

A Comparison of Laws and Punishments of Thailand and Japan

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Abstract

This study aims to examine the history, the background, and the evolution of law and punishment in Thailand and Japan by exploring schools of thoughts and theories related to law and punishment. The study is conducted by looking into documents and lectures and by interviewing museum curators. The analysis of information first shows that the evolution of Thai laws has roots in traditions, norms, customs, religions, and royal commands. The important legislation and case are the Tra-Sam-Duang Law (Triple Emblems Law) and the case of Am Dang Pom (Miss Pom). The legal reform in Thailand has been influenced by the civil law system as in the system of France and Germany, whereby Thailand took the laws of other countries, applied them to the original Thai laws, and adapted them to make them up to date. On the other hand, the evolution of laws in Japan has been influenced by Chinese laws. During the Meiji Revolution, Japan adopted knowledge and technology from the West, and the Meiji government primarily drafted modern laws by taking after the European laws, particularly Germany. The most distinct legislation was the criminal law, which was influenced by France and England. After Japan had been defeated in the World War II, however, it became influenced by the U.S. The second finding is that in Thailand punishments have been specified in the Triple Emblems Law, among which were the punishments physically imposed on the offenders, and by Article 18 of the criminal law, where punishments are categorized into five kinds, including capital punishment, imprisonment, confinement, fine, and confiscation of properties. In Japan, punishments include the strict enforcement of the law, the usage of tools in withholding the offenders, and the usage of tools in torturing the offender to induce confession, with the most severe punishment of all being the capital punishment.

Keywords: Law, Punishment, Thailand, Japan

Introduction

Crime is a social phenomenon. There is no society that is without crimes and there is no society that is completely filled with crimes. When a society is formed, it can survive only when crimes are controlled such that they do not present excessive dangers to the society and there are agencies involved in the judicial process taking care of such controls. In today's world of communication without borders, crimes have become more diverse, such as regular crimes, international crimes, and narcotics-related crimes. Therefore, the crime problem is faced by countries around the world. Thailand is a country in Southeast Asia that has seen the

number of crimes increase from the year 2013 to 2015, the summary and the trend of which are presented in Table. 1.

In analyzing the trend of crimes having taken place from 2013 to 2016, it is found that the incidence of crimes goes up and down depending on the year. The suppression activities, the law enforcement, and the punishments imposed by police officers and related agencies have become more effective, making the incidence of crimes trend downwards in some years. For the year 2017, it is forecast that if the suppression, the law enforcement, and the punishment are increasingly effective, then the incidence of crimes will significantly trend downwards.

Table 1 Thailand's crime statistics from 2013 to 2015

Number of cases per year	Number of cases reported			Number of cases where an arrest is made		
	2013	2014	2015	2013	2014	2015
1. Serious and horrible crimes	4,744	4,148	3,875	3,060	2,694	2,774
2. Life-threatening or corporal cases	23,994	23,613	25,087	15,643	15,307	17,870
3. Cases where damages are centered on property	50,245	46,264	48,195	24,230	23,190	23,438
4. Interesting cases	30,433	29,002	30,893	9,874	8,580	11,793
5. Cases where state suffers from damage	558,242	509,599	429,436	658,321	626,183	555,066
Total	667,658	612,626	537,486	711,128	675,954	610,941

Source: National Statistics Office, 2017

Located in East Asia, Japan is widely accepted for its modernity and the security system that is made available for its citizens. Whereas there exists in Japan an organized crime group, known as Yakuza, Japan has a low crime rate, as evidenced in the reduction in crime statistics (The Japan Times News, 2016). Such can be considered a reflection of an effective crime prevention system, an increase in the number of security cameras, and the awareness among the Japanese people with regards to crime prevention (The Japan Times News, 2016). As a result, the amount of crimes in Japan, on average, is lower than in other countries in the same region, which brings about the questions as to how Japan enforces its laws and punishments in comparison to Thailand, particularly in consideration of the different numbers of crimes in Japan and Thailand. Therefore, a study on the evolution of laws and punishments in Japan may be undertaken in order to formulate appropriate policies or guidelines for crime prevention in Thailand that are also consistent with criminological theories.

