accident by the Highways Department in 1930 near the geographical center of the walled city of Sukhodaya, is now in the Manuscript and Inscription Division of the National Library at Bangkok. It is engraved on a slab of grey schist 1.08 m. high, 65 cm. wide, and 14 cm. thick (Figs. 9,10.) The writing is in Siamese in Sukhodaya characters, 45 lines on Face I, The stone, though relatively little of it is actually broken away, is badly scratched and eroded in many places; and the numerous lacunae often make it difficult to grasp the sequence of ideas. A preliminary reading was published on the occasion of the Kathina Ceremonies at Văt Janahsangrāma, Bangkok, in 1935. Since that time Mahā Chām Dongāmvarna has succeeded in deciphering a good deal more of the text; his reading, together with glosses and a version in modern Siamese characters, appears in Prajum Śilācārik, Vol. III, Bangkok, 1965, 25 ff. Quite recently we have been able to solve two of the most troublesome problems that were left unsettled in the printed edition, the date and the name of the king who promulgated the law.7

In the Siamese text which we give below, lacunae are indicated by rows of dots and conjectural readings by parentheses; even the readings not shown in parentheses are in several cases open to doubt. Apart from that, there are many difficulties such as elliptical constructions, confusing syntax, unusual word-order, and words used in unusual senses. To Professor Lingat, with his unrivaled knowlege of Ayudhyan law, we are much indebted for advice on problems of this sort which cannot be solved by comparison with other Sukhodayan inscriptions. Several passages are open to more than one interpretation. The honorific pronoun who may mean the legislator, a lord, an official, or the victim of an illegal act; when it means the legislator, we have generally followed Mr Lingat's suggestion to translate periphrastically ('a fine shall be imposed', 'it is provided that', etc.). For slaves and

⁷⁾ See below, notes 8, 9. When the inscription was first discovered it was believed to date from 1344 (see Lingat, L'esclavage privé, p. 5 n. 1, p. 23 n. 1; Quaritch Wales, Ancient Siamese Government and Administration, p. 171). Mr Lingat was one of the first persons to suspect the true date (see his Conception du droit, BEFEO XLIV, p. 183, 182 n. 3).

om Sukholhai 🌣 THAI INSCRIPTIO





10

1

other persons of low degree the pronoun is \tilde{m}_1 (written either m_1 or m_1), while a householder is m_1 . In addition there is a sort of moral stratification of pronouns; criminals and their accomplices are \tilde{m}_1 ; and a householder who fails to do his duty is liable to be demoted from m_1 to \tilde{m}_1 as soon as he is found out.

The law, as can be discovered from a careful reading of the Siamese text, consists of a Preamble and eight Articles dealing with different matters. Neither the Preamble nor Article 1 has any heading; but the other seven each open with the expression 'One Article', though without any numbering. In our translation we have supplied the headings and the numbering for the convenience of the reader.

In the Preamble, Rāmarāja reasserts Ayudhyan suzerainty over the kingdom of Sukhodaya; presumably he imposed a new oath of allegiance on the vassal king, Mahādharmarājā II. After describing his visit to Gampeng Pet on his way up from Ayudhyā, he tells how he promulgated the law 'in the center of the city of Sukhodaya'.

That is where the Highways Department discovered the inscription 533 years later. Rāmarāja evidently did not choose the site at random, but in order to add solemnity to the proclamation and give it the widest possible publicity, for it was close to the shrine of the Hlåk Möan, the residence of the city's tutelary sprite, and only a short distance from the Mahādhātu which was the magical and spiritual center of the Sukhodayan kingdom. The occasion, which must have been chosen with a similar purpose in mind, was the fullmoon day of Vesākha, the date of the annual Buddhist festival of Visākhapūjā, when the streets would be crowded with worshipers from the city and its environs, as well as the outlying districts.

Face I

- ๓.ศ์กฉลุนกกษตรไพสาขะบุรณมีพรหสสบดีหนไทมึงเหม่า......
- ๒.ลคคณาในผคุนีเพลาคำพนคอนนี้สิทธิส์เดจบพิตร (มหาราช บุตร).....
- ๓.ราชสรีบรมจกรพรรคิราชทานไดเสดจขึ้นเสวิย.....ภิร
- ๔. มยสมคงงพระราชมโนรถทดแทนแคนพระธรรมราชศีมานี้กุจะดา พดึงศา
- ๕. พระองคทานเสดจในกำแพงเพชรบูรีศรีวิมลาสนควยพระราชศริง คารบริ
- ๖. พารพลแลจกุรงคนิกอรธารลำน้ำพรญาพงงเกษตรสคาบุรีพรญา พงงศรี
- ๗. เสชนาไลยบูรีพรญาพงงไทวยนที่ศรียมนาพีพรญาทานพงงนคอร ไทยแ
- ๘. (ล).....พระราชมาตุละบพิตรมนตรื่อนุชิตลูงตนเล๋ยึง
- ๙.เจ๋าเมืองตรายตริง (ษกบั)ดวยนกกปราชราชกวี (มีสกุลพ)
 รรณ นงัลงถวายอัญชูลี (พบา
- ๑๐. ท) เสคจในตรีมุขเสวิยบุญสุกตงักฤตยแลวบเห็งกลาย ทานเสดจ สู(สุโข)ไทยบุรีฝูงพาลแ
- ๑๑. ลฝูงโลกเพื่อจะใหฝูงโลกอนักงงวลสตัวทงัหลายม[๋]วนญิงชายศรมน พราหมณา.....
- ๑๒.นิยายอนนพระองคทานไดเสวิยในอะธิปตยจกัใคร ขดดพระ ราชศีมานี้ดงมนุสธรรม

- ๑๓. (อยาง)พรญารามราชอนัฝูงสาธุแสคงยศปรากดสุขชวลูกหลาน ขนาดเปน(หลกั)กลาย......
- ๑๔.พระราชโองการบรมเอาพารหนกัหนาจึงทานใหตราพระราช ปรชญบดิ
- ๑๕.ใหลูกขุนมุนตวานบริพารไพรฝาทงัหลายถวนเมืองเลกเมื
- ๑๖. (องใหญ่).....ราชศีมาทงัหลายนีใสกลางเมืองสุโขไทยอนัเป็น ประธานกิงในเมื
- ๑๗. (อง).....ที่เนปรชลยงกำแพงเพชรทุงย่างปากย์สองแคว
- ๑๘.เมืองนนัพ่านหนีไปสูอยูอยาวเรือนคนเมนซีผู้นนักลาย
- ๑๙.ไดไวข้าทานพ้นสองวนัคนัฐวาข้าทานไปสูตนวนั้นนัจวนค่ำ แลบทนัสงขินข้าทานกลา
- ๒๐. ยบแรงเอาไปเวนแกจาข่าในรุงนนจ้าข่าสูภาบดีท่านหากรู้ไปหา ให๋แก่เจ๋าข่าพระราชปรญบติ
- ๒๑. อนิงใสแมนผูใด.....ใหญสูงแลบสงขินข่าทานแลไวข่าทาน พนัยาจญาทาน.....
- ๒๒.เลยวาทานจกั.....ควยในขนาดในราชศาสตรธรรมศาสตร แลแ
- ๒๓. ลทานจกัทอดสินใหมดุจดงัค่โมยอนัลกัดนท่านแลไปทนัเอาออก จากเมืองนนัเล แล
- ๒๔.หนีไปไวในกลางเมือง 0 มาตรานิงโสคลูกขุนมุนนาย
- ๒๕.เลผูู้ใดอน้อยูพายบานนอก......มืองเลกตนยงไกลยจาก
- ๒๖.แควนเมืองใหญทงัหลายท์เนปรชลยง

