The Role of Lawyers in Legal Interpretation: An Application of Thailand's Political Science Principles

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ABSTRACT
This article aims to analyze the role of lawyers as interpreters of the law by integrating relevant political science principles, such as the rule of law, human rights, and public policy. It focuses on case studies involving the practice of lawyers in civil, criminal, administrative, and tax litigation. The study finds that lawyers not only serve in courtrooms but also play a critical role in public discourse and policy advocacy related to citizens' rights. The integration of political science principles enhances both the depth and fairness of legal interpretation and underscores the notion that lawyers should function as key actors in the justice system of a democratic state. The article therefore proposes expanding the professional scope of lawyers to include promoting human rights and the rule of law at the policy level. It also calls for further research in this area to empower the legal profession in contemporary society.

Keywords: *Lawyer*, *Interpretation*, *Political* Science, Law.

1. INTRODUCTION

When we talk about lawyers, many people may think of someone who represents their clients in court. But in reality, the role of lawyers is much deeper, especially when considering from a political science perspective. Lawyers are not just people who know the law, but also people who use their discretion to interpret the law in order to comply with the principles of human rights, justice, and social fairness. As we see in today's global society, many leaders of countries used to be lawyers or lawyers. This is why this article will explore the role of lawyers as interpreters of the law and how political science principles can help to enhance this role.

1. To study the role of lawyers in interpreting the law, considering both the legal text and the social context surrounding the enforcement of the law.
2. To analyze the influence of political science concepts, such as the rule of law and human rights principles, on the process of interpreting the law by lawyers.

2. LITERATURE REVIEW

2.1. Role of Lawyers

The role of lawyers is the duty and responsibility of legal professionals who have an important duty to help people in exercising their legal rights, provide knowledge, protect freedoms, and promote the justice process to proceed fairly and efficiently in the legal sense. Lawyers act as consultants, representing the parties or clients, and maintaining legal integrity, such as mediating disputes (Suwicha Suksakeamhathai, 2025).

In the justice process, lawyers play an important role in many types of cases, such as protecting the rights and duties of the parties under the contract in civil cases, protecting the rights of the accused, adhering to the principle that the accused is innocent until proven guilty in a criminal case, helping to oversee and monitor the exercise of state administrative power, and helping the public when the state exceeds its limits in administrative cases (Thawan Rujiyaporn, 2025).

2.2. Principles of Legal Interpretation

Interpretation according to the intention of the drafter is to find out what the drafter wants. It may be possible to use the method of interpreting according to the words of the law, such as interpreting according to the letters that appear in the law or interpreting flexibly by considering the principles of politics and governance. The context of the current society and the principle of fairness or interpretation using the rule of law (Rule of Law) by making the law clear, predictable and practical or interpreting in an interdisciplinary way, such as referring to knowledge from political science, humanities, social sciences, psychology and economics, is an important guideline in making legal reasoning comprehensive and consistent with the social context (Thanin Kraivichien, 2009).

2.3 Related political science concepts

Democracy is not just a system of government in which people have the right to elect representatives, but must be based on basic principles that guarantee rights, freedoms, and meaningful participation, which consist of the following concepts: Rule of Law: The state must be governed by the law, not by the arbitrariness of those in power. Laws must be legitimate, apply equally to everyone, and control the exercise of state power in a limited manner (Dicey, 1959; Fuller, 1964). Checks and Balances: A democratic system must be designed to have a separation of powers and checks and balances between state organizations to prevent the centralization of power and protect the rights and freedoms of the people (Montesquieu, 1748/1989). Respect for human rights (Human Rights Protection). Human rights are the foundation of democracy. The interpretation of the law must not lead to the deprivation of rights and freedoms without reasonable cause (Donnelly, 2003). Public Policy Orientation: Laws and their enforcement must be for the public interest, not to serve the interests of any particular group. The interpretation should therefore be based on a balance between individual rights and social interests (Easton, 1965). Public Participation True democracy must allow for genuine public participation in policy and justice processes, especially the role of lawyers and civil society as “mouthpieces” to enhance fairness in the system (Habermas, 1996).

3. ANALYSIS

Issue 1: Lawyers can use human rights principles to help fight criminal cases, such as cases related to freedom of expression or cases related to torture and enforced disappearances. Issue 2: In administrative cases, lawyers often have to interpret laws that the state uses to limit people's rights and propose approaches that protect rights, such as using the proportionality principle to contest the state's use of power. Issue 3: In civil cases, sometimes the law is unclear, so lawyers must use the rule of law and reason to interpret to create fairness, such as interpreting contract laws in a balanced manner between the contracting parties. Issue 4: Lawyers play a role in proposing interpretations that can change the original verdict or push for legal reform through strategic litigation.

The results of the analysis found that lawyers are not just representatives of clients, but are also people who must use in-depth knowledge to interpret the law ethically according to political science concepts, such as human rights and the rule of law, helping lawyers' interpretations to have a more social dimension. Integrating knowledge of law and political science increases the credibility of the justice process. The role of lawyers should not be limited to the courts, but should also cover policy fora and public spaces.

Conclusion: The role of lawyers should be re-imagined as thought leaders who help the law not just be a tool for those in power. But it is an instrument of justice. Understanding political science will enable lawyers to fight for the rights of the people more effectively and meaningfully, especially in an era where the world is facing political, technological and environmental changes. The role of lawyers needs to adapt and be open to other disciplines to expand the power of the law to cover all dimensions of human and social dimensions.

4. SUGGESTIONS

Social Suggestions: The public should be encouraged to understand the true role of lawyers as defenders of justice, not just people in suits speaking for their clients in court, but as advocates for the rights and voices of the people in various forums.

Academic Suggestions: Further studies should be conducted on topics such as “Application of the Rule of Law in Criminal Law Interpretation: A Study of Lawyers in Freedom of Expression Cases” or “The Role of Lawyers in the Era of Human Rights Public Policy” to expand academic perspectives and create new knowledge for the future development of the legal profession.

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