Research Methodologies

This study aims to examine ideas and theories on laws and punishments in Thailand and Japan, which are, in turn, analyzed and applied to further improve the penal system in Thailand. The methodologies are primarily qualitative and can be divided into two categories, which can be summarized in terms of the scope of study as follows.

- 1) By documentary study, information with regards to evolution of laws and punishments in Thailand and Japan is gathered from books, research articles, and electronic sources.
- 2) By attending sessions of lectures as well as questions and answers, information is obtained from curators who are the key informants of this study.

The information is then analyzed and written based on the descriptive and the analytical approach in order to find conclusions and guidelines that may later be applicable to the improvement of Thailand's penal system.

Literature Review

Ideas of laws and punishments: Jeremy Bentham (1748-1832), an English criminologist from the classical school of criminology, worked to extend the idea of Cesare Beccaria, the author of “An Introduction to Principles of Morals and Legislation” in 1789, which explored the idea of persuading people to become moral and the idea of social reform. Upholding Beccaria’s belief with regards to human behaviors, Bentham’s philosophy provided a basis for the government policies and structures of the English government at the time. In short, Bentham’s philosophy was composed of two main principles: first, utilitarianism, and second, laws and punishments (Kunttee et al., 2015: 61-62). This study refers only to his principle on laws and punishments.

Bentham’s philosophical principle on laws and punishments holds that the laws exist to build and support the happiness of people in the society. Good laws should be able to prevent the bad from happening in the society. Bentham suggested four objectives for punishments. First, punishments are to prevent violations of the laws. Second, if violations of the laws cannot be prevented, offenders shall not commit serious violations. Third, punishments should prevent criminals from using excessive force to cause harms. Fourth, punishments should prevent crimes in ways that limit the cost incurred by the government. In this respect, Bentham suggested that the laws be enacted in order to make people believe that, when wrongdoings were committed, they would be more likely to suffer than to gain satisfaction. Like Beccaria, Bentham believed that punishments should only prevent people from committing any wrongdoings, thereby disagreeing with capital punishment. Bentham also suggested that prisons should be improved, such that human rights of the prisoners are better respected (Kunttee et al., 2015: 62).

Crime prevention and deterrence theories: The theories on prevention and deterrence are rooted in the classical school of criminology and based on the hypothesis that the speed, the severity, and the certainty in imposing punishments are key to the effectiveness of such punishments in preventing crimes (Zimring & Hawkins, 1973). This theory holds that men are animals of virtue and they should consider, before acting upon any behaviors, the outcomes of such behaviors. Therefore, people can be prevented from committing wrongdoings if laws are enacted effectively and appropriately. For example, serious punishments should be set for some certain crimes and the police force should be increased in capacity so as to increase the chance of arresting offenders. (Kunttee, 2010: 65).

The crime prevention theory involves each individual’s decision to choose whether to commit the crimes based on the punishments that he or she may possibly receive as a consequence of his or her actions. If the individual thinks that he or she would suffer from the punishments, in case of getting arrested, more than he would enjoy committing the crimes, the individual should choose not to commit such crimes, particularly among the individuals who may be most influenced by their experiences of having been punished. The prevention and deterrence effect takes place in two forms. First, general deterrence refers to the influence of laws and judicial processes that make the public fear of and feel terrified of committing the crimes. Another deterrence effect is the specific deterrence, whereby the laws and judicial processes stop the individuals who had been punished before from repeatedly committing the crimes (Pursley, 1991 as cited in Kunttee, 2010: 66).

Research Results

Evolution of laws in Thailand: Originally, Thai laws are rooted in the traditions, the norms, the customs, the religions, and the royal commands (Kasemsap, 1988). When Ayuddhaya was surrendered to Burma for the second time in 1767 (B.E. 2310), many damages ensued. Many of the Thai laws disappeared, with around one-tenth of them having remained. Even in the era of

the King of Thonburi, Thai laws were not changed much because he took the reign only for a short period of time. The original Thai laws remained in place until the reign of King Rama I, when a case arose and triggered a legal reform in 1804 (B.E. 2347). The case pertained to an issue of whether a woman who committed adultery could make a case for divorce. King Rama I, subsequently, conducted a legal reform and established the Tra Sam Duang Legislation (the Triple Emblems Legislation), which can be considered an important legislation for Thailand. (The case that triggered the Three Emblems Legislation is the case of Amdang Pom, or the case of Miss Pom (Saengsuk & Limlamtong, 2014: 223).)

During the early Rattanakosin (Bangkok) era, or the year 1782 to 1851, Thailand's relationship with the West became tightened and increasingly complicated. While the West felt that Thailand's commercial system was monopolistic and stood as a barrier against the commercial development and that the laws of Thailand was barbaric, violent, and unjust, the West could not ask Thailand to make changes due to the unsuitable political situation in Europe and the United States. During the reign of King Rama IV, or from the year 1851 to 1868, Thailand's contacts with the West started to change. The West, dissatisfied with the Thai laws, started to exert their influences and establish extraterritoriality by setting up their own courts in Thailand and by forcing the cases between their own nationals or between their nationals and the Thai people to be in the jurisdiction of such courts (Saengsuk & Limlamtong, 2014: 224).

As agreeing to be under the jurisdiction of the West means that one can avoid being severely punished under the Thai laws, there were many Asian nationals, including the Chinese, the Malay, the Indian, the Khmer, and the Vietnamese, who requested to be under the jurisdiction of England and France. Some Thai nationals were also trying to earn a special protection, which led to a secret trade of special protection letters. These situations meant that Thailand must find a solution, and the only solution was to improve the legal system and the court, such that they became internationally accepted. Believing that successful legal and judicial reforms shall come from a successful reform of overall judicial processes, King Rama V assigned several princes to take turn helping with the administration of the judicial system. This was done by gathering the courts that were previously scattered in many ministries and townships and keeping them under one ministry, namely, the Ministry of Justice. When the Ministry of Justice was fully established, the legal reform ensued (Saengsuk & Limlamtong, 2014: 224).

The reign of King Rama I was considered the beginning of the Rattanakosin era, where Thai laws underwent a major reform, with some laws being appended and amended, while some outdated ones being cancelled. A new classification system was also applied (Saengsuk & Limlamtong, 2014: 225).

Evolution of laws in Japan: Japan had the culture of laws for hundreds or thousands of years, starting even before the modern era. First, Japan was influenced by the Chinese laws. Delegations of Japan were sent to China, including once in the year 607 (B.E. 1150), during the era of Prince Shotoku of Japan and the Sui dynasty of China, when the Kenzui-shi delegation was sent, and once in the year 630 (B.E. 1173), during the Tang dynasty of China, when the Kento-shi delegation was sent. This was the first time that Japan adopted the laws of the Tang dynasty as a framework to support the administration of the Japanese empire. The Omiryo, the Taiho, and the Yoro codes were drafted thereafter, but later eliminated during the Heian era. However, the words used to refer to laws remained and maintained their influences until the Meiji era. The word "ritsu" today refers to the criminal law and the word "ryo" refers to rules and regulations, which largely reflect the Confucian way of thinking.

During the Meiji Revolution, starting from the year 1868, Japan took on the knowledge from the West, which is absent of the traditional Chinese laws. The Meiji government put an emphasis on building a modern legislative system by adopting the laws from European countries, particularly from Germany, which had developed and modernized itself around the same period as did Japan. The legal structure that was most apparent was the criminal law.

Moreover, Japan was also influenced by France and England, although such influence did not come into effect as Japan drafted its constitution under the supervision of the United States after Japan was defeated by the end of World War II in 1945. The drafting of the constitution abided by the democratic principles, based on which a government would be organized, so that the military state, as it was during the Meiji government prior to the country's participation in the World War, could be weeded out. Eventually, Japan was highly influenced by the U.S.-styled laws, as evident in Japan's constitution, its court system, and its laws.