- ๒๗.แกลินถานบานนาอน้อาไสรยประ.....
- ๒๘.ชวววนนกดีแลคริงวนนกดีผมีข่าอนัขินปีกากเ.......
- ๒๙.ข้าชีบาพระอุปธัยาจารยกคือนัหนีพ่านไปสูบานสูของคนไป สูอยูอยาวเรื
- ๓๐. (อน).....กดีคนเอาข้าทานหนีไปสูจุงขินใหได ไวขำทาน
- ๓๑.ท่านนนัพิค.....แกพระเจ๋าแผนดินแกเจ๋าบ๋านเจ๋าเมือง...... จริงแมนเจ๋าไทบญงัใสให๋ไป.....
- ๓๒.เมือง.....จกับงงคบบให๋เจ๋าข๋านนั้.....ไพยอนนกลววพระ
- ๓๓.คนทานแลเอามามิให๋พ๋นอาชญาทานนนับนาตราชศาสตร ธรรมศาสตรทาน.....แต่งให๋ได๋
- ๓๔. แกมนนแลแกผู๋เอาข้าทานมานนัสึแลในทันี้ผิผู๋ใดหากลเมอส แลไว๋ข้าทานพ้นศามวนัคน
- ๓๕. ผู้.....นนัใสทานจกัให้ใหมแลวนัแลหมืนพนนไปจุงเก็งห่าวนัพ เปนห่าหมืนห๋าพนน
- ๓๖.วนนไปเชนพ้นขนาคคิถีพ่เปนแปควนัในคง้อนนแลญงัไว๋ ข้าทานพ้นในแปควัน
- ๓๗. สินใหมหาหมืนหาพนัแมนซีพ่นวนันิงกดีทานจากทอดสินใหม แกมนั
- ๓๘. ผู้นนัโดยขนาดดงัลกกศินทานแลไปบ้านกเอาไปจากวยงนนั้แล เห็นแผนกตนมน้อนัลเมอส
- ๓๙.ทานจกกใหมตนคูทานโดยศกัดิดงัขนาดธรรมศาสตรราช ศาสตรโสดแล O มา

- ๔๐. ตรานิงโสดในบานผู้จกักล่าวนี้แลแลมีคโมยลกกผู้คนทานไปจอด ตนกดีไปกลายบ้านของตนกดี
- ๓โมยอนนลกกวรัครายช่างม่าสชช.....อนนใคไปจอดไปกลาย ตนกดีให้นายเ**จ๋า**บ๋านเจ๋า
- ๔๒. เรือน.....พิจารณาคนัฐวาคโมยจริงเอาจุงได๋แลเอาคโมยนน้อ็ก ของ
- ๔๓.เจ๋าไทวาข๋าจริงจริงขนาดอนนเจ๋าของบมิได้ให้คงไปตาม หาสกกอนนะเง้
- ๔๔. -----(ช้ารุค)
- ๔๕. ----(ชำรุก)

Face II

- ๑. นิงให้ได้แกมนนผู้ชอยนนั้ผิผู้ชอยค่โมยลกกไปแลได้ดวยค่โมยผู้ ر 1191
- ๒. ใสท่านบ่มิได๋ให๋แก่ผู้มนนชอยค่โมยคนนนั้ชีวามนนเหนคนอนน หลากดงัสึนนั
- ๓. แลมนนเอาพิจารณาโดยพระปรชญบติท่านจิงพ์เจ๋าของ......ควย หนนดงักนนก
- ๔. คีตนจเพิ่งได๋บํเนจแลฤๅอนันีไปอูเบกษาแลอยูตฺวงเจ๋าของไปเถิง แลจิงจกัเอามนั
- ๕. มา ท่านแตงให้เชนดงงเพื่อนนนัขนาดนิงใสท่านแตงโดยอนัวา ภาคอูเบกษาอยูแ

- ลไปเองกอนนนั้แลแมนญงัมสญาควยคโมยใสท่านญงับงัคบัเมือ
 หน่า O มาตรานิงโส
- ๓. คลโมยตนก๋จบักุ่ได๋เข๋าของทำเนปรข่าคนวรม่ปฝน๊อน๊ ใจเตนก๋ได๋
 ๑งักนั้แลกลายไปไ๋ว๋
- ๘. เมืองฝูงนนัพื้นองจญาทานไว๋ริมวนัผิดง้อนัของฝูงนนัท่านก๋มิให๋ ได๋สก้อนัเลยบูรา
- ๙. ณท่านจกัให้โทสคงัขนาดผู้ลกัแลขนาดอำล ก๊อนัมีในพระราช ศาสตรคงัฤาใสท่านจกั (เอา
- ๑๐. โทส)โดยนนั้แล o มาตรานิงโสดในบ๋านชองตงักลาวนี้แล่แล่มี่ โจรลกัผูคนววัม่ปฝนัพาน
- ๑๑. ไปกลายตนก่ดีไปจอดเรือนก่ดีกล้อยผู้นน้อูเบกษาแลบ่มีเอาแลละ ให๋ปลอยไปคน
- ๑๒. นนิงโสกพิจารณาก่รู้ว่าค่โมยแลพ่อค่โมยนนนพื้นองตนกลายแส่ง ละให๋ปลอยไป
- ๑๓. อนนนิงโสดเหนค่โมยนนนเปนข้าผู่ใหญกลายกลววแกศกัดิผู่ใหญ แลปลอยไ
- ๑๔. ป o อนนนิ้งโสดเอาค่โมยนนนแล้แล่กลายค่โมยนนนจ๋างผู้ อนั้ดนกลายเหนแก
- ๑๕. สินจ้างค่โมยนนนแลปลอยไป O อนนนิงโสดพ่อเจ๋าของเจ๋าข๋า ไลค่โมยไปเถิงบ๋านตน
- ๑๖. ผู้กลายเจ้าของร้องให[้]ชอยกุ๊พ่อเจ้าบ้านเจ้าเรือนนนนก่ญงับ่านแล กลายบมีฝูงชอย

