
A study of Law Enforcement in Thailand

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Introduction

Laws in primitive societies took the form of religious traditions and instruction. People in the same society have a way of life. Thoughts and beliefs And similar customs and traditions that are called cultural and social to exist, there must be institutions that perform the basic functions. Important institutions include Family institute Economic Institute Political institutions, religious institutions and educational institutions it is a system of norms and roles in society, where in a society that is less complex, dispute resolution is often in the form of compromise. But in a modern society with a large group of people composed of subgroups that combine to carry out activities and more complex methods of administration, governance and organization are established. Therefore, it is imperative that there be a formal regulation, rule and method of enforcement, that is, the law with which the position of the law is clearly defined. There are organizations that law and regulate compliance in accordance with the law. As well as having a more clear and complex institutional character In order to control society in order to have peace and order, substitute happiness, or to supplement existing traditions The establishment of the rights and functions of economic, political, educational, family and religious institutions needs to be supported by more law enforcement. In a very complex society, dispute resolution tends to be strictly enforced. Laws and society are therefore so related that they cannot be separated. Because the law may change society from time to time and at the same time, social change also affects law changes. This can be seen in the concept of the historical law firm that believes that the law is the discovery of the soul of the people.

Law is a society established rules that apply to all people in order to have a pattern of behavior or a way of living in a way that is consistent with that way of society. Laws are, therefore, the tools of the state in guiding the operations, including limiting or prohibiting actions that will affect what society wants to protect or protect. For this reason alone, letters written in a law may not constitute an enforceable measure or a prohibition. It is necessary to have the competent officials or the cooperation of the law enforcement people to be involved in law enforcement as well. The current constitution of the Kingdom of Thailand emphasize compliance with the law and establish the state's duty to administer the judicial process effectively in order to make the law enforceable according to its intent and in accordance with the objectives required by the law, because the laws that are issued are based on the opinions of the people until Was born to be accepted and enacted Forcing to comply with the law is like complying with the will that the people want. A phenomenon in every society is a violation of the law or the avoidance of the law for different reasons. But one of the most common reasons is that legal obedience is difficult or Cause costs that are too high, making it not worth the cost to go down. And unable to continue the reason for this is often the case with business organizations that have to compete. But with little capital, if you have to comply with the rules stipulated by law, it will be high Not worth the investment And the yield obtained is so expensive that it cannot compete with him Or in cases where environmental regulations have to be followed where waste disposal or self-treatment is required. Operating capital has to be added to the product price, resulting in a higher price. Another case is Intention to take advantage of a breach of the law, such as Acts of transnational crime Organized crime or different influences these are organizations that have the potential to include financial power, manpower, and communication tools. And a network of alliances capable of carrying out their activities that violate the law in order to gain their own benefit, regardless of how much the general public may suffer from their actions. Another nature of the law violation is ignorance or necessity in this case, it often happens to villagers who do not know the law. Or ignore the law, such as bringing used CDs for sale going into the reserved forest to eat, etc. These individuals live according to their familiar course. But when the state has a policy to conserve natural resources therefore declared the National Forest Reserve the villagers therefore had to change their behavior and not occupy or invade the said forest, despite the fact that it used to be the same way of life that has been practiced. Or in some cases the public is not

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interested in the law Such as not going to report birth report the death by the specified time the law defines the guilt. Or do not care if there is a law banning the advertisement of cigarettes or alcoholic beverages. To gain commercial benefits therefore committed an offense and as a result, there are many people who accidentally break the law. Law enforcement in the second case is different from the first because it is an intentional violation and is an influential organization. As well as having various tools to support law enforcement, we must focus on repression. And increase the mechanism of budgets, technology personnel, as well as having a special agency to supervise or manage in particular to be able to suppress these organizations effectively, such as the presence of the Special Investigation Department. Anti-Corruption Commission Therefore, the state has to devote manpower, money, and training of officers to be skilled and able to follow. Arrest the perpetrators to punish, including confiscating the benefits obtained from them to the state. Or pay back to the injured person as measures for seizure of money laundering cases or forfeiture of drug cases or dishonest cases, etc. In addition, cooperation between government agencies and the private sector must be created to coordinate cooperation in suppression and whistleblowing. The duty to enforce strict and fair laws is not solely prosecuting or breaking the law. But it must be reviewed whether the applicable law creates unnecessary burdens or costs, and how the burden should be reduced in each area or how to create incentives by providing benefits in economics In order for private organizations to turn to support and cooperation while the law enforcement of organized crime or serious crime must increase the efficiency of the defense and suppression unit, strong and effective surveillance and prosecution is required to prevent the escape of cases completely. In the case of marginalized people, law enforcement should focus on education, warning rather than prosecution and make choices for these people not to break the law and can continue to live in a self-sufficient condition. For this reason, it is imperative to have a thorough understanding of the facts or rules in order to distinguish the right or wrong of the action that must be performed because of different practices. That does not arise from intent Because of the cause of nepotism or favoritism alone, which is considered an act that is unfair. But the practice that is different It may arise from different facts which must be treated as different cases, the results must be different, or may be due to ignorance, inefficiency or incapacity of the practitioner, which is not a case of willfulness or Intent which can be regarded as an act of inaccuracy or unfair, and may not be considered a double standard practice.

"Human beings are social animals" (social animal) means that humans prefer to live in groups, in groups, in groups. Starting from family and then merging into a tribe or group until becoming a country as a result, human society has to contact the association to exchange necessary factors for life. As a result, members of society have conflicts and conflict among themselves. Until it could lead to more unrest therefore there was a need to create "Social control system" which is a system of behavior for treating each other and gradually evolving and evolving until it has different characteristics such as morality, customs, customs, religion and law to regulate the conduct of members of society. And maintain the peace of the society so that it does not cause chaos or damage, leading to the destruction of society in the end as a result, human beings share the strength and intelligence. And has the strength to be united in order to overcome many obstacles and dangers throughout

The role of law in society

In today's society, regardless of the legal system Law plays an important role in society, that is, it is the direct tool in the administration of the country. It is a tool for maintaining order in society. Determines the relationship between people with and as a tool for social development to keep up with the changes in the globalized society as follows.

1. The role of law as a tool in the administration of the country from the constitutional law, administrative law, to the law issued by the local government organization. All but the law is applied primarily for management under limited resources. And monitoring and controlling the work to be in accordance with the objectives or guidelines that have been defined effectively.
2. The role of the law as an instrument for maintaining order in Society is classified as a public law, which is the subject of the state as a ruler to establish the rules of conduct of a society with limited resources. So that people or private individuals in society can coexist without persecution, bullying, or violating the rights of others. Which will cause society to suffer, disturbance and unsettling if there are violators causing an impact on the public order. The state will proceed to bring that person to punish or impose other compulsory conditions. So as not to let the guilty go away and prevent endless revenge against each

other, including the Criminal Code Other acts with criminal penalties Criminal Procedure Code, Labor Law, Consumer Protection Law, etc.

3. The role of the law as a determinant of relations between people. Together, it is a private law that the state allows people to define their relationship among themselves. People or human beings in society therefore have the freedom to express the intention of making legal contracts between themselves. If the contract is not contrary to public order or morality, which will affect the society as a whole. Laws that play this role are intellectual property laws. Civil and Commercial Code, such as contract of sale, lease of property, hire-purchase, hire-purchase, carriage, borrowing, deposit, guarantee, mortgage, pledge, brokerage agent, current account, insurance, bills, partnerships, ownership rights, family ownership, inheritance, etc., but if there is a dispute on rights, duties or disputes The state will play a role to help mediate a compromise to be agreed according to the fair central rules. If there is an impeachment or an agreement cannot be reached, the State will take over the task of making a final decision on the dispute. To enforce compliance with legal agreements and obligations.

4. Role of law as a tool for legal society development. It can be used as a means of social development in various areas, namely, the development of the political system, the economic system and the social system, which will be discussed in the next section.

However, the law, whether it is customary or established by various levels of state powers, has the objective of providing for living. For abundance for equality and to protect the security of life, body and property of the person Law must not conflict with the customs of the people of the country. Not against the culture Not contrary to tradition Not against religion Not against morality and that value law must be the one that is matched with justification, righteousness, justice, righteousness, equality, which is the heart or spirit of the law. To protect the rights and liberties of the people Respect for human dignity But if the law is deemed to come from the state authority or is already a representative of the power Law may also be a means of maintaining power and interests of the ruling class. Without regard to the reasons, validity or righteous As a result, peace and peaceful coexistence may not occur. It is therefore necessary to promote the administration of the country with fair laws. Effective To achieve effectiveness, such as enhancing justice for the people Protecting the fundamental rights of the people Development and promotion of people's well-being Taking care of the public order Maintaining equality under the law Promoting respect and compliance with the law, for example, without discriminating against the principles of Equal protection under the law, in particular, the law must preserve the greater and more important public interest. Of individual Lawyers have to try to create lawful rules to protect the interests of the public in accordance with the rule of law. So that members of society can live together in peace they do not persecute and take advantage and seek happiness on the suffering of others. Lawyers must be aware all the time that Law is therefore a tool for maintaining social justice. Laws will therefore be valuable and beneficial to the full economic social development. This will enable the people to cooperate with law enforcement and to bring about the sanctity of the law.