Japan's laws are based on the case law system, which is the legal system without specifically written statutes. The enforcement of the laws has also been influenced by the legal schools of thoughts whereby traditions, norms, customs, and rules are upheld in the same way laws have been adopted in Europe. It can be seen that traditions, norms, and customs have always been the principles of Japan's laws. In addition, Japan's laws also possess unique characteristics of being a combination of statutory laws and common laws. Such combination has produced a legal system that abides by the Japanese traditions and values, which have maintained their significance and diversity until today. Reflections can be made by considering Japan's legal system that Japan has been incredibly successful in combining various foreign legal systems without having to forgo its social values (Mingkwan, 2015).

Table 2 Comparison evolution of Thailand's and Japan's laws.

	Thailand's laws	Japan's laws
Origin of the laws	The Thai laws were originated from the traditions, norms, customs, religions, and royal commands.	Originally, the power to draft the laws in Japan belonged to the monarch. Afterwards, the laws received influences from the Chinese laws, and were altered to suit the Japanese traditions and norms.
Influencers of changes in the laws	Having lost its extraterritorial rights or judicial independence due to colonialism during the reign of King Rama V, Thailand had to amend the laws so as to make them on par with other countries, to bring back the judicial independence, and to gain acceptance from foreign countries for its laws.	During the Meiji Revolution, Japan adopted the laws from Europe. However, after its loss in the World War II, the U.S. occupation of Japan made the U.S. influence prevalent in the Japanese laws.
Current laws	Thailand's legal system is based on statutory laws, although many of the laws are based on the customs, the religions, and the judicial rulings, which have been developed into statutory laws, in order to make them become more internationally accepted.	Japan's legal system still upholds the statutory laws and abides by the traditions and norms as the core principles, making the Japanese laws the combination of statutory laws and common laws.

The study finds that both traditional Thai and Japanese laws come from the traditions, norms, customs, religions, and cultures of the respective countries. In the past, the laws were drafted and enacted by the country's supreme power, which may refer to the monarch as well as the military. The factors that may have affected the changes in each country's legal system are similar, that is, the incoming of the West in the form of communication, trade, or colonization. Both Asian countries had to develop its legal system to gain acceptance from

the West in order to protect themselves from falling to colonization as well as from losing its sovereignty. In this connection, the two countries had to adopt the West's legal systems and accordingly adapted its own legal system.

As the common law is the system that cannot be easily replicated because it is the system that has long been developed based on the traditions and the social values, Japan and Thailand therefore had to take the statutory laws as the examples in their legislative development. However, the traditional laws, which were based on the traditions, norms, customs, religions, and cultures that had been instituted for a long time, did not disappear with such development, but rather were transformed into statutory laws. It can also be seen that Thai and Japanese laws are highly similar in many ways, including their origins and their implications on the legal development and on their current legal systems. The ideas on laws and punishments were influential with regards to the policies and the structures of the English government at the time, and with regards to the drafting of legislations in Europe. The study finds that, in turn, both Thailand and Japan were influenced by the legal systems of Europe and the U.S., such that they gained international acceptance and protected its own sovereignty.

Punishments in Thailand: Criminal punishments had existed in Thailand since its ancient times and had changed over time. Punishments may be divided into different time periods as follows.

1) The Triple Emblems Laws specified relatively severe punishments, especially corporal punishments like the criminal laws of the ancient West, such as *lex talionis* which intended for punishments to act as revenge and as deterrence for the society not to commit any wrongdoings (Petchsiri et al., 2011).

2) Prior to reforms during the reign of King Rama V, whipping was abandoned as a type of punishment and replaced by imprisonment in 1895 (B.E. 2438 or 114 years into Bangkok's era). In 1896, a bill was drafted to rescind the procedures used to deal with criminal cases so as to eliminate tortures that were imposed upon the alleged offenders before the cases were taken to court. The enactment of this bill was considered an important step towards further cancellation of criminal measures and towards legal reforms (Petchsiri et al., 2011).

3) The criminal law was drafted in 1908 (B.E. 2451 or 127 years into Bangkok's era) based on modern legal principles, where classification and legal principles were clearly specified, especially concerning criminal punishments, bases of wrongdoings, severity of punishments, and methods of punishments.