- ๑๗. แลละค่โมยนนนปลอยไปก่ดีทงับวาประการนิงอนนกลาววาอูเบก ษาแลบ่เอาผู้นนนแล๋แล่
- ๑๘. วาพ่อพี่น้องตนแล้ละอนนกลาววาข้าผู้ใหญแล้ละอนนกลาววากิน สินจ๋างค่โมยแล่
- ๑๙. ละอนนกลาววาบช่อยบ่อกุํมแล้ละอคติทงันีแลมีเมื่อใดในบ๋านใน นายใดเรือนใด
- ๒๐. ในฝูงคงันีท่านจกัให๋โทส(คุจลกัชะญา)แลคนท่านของท่านชื่ฤๅก่ดี อนัค่โมยอนัเอาแล๋
- ๒๑. แลท่านจกั ให๋ใช๋จุงสิ้นหนี่สิน(คงัท่าน)จกั ใหมค่โมยนนัท่านจกั ทอดให๋ใช๋สินจ๋าง
- ๒๒. แลงกัใหมตนคูมนนโดย (ศกัดิญศ)แลเพื่อฤๅจกัให๋คง้อนัแมนท่านหนีไปสูตนก่ดี
- ๒๓. ฝูงอนัคโมยลกัไป แลตนจสง(ไปให้โดย)ปรสงสินชีกุๅก่ดีแลตน พาไปถวายไปเวนแกเจ๋าไท
- ๒๔. ท่านจกัให้พนอาชญาท่านคง้อนนขนาดราชศาสตรธรรมศาสตร อนนท่านแตงไก๋ค่าสิน
- ๒๕. จางตนก่ได้ได้ค่าตนคูกได้ค่าได้ของฝูงนนักได้สิงรู้ว่าเจ้าใหญจกับ ป เนจดงท่านแตงให้
- ๒๖. ไว๋คง้อนเเลเปนคงัฤๅก่จนอูเบกษาเหนแกค่โมยกวาอาชญาปรญ บติเจ๋าไทอนัผิ
- ๒๗. ให้รายท่านผู้ทุกโทสมิให้จำเรอญแกมน์เพื่อนนน o มาตรานิง โสคอนิง(รู้)วาซีนีลกัของใน

- ๒๘. บ่านท่านก่ดีลกัข่าฟนนท่านผู้ใดผู้นิ่งชวนตนไปลก**ั**ท่านก่ดีไปลกก ดวยกนนแลวก่ดี
- ๒๙. แลรู้วาผู้เนิงลกกลยมสิ่งสินท่านอนนนานพ้นในปรมานสิบป็อนัลกั ในหนึ่นกันีก่ดีใน
- ๓๐. ลกกฝูงนือนหาผู้รู้ผู้เหนบ่มิได๋สก้อนักง้อนัก่ดีใสคนผู้นนั ใสใจแล เอาโจรกลายมน้ออก
- ๓๑. ไมทูลแกเจ๋าไทมาบอกแกปรฎาคหบดีท่านใหมซิดง (มน้คน) ลกั รงัตนมน โดยคูในมน้อน
- ๓๒. นิงผู้นนเ้อาหนี้สินใหมฝูงนน ้ท่านจกัแดงให๋ได๋ แกมน ัโดยขนาด ราชศาสตรธรรมศาสต
- ๓๓. รโสค(สิง)ท่านจกัยมนั้ผู้นนั (มาถือ)ลูก(ชะญา)ท่านแล o มา ตรานิงโสคผิมีคนจกกไปราวีพีรามชิง
- ๓๔. เอาเข้าเอาของท่านแมนซีลูกสมลูกหวานท่านคนใคก่คือนั้เจ๋าของ บ่มิให๋แลอนั้นิงไม
- ๓๕. มีคนทงัหลายชอยกุ๋ชอยเอาจุงได๋แมนผู๋ไลผู๋นนเ้มนัถ็หอกตาบ ตราบเครื่องเหลกใ
- ๓๖. หญโตให๋เอามนั้นจุงได๋แลให๋ไปถวายแกท่านท่านบาดใหมให๋เปน รงวันนั้นู๋ (ได๋มนนแมนมน
- ๓๗. น)เพิงกทำทีนนัวนั้ใดให้เปนขนาดแก่ทงัหลายท่านจกักทำ o ผู้ใดอนน (อูเบกษาบ่เอา)
- ๓๘. คนผู้ร่ายนนนให๋ปลอยบ่ชอยไลชอยกุํผู้ร่ายนนนดงงอนนใสท่าน จกัใหมมนัโดยขนาด

- ๓๙. แลหนื้อนัแดสินอนเสียในผู้ร่ายอนัชิงเอานนเทาใดใส ท่านจกัให้ ใช้จงสิ้นแลญาอุเบก
- ๒๐. ๒๐ มาตรานิงโสค ผิผู่ใคจกัมีการอนักทำ (แลการอน ไดอนั้นิง)กดีแลงข่าววัชาควายไม
- ๔๑. ให๋เอาววัควายนน้อนนจกัข๋ามนัชีให๋กนัเหนทงัหลายแมนมุนนาย ใส........
- ๔๒.ไพรใสให๋มุนนายรู้เพื่อนฅนแลเพื่อนของคนรู้ ใจผู้กทำ.....
- ๔๓. นิงสูกินบง้อน ท่านบ่มิหามสูทงเหนพระปรญบดิเพื่อ (โบยผู้) ทำ ปลยนปลอม
- ๔๔. ผู้รายมนัชกลกัท่านกินปลอมทงัท่านกนัฐทงัหลายเพื่อนนั้ (พระปรญบคิอนั)
- ๔๕. นีแลผู้ใคหากลเมื่อสแลหากข้ากินบใหกนนรูทงัหลายใสแมนซีของ มัน.......
- ๔๖. มาความาชกท่านกินแล ทงัหลายนีแลผู่ใดใสใจ
- ๔๗.เจ้าใหญได้แกฝูงอนั้.....
- ๔๘.ไปทูลแก่ท่านคนผู้นน ั.....ใจซึ้แก่เจ๋าไท
- ๔๙.เจ๋าไทควยซื่ใสท่านรงั่วนั้มนนผู้นนั้ จิงให๋ใช๋แลหนีสิน......
 ๕๐.โสคคนผู้คงันีคืวาพระราชภกัดีจกัช อยหอมบ้านหอมเมือง
 - แก่.....
- ๕๑.ในฝูงคงันีใสอนัท่านเจ๋าไทจกัมกัให้ผิดแลใหมแก่
- ๕๒.กรรมทงัหลาย.....
- ๕๓.แมมซีคนผู่.....
- ๕๔.ลกกเอามิไก๋

TRANSLATION

Preamble

[I/1-4.]
aisākhah, Thursday; in Tai, min +hmau; laggnā
Phaguni: the time is afternoon.8 This capital is under the authority
Samtec Pabitra Mahārājaputra rāja Srī Paramacakra-
$\operatorname{arrtir}_{\overline{a}}$ in who has succeeded to the throne 9 delighting in
in accordance with the royal wish.10 This sacred kingdom is
ce the Tabatińśa.11

[I/5-10.] His Majesty proceeded to Kāmbenbejrapūrīśrīvimalāsana¹² with his retinue¹³, his generals, and his army with four