Law and Social Development

Modern state besides using law as a tool to control deviant behavior of society Law is also a tool for economic and social development. Laws that are in force in society need to be developed to be in line with the society that is constantly changing according to the circumstances and values. In order to achieve good and effective law, law institutes need to be developed in terms of both education and practice. Adam Smith wrote about state duty in his book an Inquiry into the Nature and Causes of the Wealth of Nation. 1976, seeing that the important duties of the state must be as follows: to protect the country Organize justice and establish some institutions that are necessary and manage the utilities in the past, states have focused on maintaining security and justice, but today, the state has given greater importance to infrastructure management or economic development. Laws, as a means of meeting and controlling human needs, will come to support economies, namely capitalist economies. Socialist economy and a mixed economy.

For Thailand today it has begun to become a state of welfare (State Welfare).

Then for example, implementing a 30 baht project to treat all diseases or used unemployment insurance we should therefore use and construct the Social Legislation instead of the Capitalism law, which protects capital as a vital force over other factors in the structure of the economy and society, regardless of the nature of the economy. Other contributions that exist in the same society until the law is applied in a

society where there is a gap between incomes or there is an economic gap between the poor and the rich more distant. It is therefore necessary to change the concept of creating and implementing laws effectively. "Unequal" to create equality or almost equal in changing social conditions, including laws that protect the socio-economic status of various groups of people unable to adapt to life due to For reasons such as being a low-income laborer Farmers without own land, elders, etc.

In a more complex society and states are increasingly intervening in vital affairs. Roles and functions of the law in society thus increase from social control and settlement of conflicts in society. Another is Using the law is a tool for building and improving society for the better, emphasizing the harmonization characteristics of all members of society. Also known as "Law is a social engineer tool" in solving economic and social problems, it needs to be systematically coordinated from many sides to address the root cause. The law is only a tool to solve this problem. For example, the implementation of past National Economic and Social Development Plans has resulted in an even greater income gap. By benefiting the wealthy little ones who are already richer.

Today, people in society are interested in legal rights and duties. Many students are turning their attention to law studies. Initially, most people want to be successful in the legal profession as they have intended. And in the fore, the legal profession must adhere to the ethics of their professionalism or corporate culture. The author invites you to achieve some level of success in your profession. As you come to know the useful ideas from this article, please take the insights that have been taken to integrate and apply the law to play a role in the development of society that is changing in each era according to your own abilities our society continues to live in order and progress through the generations to come.

A society in which people come together in groups there is a need for rules and regulations. Considered a moral criterion and customs that has been passed down But as society grows and grows it is not enough to use only custom as a rule. Must have clear written laws.

The highest law of Thai society is the Constitution. It is the law that defines the rights and duties of the people. The second most important is the Civil and Commercial Code. Criminal code.

All citizens have a duty to obey the law. Lawbreaker Causing others to suffer damage and trouble, he may be prosecuted for civil or criminal prosecution, then the court will be the judge. This court has 3 classes: the court of first instance is the first judge. If the parties are dissatisfied with the judgment of the Court of First Instance, they may ask the Appeal Court to continue their judgment and, if not satisfied, again. He may ask the Supreme Court to make a final judgment.

"Where there is a society There is a law , translated from Latin" Ubi societas, ibijus ", meaning that when human beings are in a group, There must be rules Originally that regulation Defined from the conscience of the people in society, it is a moral rule. And customs in that community Behave, act, pass on to one another until it is a type of law but not recorded in writing As the society grows The state of society has changed. Problems arising in society are too complex to be judged by custom. It is necessary to legislate, recorded in writing. For solving problems as matters. Thus, the laws of modern society Therefore, there are two types of law, one is the customary law. Another type of law is recorded. Writing.

As society grows Legislation, written records are required for problem solving on a particular basis. Thai law there is a significant modification period. In order to be appropriate in accordance with the four stages of society, beginning from the birth of Thai society until the Sukhothai period during this period, it is a rule that comes from the traditional custom, which is the real Thai law. Later in the Ayutthaya period until the early Rattanakosin period, we had two kinds of laws one is "Phrathammasat Bible", which is the master law that we received from India through Mon. Another feature is the "royal science" or royal ruling on various cases. Of the king And compiled into the basic laws of the land, period 3 is the period King Mongkut and King Chulalongkorn Modernizing the legal system By relying on the western style Especially during the reign of King Chulalongkorn Has graciously ordered To set up the Ministry of Justice And law school In addition, His Highness has organized a draft code according to the Civil Law system (CIVIL LAW), thus making the Thai legal system more modern. Use the constitution which is regarded as the master law of Thailand until today

On the basis of constitutional law classifying power into 3 parts: legislative power Parliament is the exercise of executive power, the Cabinet is the user and the judiciary is the user. In a democratic regime

of government with the King as Head of State, it is considered that the King is the constitutional person with the advice and consent of the House of Representatives.

