

Abstract

The study of “The Abolition of Capital punishment in Thailand” is a qualitative research. This research is divided into 2 parts (1) documentary research and (2) field research. Researcher collects data by using in depth interview from population group (15 people). The objective of this research is to study theory, history, evolution, measurement, and law that related to capital punishment and the abolition of capital punishment in foreign country together with the study of attitude of people in justice process, victims, people who get involved with the results of crime, dead sentenced prisoner, specialist, experts in law/capital punishment/ non-governmental organization who work with victims/ human right organization and people in general about their attitude in capital punishment. The research attempts to find conclusion about attitude of criminal justice professionals and the abolition of capital punishment in Thailand.

The result of the study can be concluded as follows: 1. Problem of crime in our society is still increasing. Forms and methods of crime become more complicated and violent because of social and economic crisis. In addition, there are some problems in justice process such as lack of qualified personnel. There are short of officers to serve population and they are also lack of knowledge in their work. One of the main problems is insufficient budget in the process of work. In the court side, there are many delays in court decision's making process. Therefore, it causes number of cases remain in court. Another problem is ineffective treatment to the offender for rehabilitation and protection of recidivisms. 2. The attitude of interviewees about capital punishment reveals that the objective in using capital punishment is to take revenge instead of victim and to punish the offender from his crimes. Capital punishment will threaten everybody in our society not to imitate the offenders. Furthermore, it will separate the offender who cannot be cured from repeating his crime. To change the form of dead sentence by lethal injection is more suitable than shooting to dead because it is less brutal. Mostly, interviewees believe that capital punishment has no relationship with the suppression and protection of crime. 3. For the attitude of interviewees about the abolition of capital punishment in

Thailand, it can be divided into 2 opinions both agree and disagree. The group that agrees with the abolition of capital punishment thinks capital punishment can only threaten in the short term. Thus it has no effect to the prevention of crime. Moreover, there might be some mistakes in the procedure of case. Therefore, innocent people could be killed by mistake. Capital punishment cannot handle with professional criminal. It is against both rules of Buddhist religion and violates the principle of human rights. If state agrees that killing people is illegal, then it should not set capital punishment by itself. In addition, the reason that causes crime does not come from bad habit of person but it happens from because of depression in the society. For people that disagree with the abolition of capital punishment, they think capital punishment can prevent and suppress crime. Person who is thinking to do serious crime will be afraid of the punishment that he might get after committing crime. This measure will eliminate born criminal out of our society. Criminals deserve to receive punishment from crime that they have made. Furthermore, it is not necessary to follow method from foreign countries. Thai Law is appropriate for Thai society. It passed many considerations from specialist. However, we can create flexible measures for court judgment in 2 characteristics, which are (1) sentence for life or (2) capital punishment. The judge will consider what caused the act of guilty in each case. Interviewees of in this group think Thailand is not ready to abolish the capital punishment because there are many kinds of crime problem in Thailand.

In conclusion, this study disclosed that the attitude of people about the abolition of capital punishment could be separated in 2 sides both agree and disagree. Nine people agreed that capital punishment should be abolished; however, Six people agreed to keep using capital punishment. The reasons of the 2 sides were mentioned in the above. Although most of the interviewees agree to abolish capital punishment, there are still some arguments. However, all parties agree to support the preparation in our society by effectively improved justice process to prevent, suppress, and control of crime before abolishing capital punishment. Moreover, we should develop our court's consideration systems, improve the access to justice for everybody including create quality of life for all people. Therefore, if all procedures can be done, it will not difficult to

abolish capital punishment. Furthermore, all parties (public sector, private sector, and population sector) should cooperate each other to create fair society. Then we will no longer need to use capital punishment.