- 8) The printed edition has the digit 5 before saka at I/1; but an examination of the stone shows that the figure is completely illegible and must be It shows too that the Tai name of the day is min +hmau, The only year in which the calendrical data มึงเหม้า (and not มีรวงเม้า). coincided was CS 759 (1397). We wish to thank Mr Roger Billard, of the École Française d'Extrême-Orient, for going to a great deal of trouble to confirm this for us, examining all the possibilities from the time of Râm Kamheng up to 1900 A.D. He writes as follows: 'if the reading is certain for all the elements of the combination "year of the ox, full moon day of Vaisākha, Thursday, min +hmau'', and if no mistake was made by the astrologer or the engraver, the only possibility is CS 759 (MS 1319), or, to be more precise, Thursday April 12, 1397 A.D. (Julian); thanks to the mention of the lagna, we can even add that the hour was around 3 p.m. local civil time.' In view of the hour worked out by Mr Billard from the lagna, we we have translated เพลาค่ำ as 'the time is afternoon' rather than 'evening', which is the usual meaning.
- 9) As the date is 1397 A.D., this is necessarily Rāmarāja, 'the royal son' (mahārājaputra) who had succeeded his father Rāmešvara as King of Ayudhyā in 1395. The mutilated name may therefore be restored as Rāmarājādhirāja.
- 10) Probably a wish expressed by Ramesvara before his death in 1395.
- 11) The Tavatimsa Heaven. While 'succeeded to the throne' refers to the throne of Ayudhya, 'this sacred kingdom' (แดนพระธรรมราชสมานี) apparently means Sukhodaya, whose kings had long borne the title Dharmaraja (a title which was apparently not in use at that time by Ayudhyan royalty).
- 12) Gampeng Pet (Kamben Bejra). The epithet vimalasana means 'seat of purity'.
- 13) śringāraparibāra, for śringāraparivāra (Skt. śringāra, 'concubines'; parivāra, 'suite').

branches¹⁴ [from?] the rivers of Brañā Bain Kṣetra Sagāpūrī, Brañā Bain Śrī Sejanālaiyapūrī, Brañā Bain Dvaiyanadī Śrī Yamanā, and his elder brother Brañā Bain Nagòrdaiya.¹⁵ The King's maternal uncle, the Pabitramantrī Anujita, who had reared him up.....the Lord of Möan Trāyatrinśa, together with the wise men and Rājakavī of high-ranking family, sat down to do homage to his

¹⁴⁾ The four branches (caturanga) of an army in ancient India were the elephantry, the chariots, the cavalry, and the infantry. In Siam, where chariots were not used, the second branch consisted of artisans. See Quaritch Wales, Ancient Siamese Government and Administration, p. 141.

¹⁵⁾ This passage is quite baffling. As the four places mentioned were part of the vassal kingdom of Sukhodaya, their rulers presumably owed their allegiance primarily to the King of Sukhodaya and through him to the King of Ayudhya. Sagapuri (Sakaburi) was probably somewhere north of Lom Sak; cf. Inser. I, IV/18, where it is mentioned after Lom Sak and before the shore of the Me Kong and Vieng Jan; also Inser, VIII, IV/12 f., where it comes after Müang Rat (probably near Uttaratittha) and before Lom Sak. Sejanālaiya is of course Sajjanālaya, which appears frequently in the inscriptions, but spelt with Se-only in No. II (passim) and No. XI (II/13). The 'two rivers' (dvaiyanadī) of Śrī Yamanā must be the two main branches of the Yom; cf. the Asokarama Inscription, II/23 (see supra, p. 51). Nagòrdaiya (for Nagaradaiya) is Nakòn Tai, the old site of which, if not exactly the same as at present, was probably in the same general area, i.e. northeast of Bisnuloka; cf. the Asokarama Inscription, II/17; we cannot say why its ruler is called the King of Ayudhyā's 'elder brother' (the term need not be taken literally, and here probably means a cousin belonging to an elder branch of his family). What is the significance of the titles of the four rulers? The context suggests that Brana Bann (i.e. băn, wi) meant a vassal ruler, but we know of no instances of the expression being used in this sense. On the other hand the word may be related to trahban (พระพัง), a pond, as if the rulers were called 'lords of the ponds' of their respective territories. The ponds and rivers remind us, though remotely, of part of the abhiseka ceremony in which, as Mr Quaritch Wales tells us, 'the king of Siam is lustrated with water drawn from the five principal rivers of the kingdom, and from the four ponds of Subarnapuri sanctified through constant usage in every State Ceremony where there is a purificatory bath, both in the Ayudhya and Bangkok periods', etc. (Siamese State Ceremonies, London, 1931, p. 74). But the connection, if there is one, is difficult to grasp.

sacred feet. 16 His Majesty, having entered the Trimukha, 17 enjoyed the merit and felicity due to his deeds [in past lives].

- 17) A ceremonial pavilion with three porches.
- 18) naw. This word, which now means 'to change' (transitive or intransitive), 'to turn' (from one thing into another), 'to transform', 'to be transformed', etc., occurs frequently in the inscription, but with a rather different meaning from its modern ones. Mr Lingat suggests that when it is used as an auxiliary verb preceding the main verb it simply implies a change from the previous state of affairs. Here it evidently means that the King, having stayed as long as he wished at Gampeng Per, continued his journey. At I/13 it means turning to take action. At I/18, 19, II/7, 12, 13, 14 (twice), 16 (twice), and 30, it implies that a person who was previously considered honest now succumbs to temptation, 'changes' into a wrong-doer, or 'turns away' from the path of virtue. In several instances we have omitted it from our translation in order to make for smoother reading.
- 19) The printed text has ดวยบุรี. The right reading is สุ [สุโช]ไทยบุรี, 'into the city of Sukhodaya.'
- 20) usus here must have its Sanskrit meaning (nyāya, 'plan', 'rule', 'model', 'an axiom which must be kept in mind in the explanation of special rules', etc.), not its usual Siamese meaning of a mythical story.

¹⁶⁾ Trāyatrinsa is Möan Traitrinsa (ใหมดังส์), a ruined town on the right bank of the Ping, in the Municipal District of Gampeng Pet, some 15 km. downstream from Gampeng Pet itself (see Map 2, supra, p. 31). The name of the place is a corruption of Skt. Trayastrinsa (= Pali Tāvatinsa); according to Prince Paramanujita Jinorasa's พระบบพงศาวดารสังเขป, the mother of Prince (T Tong (Rāmādhipati I of Ayudhyā) was a princess of Möan Traitrinsa. At the time our inscription was written, Traitrinsa was part of the vassal kingdom of Sukhodaya. The lacuna at I/9 makes it impossible to say whether the King's maternal uncle was the lord of this place or whether two different persons are intended. Rājakavī means royal counsellor or poet (cf. the Kavīrājapaṇdita Śrī Dharmatrailoka, who in 1399 drafted the Pali face of the Asokārāma Inscription on behalf of his elder sister the Queen Mother, widow of Mahādharmarājā II (see supra, p. 38)

to supreme power, desires to cleanse this region in accordance with the Manusadharrma²¹ like Braña Rāmarāja, whose renown a throng of virtuous people have revealed clearly and happily to succeeding generations of children and grandchildren, and whose greatness is proverbial.²²

- 21) i.e. either Manusyadharma (human law) or else the Laws of Manu (cf. above, p. 109). In effect the King was imposing Ayudhyan law on Sukhodaya; see our article On Kingship and Society at Sukhodaya.
- 22) The legendary King Rama of Ayodhya in India, the hero of the Ramayana and the Ramakirti, was the ideal king all monarchs are supposed to imitate. The model would be all the more cogent to the author of the inscription. who was his namesake and ruler of a kingdom bearing the same name (Ayudhyā was still called Ayodhyā at the time). According to the Dasarathajātaka, the Indian hero governed his kingdom in absentia for three years by giving his slippers to his half-brother Bharata who ruled in his place: whenever a case was to be judged, the slippers were placed on the throne; if the decision was wrong, they beat against each other. (See Cowell, The Jataka or Stories of the Buddha's Former Births, Vol. IV, London, 1957, p. 81 f.) As the King of Ayudhyä would not visit Sukhodaya in person, he perhaps wished to imply that the vassal king and his deputies should bear the lesson in mind whenever a case had to be judged. In addition, the author of the inscription may well have intended a paronomastic reference to King Rama Gamhèn of Sukhodaya, who was perhaps one of his ancestors. and who is known in Sukhodayan epigraphy (except Inscription I) as Braña Rāmarāja.
- 23) Prajñapti, the Sanskrit equivalent of Pali paññatti.
- 24) lük khun mun tvan (ลูกขุนมุนตวาน). As tvan is apparently the Malay word tuan, master, equivalent to Siamese nay, the phrase must be equivalent to the more usual lak khun mun nay, which appears at I/24, II/41 and II/42. In Ayudhyan law the Luk Khun are the officials in general, while the Mun Nay are the chiefs of the territorial groups into which the population was divided (see above, p. 111). This must be the meaning Ramaraja had in mind, although, as we have suggested, it is doubtful if the system had more than a theoretical existence at Sukhodaya in 1397 (Ramaraja's is the only inscription from Sukhodaya that mentions the term mun nay, and even the title nay is not attested until c. 1406, i.e. in Inscription IX, III/9 and III/11, where it has a different connotation). Probably much power still remained in the hands of the feudal lords; and in places where there was no governmentappointed bureaucracy Ramaraja may have intended the lords to perform the duties he is theoretically assigning to the luk khun and the mun nay (or mun tvān) in his law.

25) Jalyan is Challeng, 2 km. east of Sajjanalaya; Kamben Bejra is Gampeng Pet; Dun +Yan is Tung Yang, in the Municipal District of Uttaratittha; Pak Yam is Bak Yom, whose name shows that it was at the confluence of the Yom with the $N\hat{a}n$; Son Gvè is Song Kwe, i.e. Bisnuloka. Cf. the list in Rāmādhipati's Law on Abduction (Lingat, L'esclavage privé dans le vieux droit siamois, 360): Chalieng, Sukhodaya, Tung Yang, Bang Yom, Song Kwè, Să Luang, Châo-dong-râo (i.e. Châ-gang-rho), Gampèng Pet. Prince Damrong (นิทานโบราณคติ) observed that these names fall into pairs of cities which were linked geographically or by tradition: Challeng and Sukhodaya; Tung Yang and Bang Yom; Song Kwè and Sa Luang; Chao-dong-rao and Gampeng Pet. But it is a somewhat heterogeneous pairing. Challeng, which had been the chief city of its province during the Khmer occupation, was later overshadowed by its neighbor Sajjanalaya. (Sajjanalaya, mentioned in our inscription at I/7 but not in the list at I/17 or in Ramadhipati's list, was probably founded by Râm Kamheng; as the second city of the independent kingdom of Sukhodaya, and long the seat of the Uparaja, it is constantly linked with the capital in the Sukhodayan inscriptions, though it was over 60 km. away.) Under Ayudhyan rule Challeng regained its importance; in the 15th century, if not before, it gave its name to the provincial governor appointed by Ayudhya, Praya Chalieng, suggesting that it was his residence; and Paramatrailokanatha built the great temple of Mahadhatu there, probably on the ruins of a Khmer temple dating from the reign of Jayavarman VII (see Griswold, Towards a History of Sukhodaya Art, p. 57). Unless the Yom flowed into the Nân much farther north than it now does, it is hard to see why Bâng Yom should be linked with Tung Yang, as Song Kwe would be between the two. Să Luang (Srah Hlvan) must have been between Sukhodaya and Song Kwê, perhaps quite close to the latter. Gampeng Pet probably occupied its present location, and Châ-gang-râo may have been very near it.

Article [1].

- [I/18-21.] [When a slave in one of] those cities²⁶ runs away to a person's house, if that person withholds the slave for more than two days²⁷; or else, having learned towards evening that the slave arrived at his house that day, and being unable to send him back at once [because of the hour], then if he does not hasten to give him up to the Officer of Slave Affairs early the next morning, and the Officer and the Chief Magistrate, happening to learn [what has occurred], go to fetch him to give him to his master, the law provides that:
- 26) Article 1 deals with matters in large cities, such as those just enumerated, where there must have been a considerable bureaucracy; at least two officials are named, an Officer of Slave Affairs (ข่าข้า) and a Chief Magistrate (subhāpati). Our reconstruction of the lacuna at the beginning of I/18 is of course conjectural, but the meaning is obvious from what follows.
- 27) In the traditional reckoning, any part of a day counts as a whole day.
- 28) พนัยาาญา (i.e. ภรรยา, the wife of a private person; ชายา, the wife of a lord).
- 29) We have not attempted to translate inum (I/22); the lacunae make it impossible to guess the meaning.
- 30) ขนาด now usually means 'size'; but Pallegoix defines it as 'modus, exemplar, regula, aliquid determinatum, forma' (Dictionarium linguae thai sive siamensis, Paris, 1854, p. 276). In this inscription when it is followed by ในภาษศาสตร, etc., it is best rendered by 'rules'.
- 31) In translating สิบไทม as a fine, we use the word loosely, to include not only fines paid to the Crown or the local lord, but also damages paid to the victim (in this case the slave-owner or husband). In Ayudhyan law สิบไทม generally means the portion paid as damages to the victim, whereas a fine in the strict sense is พิโม (vinaya). But in the present text the word seems to include both. Rāmādhipati's Law on Abduction specifies in what proportions the fines for certain offenses are to be divided between the Crown and the victim. See Lingat, L'esclavage privê, 364, 369, etc.

thief who stole someone's people³² but, instead of taking them out of the city immediately, ran away and hid them inside the city.³³

³²⁾ Anyone who abducted a person's wife, child or slave was a thief and subject to punishment as such (see Lingat, L'esclavage privé, 126-8, 214-221). Abducted persons were in the same category as stolen goods; the 'injured party', to whom the damages would be paid, was not the abducted person, but the owner of the goods (i.e. the husband of the abducted wife, the father of the abducted child, or the owner of the slave). The penalty depended on the circumstances of the abduction (see below, note 49) and the value of Under the Law of Compensation, the value of a male slave began at 6 silver ticals for an infant, gradually rose to 56 ticals for the period of his greatest usefulness between the ages of 26 and 40, then gradually decreased again, dropping to 4 ticals at the age of 91; the value of a female slave began at 4 ticals, rose to 48 ticals between the ages of 21 and 30, then gradually decreased to 3 ticals at the age of 91. The value of the wife or child of a free citizen was calculated by multiplying the above figures by a specified coefficient depending on their dignity-marks. See Quaritch Wales, Ancient Siamese Government and Administration, 191-3; Lingat, L'esclavage privé, 61-63, 79-80.

³³⁾ Under Article 1 of Rāmādhipati's Law on Abduction (Recension of 1805) a man who abducted someone's wife, children or slaves and kept them hidden in his own house was fined an amount equal to their value, whereas if he took them out of the province the penalty would be higher (see Lingat, L'esclavage privé, 362; cf. below, note 49). But Article 3 of that law is more lenient than Rāmarāja's: a householder who withholds a runaway slave or other person who has taken refuge with him is given three days' grace instead of two; after that it provides a fine of 11,000 cowries per day until a month has elapsed, whereupon a fine equal to the value is inflicted. The money is equally divided between the Crown and the injured party (see Lingat, ibid., 363-4).

Article [2].

³⁴⁾ lūk khun mun nāy (I/24); cf. above, pp. 112-113.

³⁵⁾ Article 2, dealing with affairs in the country and small towns, is addressed not only to officials, but also -since no officials may be on hand-to anyone else who lives there.

³⁶⁾ Chalieng (cf. above, note 25).

³⁷⁾ vu, a monk of a certain rank.

³⁸⁾ A monk who is qualified to perform ordinations.

³⁹⁾ In this inscription the means a person's dwelling-place, consisting of a compound containing not only his own house (vertical) in which he lives with his principal wife and their children, but also the houses of his minor wives and their children, quarters for slaves, sheds, granaries, etc. The legislator may be making a distinction between a slave who takes refuge in an outbuilding, and one who enters the main house to request the owner's protection.

⁴⁰⁾ Either the King of Ayudhyā or (more likely) the vassal King of Sukhodaya.

⁴¹⁾ As Article 2 deals with offenses in the countryside and small towns, we translate whos as 'district' (instead of 'city' as in Article 1).

[someone]	mus	t go	[and fin	d hi	im ?]42	٠			distr	ict		
	• •	The	slaveow	ner	shall	be	compelled4	3				
excused because he fears the law 44												

- 43) Perhaps compelled to reimburse the man for his time and expense in returning the slave (cf. Lingat, L'esclavage privé, 368).
- 44) Conjectural translation, based on the assumption that . . ใหม (1/32) stands for อกับ. The passage seems to mean that if the man returns the slave within the specified time-limit he will be excused in accordance with Article 2 of the Law on Abduction (ibid., 363).
- 45) บนน (มัน). Under Article 1 of the Law on Abduction, a fugitive slave, if he was over 12 years old, was to receive 20 or 30 strokes of the rattan, depending on his age (ibid., 363).
- 46) ลเมอส, i.e. เลมิต; cf. above, pp. 111-112. In modern times, as Mr Lingat tells us, the word is used as an equivalent to 'tort' in English law; but in Ayudhyan law it meant a transgression of a particular sort, namely the infraction of a rule established by the King, and it was punished by a fine depending on the rank (measured in śakti-nā) of the culprit and of the injured party. See Lingat, L'esclavage privé, p. 355 note 1.
- 47) The word is illegible, but the context shows that it must have been 'eight'.

⁴²⁾ The master (เจ้าไท) may be the owner of the house or else the owner of the slave. If the latter, the meaning may be that the man who brought the slave there will not be excused from his obligation to return the slave on the pretext that he cannot find the slaveowner; or perhaps the slaveowner is to be called as a witness but is away from home; cf. Lingat in Recueils de la Société Jean Bodin, XVIII, 408.

⁴⁸⁾ The analogy of Article 3 of the Law on Abduction (ibid., 363) suggests that the person being fined is the owner of the house who has failed to return the slave promptly; but it might equally well be the man who brought the slave to the house; indeed in many cases the man who brought him there would be the house-owner himself. Article 2 of the Law on Abduction is more lenient than the present article; it grants five days' grace instead of three to the householder who lives in the country; after that, the fine of 11,000 cowries per day runs for a month instead of eight days; and only then does the higher penalty come into operation (ibid., 363-4).

⁴⁹⁾ Under Article 1 of the Law on Abduction, the penalty for abducting a slave and starting to take him out of the province would be one-and-a-half times the value of the slave; if he is taken into another province or offered for sale, the fine would be twice the value, provided the slave is returned; if not, the fine would be three times the value and the culprit would be flogged and marked with a brand or tattoo on the forehead (ibid., 362-3).

⁵⁰⁾ Such appears to be the sense of unun in the present context (cf. Khmer pek, to divide, to break, to violate).

⁵¹⁾ เลมอส; see note 46.

⁵²⁾ šakti, i.e. šakti-nā; cf. above, p. 111.

Article [3].

[I/40-45, II/1-4.] When a thief who has stolen someone's people either stops at a person's place as stated below⁵³ or passes by it, or when a thief who has stolen oxen, buffaloes, elephants, horses, or animals of any sort, either stops there or passes by, let the householder take thought. If he knows that [the man] really stole [the goods], he should seize him and take him, together with the goods [to the lord of the district?]. If the lord decides [?]⁵⁴ that the slaves are really and truly in a category which the owner has not given away, not a single one of them, since he is still looking for them⁵⁵...... Let a [reward] be given to those who helped [to recover the stolen goods]. If a man who helped the thief steal and shared [the loot] with him [demands a reward?]57 the lord⁵⁸ shall not let him have it. [If the man], having taken note of the law, complains against the owner on these grounds, ought he59 get a reward60 or not?

⁵³⁾ i.e. immediately following.

⁵⁴⁾ Conjectural translation of เจาไทวา; we might have been inclined to translate: 'if the owner says', but the term for owner in the very same line is เข้าของ.

⁵⁵⁾ A person who abducts slaves but returns them before their owner has learned their whereabouts is excused from punishment (Article 2 of the Law on Abduction; cf. below, note 62).

⁵⁶⁾ The last part of I/43 and the whole of I/44-45 are broken off.

⁵⁷⁾ i.e. if the owner of the place was an accomplice of the thief from the beginning or accepted a bribe from the thief to let him go, but later informs against the thief and demands a reward for doing so.

⁵⁸⁾ nu, apparently the owner of the stolen goods, who would in the first instance have to pay the reward, though he would expect ultimately to get it back from the guilty parties. Alternatively nu might be the person who is judging the case.

⁵⁹⁾ nu, i.e. the accomplice, who was also the owner of the place (cf. note 57).

[II/4-6.] This man was guilty of negligence⁶¹, waiting until the owner went to him before producing the thief.⁶² The law provides that he shall be treated according to the rule for such cases, and judged as set forth in the section on negligence [dealing with those who] wait [until the owner] himself goes first [to look for the goods]; and if he had an understanding with the thief he shall be further sentenced [as stated] below.⁶³

⁶¹⁾ อูเบกษา, Skt. upekṣā, 'indifference', 'negligence,' etc.

⁶²⁾ The Law on Abduction makes a sharp distinction between cases in which the slaves are returned before the owner has any information about their whereabouts, and those in which someone withholds them until he is questioned. See Lingat, L'esclavage privé 363, 364, 369, etc.

⁶³⁾ In other words the claimant is not only denied a reward but is also penalized for non-feasance in accordance with Article 5; and if he is proved to have been an accomplice of the thief he will be further penalized as stated in Article 6.

Article [4].

[II/6-8.] If a person catches a thief with stolen goods such as slaves, people or cattle,⁶⁴ and if that person turns and takes them into a city,⁶⁵ withholding the whole lot including relatives and wife for almost a day, in that case not a single thing out of the whole lot shall be given him [as a reward].

