

HATE CRIMES IN THAI SOCIETY

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Abstract

‘Hate crimes’ are defined as crimes committed by perpetrators where the motive is, partially or entirely based on, prejudice, negative impression, or hatred towards the victims. Such hatred is founded in the perpetrators’ attitude toward differences in certain features of the victims, such as ethnicity, nationality, race, identity, religion, belief, membership in a minority group, sexual orientation, disability, political views, caste, social status, etc. Perpetrators of hate crimes are not mentally deviant. They commit such crimes due to a personal sentiment of contempt or bias against a collective group of people, rather than on the particular individual, as a result of the victim’s appearance or tendency to belong to such group.

Nowadays, hate crimes tend to occur globally, especially in countries where there is a high level of diversity; for example, where ethnicity, religion, race, or sexual orientation, is prevalent. Hate crimes do not target only an individual but any individuals considered as members of the group hated by the perpetrators, and therefore, damage and terrorise individuals, public order and the entire community.

An analysis on hate crimes in the context of Thai society was conducted through four case studies reflecting academic definitions of hate crimes. These are Case Study 1 Insurgency in the Southern Provinces, Case Study 2 Bias based on gender identity, Case Study 3 Conflicts between students of different vocational institutes and, Case Study 4 Bias as a result of a difference in political views. These four cases demonstrate that hate crimes exist in Thailand and not only cause damages to the victims but also create fear for individuals belonging to the same groups of the victims.

This article proposes some methods for the prevention and solution of hate crimes as follows;

1. