

CPG Series of Comparative Constitutional Law,
Politics and Governance

1

Dirk Ehlers/Henning Glaser/Kittisak Prokati (eds.)

Constitutionalism and Good Governance

Eastern and Western Perspectives



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**CPG Series of Comparative Constitutional Law,
Politics and Governance**

**Edited by the
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for Public Policy and Good Governance**

Vol. 1

Prof. Dr. Dirk Ehlers/Henning Glaser/
Dr. Kittisak Prokati (eds.)

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Preface

The present volume gathers 19 articles on constitutionalism, good governance and constitutionalization referring to twelve constitutional regimes in Europe and Asia. It is dealing with issues like the rule of law in such different traditions as the British and the German, with federalism in countries like Germany and Nepal, with divided or dividing societies like Nepal, Malaysia and Thailand. Topics are the making and design of constitutions, the effect and emergence of regional governance in Asia and Europe. Other articles reflect on human right issues related to countries like Germany, Malaysia and Thailand as well as the European Convention on Human Rights and its impact on national law. Moreover, the role of courts for constitutionalism and constitutionalization, local self-administration, federalism, the majority principle, and the law on election are further topics addressed here.

With a Privy Councilor of HM the King of Cambodia and former constitutional councilor, statesman and scholar, with the former president of the Judicial Yuan of the Republic of China, the president of the Supreme Administrative Court of Thailand and two German constitutional court justices and former justices respectively, with altogether fifteen legal scholars, two political scientists and one philosopher, the volume presents very different professional perspectives on its issues.

Most of the papers have been presented at the first annual conference of the *German-Southeast Asian Center of Excellence for Public Policy and Good Governance (CPG)* at the end of 2010 at Lebua State Tower Hotel in Bangkok. Others, namely the papers of Føllesdal, Glaser, Grimm, Menzel, Son Soubert and Weng, have been contributed additionally. Particular thanks are owed to them as well as to the other contributors for their time and efforts to make this collection possible. Their points of view, analyses and reflections are most appreciated. We hope to encourage as many of them as possible to be engaged in our future work with the German-Southeast Center of Excellence of Public Policy and Good Governance which is dedicated to the issue of constitutionalism in theory and practice. With the present volume CPG is launching the *CPG Series of Comparative Constitutional Law, Politics and Governance*, with a second one dealing with “Consent and Conflict in the Constitutional Basic Order” coming soon.

The work of our Center of Excellence, CPG, which is formed by the universities of Frankfurt am Main, Münster and Passau as well as Thammasat University, Bangkok, as a joint institute located at Thammasat University, in general as well as the present book in particular is possible due to the support of the German Foreign Ministry, the Federal Foreign Office, and the German Academic Exchange Service (DAAD) as well as Thammasat University as being the host of CPG.

For their contribution to open the first annual conference which gave the initial idea for this book we have to thank HE Peerapan Saleeratthawiphack, Minister of Justice of the Kingdom of Thailand, representing the Prime Minister of the Kingdom of Thailand, Dr. Peter Ammon, State Secretary, German Federal Foreign Office, and Dr. Dorothea Rüland, Secretary General of the DAAD, as well as Prof. Dr. Surasak Likasitwatanakul for hosting the event as the Dean of the Faculty of Law, Thammasat University. Last but not least we thank Duc Quang Ly for supervising the editorial work for this book on its various stages and all the other members of CPG's staff who contributed to the editing.

Dirk Ehlers

Henning Glaser

Kittisak Prokati

Table of Contents

Part I: Introduction and Overview

Multiple Constitutionalizations – ‘Constitutionalism and Good Governance in European-Asian Perspectives’	13
--	----

Henning Glaser

Western Constitutionalism in Southeast Asia: Some Historical and Comparative Observations	63
---	----

Albert H.Y. Chen

Constitutionalism as Development	81
----------------------------------	----

Jörg Menzel

Part II: Principles and Structures

The Notion of the “Rule of Law” and its Development in German Constitutional History	107
--	-----

Bodo Pieroth

An Introduction to the Historical Constitutionalism of the English Common Law	127
---	-----

J. W. F. Allison

Levels of the Rule of Law – On the Possibility of Exporting a Western Achievement	141
---	-----

Dieter Grimm

Election Law and the Constitutional Order in Germany	153
--	-----

Rudolf Mellinghoff

Democracy and Majority Rule <i>Ingwer Ebsen</i>	163
Federalism and Decentralization <i>Dirk Ehlers</i>	183
Federalism and Human Rights in Nepal's Constitutional Design: Challenges for the Judiciary <i>Andreas Føllesdal</i>	195
Cambodia and the ASEAN: Which Choice Between the Regional and Global Powers? <i>Son Soubert</i>	207
Constitutionalism in Thailand: Problems and Perspectives <i>Boonsri Mewongukote</i>	217
Part III: Rights	
Some Critical Observations on the Freedom of Assembly in Thailand <i>Warawit Kanithasen</i>	245
Constitutional Rights in Multiethnic States – The Case of Malaysia <i>Claudia Derichs</i>	255
Constitutionalization and Rights of Freedom: Implementing International Human Rights Standards as a Contribution to the Constitutionalization of National Criminal Law <i>Robert Esser</i>	281
Constitutionalization of Political Rule in Europe: Freedom of Speech, Press and Assembly <i>Rainer Grote</i>	303

Part IV: Courts

Interpretations of the Constitutional Court and the Developments of Rule of Law and Democratic Constitutionalism in Taiwan <i>Yueh-sheng Weng</i>	321
Democracy, Elections and the Constitutional Governance <i>Hassavut Vtitviriyakul</i>	361
Transformation of Constitutionalism in Asia: The Role of the Judiciary <i>Björn Dressel</i>	369
List of Contributors	393