[II/8-10.] [In keeping with] ancient custom, he must be punished in conformity with whatever rules there are in the Rājaśāstra regarding thieves and concealers of stolen goods. He shall be sentenced accordingly.

⁶⁴⁾ The rhyming phrase วัวมีปลี่นั (วัวมอปอพัน), 'oxen, bulls and ropes', is apparently a ready-made expression meaning domesticated cattle. We have therefore omitted 'ropes' in our translation.

⁶⁵⁾ We translate they as 'city' on the supposition that the theft occurred in the country, and the householder caught the thief in the country.

Article [5].

[II/10-22.] When a robber, having stolen someone's people or cattle and run away, either goes past a person's place as stated above⁶⁶, or stops at his house ⁶⁷, if that person is guilty of negligence, not seizing [the thief] but letting him go; or else upon reflection he realizes that the man stole [the goods], but as the thief is his brother or cousin he deliberately lets him go; or else seeing that the thief is the servant of a powerful man, he lets him go because he fears that man's power⁶⁸; or else he seizes the thief but the thief bribes him, and so in exchange for the thief's bribe⁶⁹ he lets him go; or else if the owner of the goods or slaves, having chased the thief to the place, cries out for help to seize him, but the householder, though he is at home, does not provide a throng of helpers, and so lets the thief escape; in no matter which case, whether that cited as negligence in not seizing him, or letting him go because the man is his brother or cousin, or cited as letting him go because he is the servant of a powerful man, or cited as taking a bribe from the thief and letting him go, or cited as not helping to seize him and so letting him go; in all these wrongful acts, whenever they occur, at no matter whose place and at no matter what house, in the whole lot of cases like these [the householder] shall be punished exactly as [if he himself] stole someone's wife or people or whatever goods have been stolen; he shall be made to pay the full value⁷⁰ of the goods, equal to the fine that would be imposed on the thief; he shall be made

⁶⁶⁾ i.e. in Article 3.

⁶⁷⁾ The meaning of คลื่อย at II/11 is uncertain.

⁶⁸⁾ sakti, meaning not only his dignity but also the power and influence that go with his rank.

⁶⁹⁾ สินจ้าง

⁷⁰⁾ cf. notes 32 and 33. The usual meaning of หนัสน 'debts,' is clearly not applicable; the meaning here is the same as at II/39,

to pay the reward⁷¹; and he shall be fined in proportion to dignity and rank⁷². Why must it be so?

[II/22-27.] When [a thief, having robbed]⁷³ someone, flees to a person's house [or passes by with?] a lot [of people and goods] he has stolen, [the householder] shall not be punished if, in his desire for a reward of some kind, he resolves to return them, and takes them to give to their owner. To the extent that the Rājaśāstra and the Dharmaśāstra provide that he should get a reward⁷⁴, it shall be so; if they provide that he should get a reward in proportion⁷⁵, it shall be so; the reward for recovering the lot of goods shall be as provided. Knowing that a powerful lord will reward⁷⁶ him exactly as the law provides in these circumstances, why should he be so negligent, having more regard for the thief than for the authority of the law⁷⁷? If he wrongs the victim of the theft, the punishment will prevent him from profiting by it.⁷⁸

⁷¹⁾ สินข้าง. Though at II/24 f. the expression meant a bribe, it probably here means a sum given to the persons who helped catch the robber and recover the goods, to repay them for their time and expenses. Cf. Article 12 and 13 of the Law on Abduction (Lingat, op. cit., 364 f., 368 f.).

⁷²⁾ śakti yaśa; for śakti, see above, p. 111 and note 41; for yaśa, titles of rank, see Quaritch Wales, Ancient Siamese Government and Administration, 35 et passim.

⁷³⁾ At II/22 there is a lacuna (not shown in the printed text) between mm and whu; it must have contained something like the meaning we have supplied in brackets.

⁷⁴⁾ ค่าสินจ้าง; see note 71.

⁷⁵⁾ In proportion to the owner's dignity? or in proportion to the value of the stolen goods?

⁷⁶⁾ บํเนจ.

⁷⁷⁾ ājñā prajñapti. For ājñā, 'authority', see Prince Dhaninivat, Some Loan Words in Siamese, JSS XXVIII/2, 188 f.

⁷⁸⁾ The reader will observe the similarities and differences between Articles 3 and 5. The hypothetical circumstances cited are much the same in both; but in Article 3 the householder fails to do his duty and is punished accordingly, whereas in Article 5 he returns the stolen goods and gets a reward.

Article [6].

[II/32-33.] He shall be fined [an amount equal to] the value of all that lot of goods, and sentenced according to the rules of the Rājaśāstra and the Dharmaśāstra as he would be if he had abducted someone's children or wife.

⁷⁹⁾ ข้าอนน at II/28 may be a mistake for ข้าคน, people and slaves; it is clear from II/33 that the legislator has in mind the victim's family as well as his slaves.

⁸⁰⁾ The passage II/27-30 contains a number of uncertain readings, the meaning is obscure in several places, and our translation is conjectural.
We have not attempted to translate กลายมนักก; the sense may be that the thief gave him some of the loot as hush-money.

⁸¹⁾ Or perhaps in proportion to dignity.

Article [7].

[II/33-37.] If a man starts to bully⁸² someone, or to take something from him by force, even though it is only some sour or sweet fruit the owner has not given him, and if [the owner] has no one to help him catch [the bully], then [anyone who is nearby] must seize him. Even if he is chasing [the owner] with a spear, a sword, or a great big iron weapon, he must be seized and brought to justice. A fine shall be imposed on him and given as a reward⁸³ to whoever caught him. If at any time a man starts to make [trouble] there, let this be an example for everyone to act upon.

[II/37-40.] Whoever is guilty of negligence, not seizing the bully but letting him go, or not helping to chase and catch the bully, shall be fined an amount equal to the value of the goods lost to the bully who took them by force; whatever it may be, he shall be made to pay it in full. Let no one be guilty of negligence.

⁸²⁾ rābīvirāma, which perhaps implies hectoring someone noisily and obstructing his passage; cf. Skt. rāvī, 'screaming', virāma, 'leaving off',

⁸³⁾ รงัวนั (=รางวัล).

Article [8].

[II/40-50.] If any person, having some work to be done or some sort of ceremony to be performed, plans to kill a cow or a buffalo84 but does not point it out so that all may see it85, then if the groupchief 86 or if a commoner informs the groupchief that his friends⁸⁷ know that person's intention [because he has invited them?] to feast together on portions which are not forbidden⁸⁸, though he has not only seen the law which specifies a flogging for anyone who alters or falsifies [the brands or other marks on an animal] or any ruffian who steals an animal to eat and falsifies [the marks] but also the rule [requiring him tol make his purpose known to everyone; whoever transgresses this law by killing [an animal] to eat without making it known to everyone [beforehand], even if [the animal] belongs to him or by stealing someone's [animal] to eat all these. Whoever takes heed a powerful lord concerned with the throng [?] and goes to inform him, that man is honest towards his lord and serves his lord with honesty. Let a reward be given to that man; let [the guilty party] pay it, together with the

⁸⁴⁾ In order to feast the neighbors who will help with the work or attend the ceremony.

⁸⁵⁾ So as to prove that the animal was not stolen.