4) The criminal law specifies criminal punishments in Article 18, where punishments may be divided into five categories.

4.1) Capital punishment is considered the punishment that repays the society for what has been committed by the offenders. When individuals have committed any wrongdoings towards others, the individuals who have been wronged have the right to do something in return in the name of revenge. Therefore, capital punishment may fulfill the objectives of punishments as a direct revenge as well as a deterrence for people not to commit any wrongdoings (Boonnakom, 2013).

4.2) Imprisonment is considered the punishment that limits the physical freedom of the inmates, and is widely adopted in the judicial system. Imprisonment is the punishment within the legal framework that is rather severe. Imprisonment serves as a replacement for traditional cruel punishments and as a way to separate offenders from the society under the conditions and timeframes specified by laws. By keeping the offenders in prison, the offenders may be mentally affected, and the imprisonment may plant stigmas upon the offenders (Boonyarattapan, 2004).

4.3) Confinement is not the punishment considered based on the severity of crimes, but it is the punishment used in place of short-term imprisonment. Confinement is, therefore,

considered a “side punishment” (Na Nakorn, 2008), and serves to limit the freedom of the offenders in the same way as imprisonment.

4.4) Fine is a criminal punishment that had existed since the ancient time. Fine was originated as a payback or a revenge in a tit-for-tat system. Later, in accordance with the deterrence theory, fine serves to scare the offenders and make them fear of repeating the same crimes (Sirisajjawat, 1997). The amount of fines shall be determined, such that it suits the financial capability and the cost of living of each offender. The Thai laws, where fine is determined by the fixed-sum system, are found to lack the effectiveness when enforced and to lack the flexibility as far as the variation in the offenders’ economic situation and the changes in today’s society are concerned. The effect of the punishment felt by each offender may differ depending on the economic situations faced by each of them. The offenders whose economic status is not well may be impacted more than those with better economic status.

4.5) Confiscation is also a side punishment, whereby properties involved in the wrongdoings are confiscated and possessed by the state. Confiscation means that the offenders lose the confiscated properties, and sometimes serves to prevent future wrongdoings. Confiscation of properties is the punishment consistent with the principle of damage assessment, where it serves as a penalty as well as a compensation for the damages created by the offenders. Confiscation may generate fear among the offenders and deter them from committing the crime again. Such is consistent with the objective of punishment as a deterrence of crime (Boonnak, 2013).

It can be seen that Thailand’s penal system has evolved over time. It began with severe criminal punishments, such as organ cutting, public humiliation, and whipping, in accordance with the Triple Emblems Law, and evolved to punishments that aim to rehabilitate offenders, so that they may properly return to the society. However, it does not mean that punishments as revenge or payback are no longer applied, because punishments are designed to be consistent with the objectives of the punishment themselves. This is so that punishments are suitable to the offenses and the offenders in each case.

Punishments in Japan: The unique characteristics of crime prevention emphasized by Japan’s legal mechanism are the severe punishments coupled with the strict enforcement, which together make the crime prevention in Japan highly effective. From the ancient time, Japan’s punishments have been as severe as the traditional punishments enforced by Thailand prior to the country’s legal and judicial reforms during the reign of King Rama V. Such punishments include the usage of tools to control and detain the inmates as well as to torture them for confessions. Japan’s most severe punishment is the capital punishment, which has also experienced its own evolution from the ancient time until today, where the capital punishment has remained but been altered from beheading to hanging.

Japan turns out to be the country with a low crime rate, where police go on patrol by bike and carry along a baton. Unlike other countries, there is no road that is particularly frightening; gun-related crimes are almost unknown; and theft is almost non-existent. Japan can be considered a highly livable place, because it is very safe compared to the other developed countries. In Japan’s justice system, severe punishments often are not easily imposed on general offenders, because the focus is placed on transforming people into good ones. The police and the court would try to help, so that first-time offenders are not imprisoned. For first-time offenses, the offenders are given warnings and then released. The government also contacts the offenders’ families in order to bring the offenders back on the legit path. In case the offenders are sent to prison, the prison would look like a nice boarding school. However, this environment may present a weakness that makes the Japanese offenders more pitiful than those in other countries, because the Japanese justice system tends to push for confession, which is considered the first step towards a turnaround to become a good person. On the

other hand, for serious offenses, such as murder, the justice system would not easily release the offenders but give them a rather hard time.

Table 3 Comparison between Thailand's and Japan's punishments

	Thailand	Japan
Methods of punishments	<p>1) In ancient times, the punishments were severe and often done cruelly. They were also often imposed on the offenders. Public humiliation was sometimes adopted. Also committed during investigation were such as organ-cutting, beating with wicker, beheading with sword, and humiliation by tattooing the face or the body of the offenders.</p> <p>2) At present, punishments and related equipment are no longer cruel or do not anymore involve physical tortures. The only remaining severe punishment is the capital punishment, which has changed in form from shooting to injection instead.</p>	<p>1) In ancient times, severe punishments were imposed by using such equipment on the body of the offenders, including spear, sword, and whip. Torturing equipment to force confessions were used. Capital punishments were also adopted by ways of burning alive or hanging. Focuses were also given to public humiliation so that other people could see the example.</p> <p>2) At present, punishments are still severe, but the methods and the tools used for torturing have been abandoned. Japan's capital punishment has also been altered from beheading to hanging, which can still be considered cruel.</p>
Objectives of punishments	<p>1) The objective of punishments used to be, first, to pay back and revenge what had been committed by the offenders and, second, to serve to deter the offenders from repeating the crimes and people from committing any wrongdoings.</p> <p>2) The current objectives of punishments have changed from an act of revenge to an emphasis on the rehabilitation of the offenders, such that they can later return to the society as normal. Punishments as deterrence still remain but decrease in severity or cruelty.</p>	<p>1) The objective of punishments in Japan used to focus on ones that were severe in method and equipment, so that the punishments served as revenge and as deterrence for repeated wrongdoings. Moreover, they also served as a deterrence for people in the society not to commit any wrongdoings.</p> <p>2) At present, the objectives of punishments in Japan are centered on the rehabilitation of offenders, so that they become good persons and return to live normal lives in the society, particularly for the offenders of misdemeanor cases. The deterrence purpose still upholds for more serious cases.</p>

When confession becomes the heart of the justice system, arises the problem where many suspects confess to avoid harsh investigation by the police. The police and the prosecutors can detain suspects for 23 days without having to file charge, a period that is even longer than the period that other developed countries may detain terrorist suspects. Some investigation continues for eight hours, with the suspects forced to stay in one position, stay awake, be threatened, and shouted at with threatening questions, in order to force confessions. Only few people that have fallen into this situation do not confess to escape from such tortures. In the past decades, while suspects have been forced into investigation and confession, the Japanese

people are unaware of the situation and do not stand up against it. Recently, many cases have arisen where convicts did not actually commit the crimes, but were found guilty by the court because of the confessions. In one of the cases, the convict was sentenced to 46 years in prison, and only released very recently as the court found that the police and the prosecutor together produced false evidence, under which the convict had to confess to the crime.

Japan's judicial reform has started by establishing a jury system, where people may take part in considering the case since 2009. Up to now, there have been approximately 50,000 juries. As for convicts of serious crimes in the Japanese prisons, they are hurt psychologically even though the prison has a good physical environment. For example, the convicts are not allowed to look into the eyes of the wardens or hardly allowed an opportunity to read.

Thailand's and Japan's criminal punishments are similar in many ways. In the past, both countries imposed severe and cruel punishments, with an emphasis on torturing to force confessions and to pay back for the wrongdoings committed. Moreover, the punishments were intended to stop and deter the offenders from committing more crimes as well as deter other people in the society from committing any wrongdoings. Later, punishments have increasingly become more concerned with humanitarian principles. Therefore, the methods of punishments are no longer cruel but centered on rehabilitating the offenders, whereby the offenders shall be given opportunities to become good persons and to return to the society. However, it does not mean that punishments for the purposes of revenge and deterrence are not adopted but it means that the punishments must properly align with the crimes and the offenders in each case. Aside from imposing severe punishments, Japan also enforces the punishments very strictly.