Problems using laws arising from the people who use the law are as follows.

1. People lack knowledge and understanding about law. This is because most people are still lacking education. When they are breaking the law, they are often cited as inaccuracy. Which such excuse cannot be claimed because there is a rule of law that is commonly accepted that "ignorance of the law is no excuse".
2. People lack responsibility for exercising the right to elect a legal preparer. Which is a member of the House of Representatives by choosing people who do not have knowledge and abilities and also corrupt and corrupt to take part in the draft law to enforce in society. Many people blame the bad behavior of MPs. Which, if considering each other for reasons and results, it will see that No member of the House of Representatives can sit in the House of Representatives if not elected. Therefore, if the people are united to choose good people to represent themselves the nation will have good MPs who act for the people.
3. People do not cooperate with staff and staff in law enforcement, such as when an offense occurs. People have to cooperate in reporting or reporting the incident to the police or administrative staff in order to stop the incident, but it appears most people think that it is not their duty or business, not allowing the disaster to spread. Sometimes difficult to fix.
4. People do not respect the law by often referring to influence or privileges to avoid obeying the law or like to do as you like needing comfort without respecting the law, such as not crossing the road, on an overpass or in a crosswalk when being arrested by the police, influencers are often referred to in order to escape arrest, etc.
5. People protect their personal interests in corruption. Therefore, it tries to avoid the law by various means such as using the gap of the law to benefit oneself. In the event that the law prohibits excessive interest charges, which is more than 15 percent per year, the lender will bypass the law by charging the interest to be combined with the total principal, which the borrower has to allow because he wants money, etc.

Guidelines for Solution

The guidelines for solving the problems of using laws arising from the law users are as follows:

1. Children and youth should be cultivated. As well as people to be ethical Know what to do because it is legal and morality.
2. Prescribed in the curriculum of the students at any level. To emphasize students' knowledge about the laws used in everyday life and are the ones that are closest to you when the students have knowledge of the law, they will be distributed to those nearby. As well as being able to obey the law properly.
3. Those responsible for providing free legal education and advice centers to the public. At present, such services are provided by universities. General public Legal assistance by the Lawyers Council of Thailand or from the Thai Bar Association Synthetic Society of Thailand, Royal Thai Police and the Attorney General has arranged staff to provide legal advice to the people of every province. But it is not enough to meet the needs of the people, which if many more government agencies reach out to help and monitor more. Provide convenience for staff or personnel with legal knowledge providing as much convenience in building, facility, or budget as necessary, may spread legal knowledge to the public more than it currently.
4. Allowing people to participate in legislation or amendments to the law. Which in the current constitution has required not less than 10,000 voters to submit a bill to the President of the National Assembly.

Conclusion

People lack knowledge and understanding of the law. This is because most people are still lacking education whenever it comes to breaking the law, it is often claimed inaccuracy which the aforementioned excuse could not be claimed because there is a rule of law that is commonly accepted that "Ignorance of the law is no excuse" "People lack the responsibility to exercise the right to choose a legal preparer. Which is a member of the House of Representatives by choosing people who do not have knowledge and abilities and also corrupt and corrupt to take part in the draft law to enforce in society. Many people blame the bad behavior of MPs. Which if considering each other for reasons and results no member of the House of Representatives can sit in the House if not elected. Therefore, if the people are united to choose good

people to represent themselves the nation will have good members of the House of Representatives who truly act for the people. People do not cooperate with their staff in law enforcement, such as when an offense occurs. People will have to cooperate in reporting or reporting the incident to the police or administrative staff in order to stop the incident, but it appears that most people think that it is not their duty or business, not allowing the disaster to spread. Sometimes difficult to fix. People do not respect the law with often referring to influence or privileges to avoid obeying the law or like to do as you like needing comfort without respecting the law, such as not crossing the road, on an overpass or in a crosswalk. When being arrested by the police, influencers are often referred to in order to escape arrest, etc. Law enforcement and security cooperation form a pillar of the enduring U.S.-Thai alliance, built on the foundation of more than 200 years of bilateral relations while the Thai government has taken steps to address structural gaps that limit the effectiveness of the criminal justice sector and promote participation in rule of law reform initiatives, challenges remain, including: the need for skills development for law enforcement, prosecutors, and the judiciary; access to justice issues for citizens; and combating a series of transnational organized crime issues, including trafficking in persons, narcotics, and wildlife. Law enforcement describes the individuals and agencies responsible for enforcing laws and maintaining public order and public safety. Law enforcement includes the prevention, detection, and investigation of crime, and the apprehension and detention of individuals suspected of law violation

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