⁸⁶⁾ Mun Näy.

⁸⁷⁾ We have omitted the words แลเพื่อนของคน that appear at II/42 in the printed edition, as the reading is doubtful.

⁸⁸⁾ i.e. the host says they will feast on meat which has been acquired legally, but some of the people who have been invited are skeptical.

⁸⁹⁾ Perhaps the most likely sense of this fragmentary passage is that if enough people show their loyalty by informing on thieves, the practice of theft will be stamped out.

ABBREVIATIONS AND REFERENCES

AA/LP. Amals of Ayudhya, 'Luang Prasroth Recension'; ประชุมพงศาวดาว

Alabaster, The Wheel of the Law, London, 1871.

BE. Buddhist Era.

BEFEO. Bulletin de l'Ecole Française d'Extrêm e-Orient.

Bhattacharya, Les religions brahmaniques dans l'ancien Cambodge, Paris, 1961.

Boisselier, Le Cambodge (Manuel d'archéologie d'Extrême-Orient, I), Paris, 1966.

Chieng Mai Chronicle. See Notton, III.

Chronicle of Nan. See Nan Chronicle.

CMC. Chieng Mai Chronicle.

Coedès, Documents. Documents sur l'histoire religieuse et politique du Laos occidental, BEFEO, XXV.

Coedes, États hindouises. Les États hindouises d'Indochine et d'Indonésie, Paris, 1964.

Coedès, Prem. cap. Les premières capitales du Siam aux XIIIe-XIVe siècles, Arts Asiatiques, III/4.

Coedès, Recueil. Recueil des inscriptions du Siam, I, Bangkok, 1924.

Cowell (ed.), The Jataka or Stories of the Buddha's Former Births, London, 1957.

CS. Culasakarāja.

Griswold, Prince Yudhisthira, Artibus Asiae, XXVI, 3/4.

Griswold, Towards a History of Sukhodaya Art. Bangkok (Department of Fine Arts), 1967. Second edition, 1968.

Griswold and Prasert na Nagara, On Kingship and Society at Sukhodaya, to appear in Volume II of Studies in Felicitation of Professor Lauriston Sharp, Cornell University Press, Ithaca.

Hardy, Manual of Buddhism. London, 1850.

Inscriptions. The numbering of the inscriptions from I to XV corresponds to that in Coedes, Recueil des inscriptions du Siam, I, and ประชุมศิลาจารีกสนามภาคที่ ๑, Bangkok, 1924; from XXX on, to that in ประชุมศิลาจารีกภาคที่ ๑, Bangkok, 1965. The Roman numeral before the slant indicates Face I, Face II, etc., while the Arabic numeral after the slant indicates the number of the line.

J. Jinakālamālī.

Jinakālamalī. Pali text and French translation in Coedes, Documents. Siamese translation by Mahā Sen Manavidūra, ชินกาลมาลีปกาณ์, Bangkok, 1958.

LaLoubère, Du royaume de Siam, Paris, 1961.

Law, Heaven and Hell in Buddhist Perspective, Calcutta, 1925.

Lingat, Evolution of the Conception of Law in Burma and Siam, JSS XXXVIII/1, 9 ff.

Lingat, La conception du droit dans les pays hinayanistes de l'Indochine, BEFEO XLIV, 163 ff.

Lingat, La preuve dans l'ancien droit Siamois, Recueils de la Société Jean Bodin, Tome XVIII, Paris, 1964.

Lingat, L'esclavage privé dans l'ancien droit siamois, Paris, 1931.

Lingat, Les régimes matrimoniaux du Sud-est de l'Asie, Paris, 1952.

Lingat, Les sources du droit dans le système traditionnel de l'Inde, The Hague, 1967.

Lingat, L'influence hindoue dans l'ancien droit siamois, Faculté de Droit de Paris, Conférences 1936.

Lingat, ประมวลกฎหมายรัชกาลที่ ๑ จ.ศ. ๑๐๖๖, พิมพ์ตามฉะบับหลวงตราสามควง, University of Moral and Political Science, Bangkok, 3 volumes, 1938-39.

M. Mūlasāsanā.

Mahāvamsa. The Mahāvamsa or the Great Chonicle of Ceylon, translated into English by Wilhelm Geiger. Colombo, 1950.

Malalasekera, Dictionary of Pali Proper Names, 2 vols., London, 1960.

Masson, La religion populaire dans le Canon bouddhique pâli, Louvain, 1942. MS. Mahāsakarāja.

Mulasasana, คำนานมูลศาสนา, Bangkok, 1939.

Nân Chronicle, ประชุมพงศาวดารภาคที่ ๑๐. English translation by Prasert Churat and David Wyatt, Cornell Data Paper, Ithaca, 1966.

NC. Nan Chronicle.

Notton, III. Notton, Annales du Siam, III, Chronique de Xieng Mai, Paris, 1932.

Nyanatiloka, Buddhist Dictionary. Colombo, 1950.

Pali-English Dictionary, London (Pali Text Society), 1921-25; reprinted 1949.

Pallegoix, Description du Royaume Thai ou Siam, Paris, 1854.

Pallegoix, Dictionarium linguae thai sive siamensis, Paris, 1854.

Paramanujita, Bankāvatāra Sankhepa. Prince Paramanujita Jinorasa, พระราชพงศาวดารสังเขป (พระราชพงศาวดารกรุงศรีอยุลยา, Vol. II, Bangkok, 1961). For an English summary of the pertinent passages, see Miscellaneous Articles written for the Journal of the Siam Society by His late Royal Highness Prince Damrong, Bangkok, 1962, p. 70.

Path of Purification. The Path of Purification by Buddhaghosa (Visuddhimagga), translated by Bhikkhu Ñāṇamolī, Colombo, 1956.

Poranavatthusthana. โบวาณวัตถุสถานทั่วพระราชอาณาจักร ('Ancient Sites throughout the Kingdom'), edited by Chin Yu-di, Bangkok, 1957.

Prajum Śilācārik, I. ประชุมศิการาริกสยามภาคที่ ๑, จารึกกรุงสุโขทัย ('Collected Stone Inscriptions of Siam; Part I, Inscriptions of Sukhodaya'), Bangkok, 1924 (second edition, 1957, with several additions and omissions).

Prajum Śilācārik, III. ประชุมศึกาจารึก ภาคที่ ๓, ('Collected Stone Inscriptions, Part III'), Bangkok, 1965.

Prasert na Nagara and A.B. Griswold, A Declaration of Independence and its Consequences. JSS LVI/2.

Quaritch Wales, Ancient Siamese Government and Administration, London, 1934.

Quaritch Wales, Siamese State Ceremonies, London, 1931.

Silpakara. ศิลปากรนิตยสารรายสองเดือนของกรมศิลปากร ('Bulletin of the Department of Fine Arts'), Bangkok.

SNB. Sihingabuddhanidana. Translation of pertinent extracts in Coedès, BEFEO, XVII/2.

SSR. Social Science Review สังคมศาสตร์ปริทัศน์, Bangkok.

Traibhumikatha. ใตรภูมิพระร่วง, Bangkok, 1957.

Yonaka History. พระยาประชากิจ กรจักร์, เรื่องพงษาวดารไขนก, Bangkok, RE 126.