Discussion and Conclusions

Showing the tools or equipment used for punishments in Japan from the past until today should reduce the propensity of wrongdoings among people in the society, as it is a kind of crime suppression that discourages people from committing any wrongdoings and helps instill good behaviors among youths. As for Thailand, there is a greater tendency to commit a wrongdoing both among youths and adults in various cases, because punishments and law enforcement still contain double standards. Therefore, for Thailand to see a reduction in wrongdoings, history of punishments and laws from different eras should be exhibited clearly.

Comparatively, Japan has shown the history of laws and punishments after losing in the World War II. Then, the laws have altered from one under the monarchy system to one under the constitutional system. This is connected with the variety of punishments imposed by Japan in the past, such as neck-locking, public humiliation, and tit-for-tat penalties like nailing. These ideas are based on the law enforcement theory, which specifies the objectives of law enforcement as to enforce the laws effectively and fairly. Effective and fair enforcement of the law means that the intention to control the wrongdoings may be accomplished.

According to the deterrence theory, crime deterrence may be divided into general deterrence and specific deterrence. However, a comparison is made between Japan and Thailand, where it can be seen that Thailand should establish a criminological museum. There, equipment for punishments as well as history of laws and punishments in different eras may be exhibited. Such exhibition may be connected with crime deterrence in Thailand. Particularly, if in Thailand coordination can be established among the people, the communities, the police, and the academics, then the effectiveness in crime deterrence may be more concrete just as in Japan. Another way to improve the effectiveness of crime deterrence are to give priorities to the government agencies involved in the justice system and their roles in today's Thai society. When the justice process moves forward in the same direction, that is, when

everyone involved knows their responsibilities and is able to coordinate effectively with one another, the effectiveness of crime deterrence and suppression in Thailand would improve as well.

References

- Boonnag, M. 2013. **Alternative Sentencing and Rehabilitation of Offenders**. Bangkok: Pridi Panomyoong Faculty of Laws, Dhurakij Bandit University.
- Boonyarattapan, O. 2004. **Legal Measures in Rigid Probation Method**. Bangkok: Chulalongkorn University.
- Decker, S., Wright, R. & Logie, R. 1993 "Perceptual deterrence among active residential burglars: A Research note." **Criminology** 31 (1): 135-147.
- Kuntee, P. et al. 2015. **Criminological Theory: Principles, Research, and Applied Policies**. Bangkok: Sor Chareon Publishing.
- Mingkwan, T. 2015. **Backgrounds of Japan's Legal System**. Retrieved from www.parliament.go.th/ewt/admin.
- Na Nakorn, K. 2008. **Criminal Laws**. Bangkok: Winyuchon.
- National Statistics Office. 2017. **Statistics of Important Criminal Cases**. Retrieved from service.nso.go.th/nso/web/statseries/statseries13.html.
- Petchsiri, A. et al. 2011. **Enforcement of Criminal Punishments that Are Not Included in Thailand's Criminal Law**. Bangkok: Chulalongkorn University.
- Preedi Kasemsap (1988) **Legal Philosophy**. Phranakorn: Thammasat University.
- Pursley, R. 1991. **Introduction to Criminal Justice**. 5th ed. New York: Macmillan.
- Saengsuk, W. & Limlamtong, T. 2014. **Introduction to Law**. Bangkok: Ramhamhaeng University Press.
- Sirisajjawat, W. 1998. **Fine Penalties: Case Study of Income-based Fines**. Bangkok: Chulalongkorn University.
- The Japan Times News. 2016. **Number of reported crimes in Japan fell to postwar low in 2015**. Retrieved from www.japantimes.co.jp/news/2016/01/14/national/crime-legal/number-crimes-japan-falls-postwar-low-2015/#.WTi4t4zyjcc.
- Zimring, F. & Hawkins, G. 1973. **Deterrence**. Illinois: Chicago University Press.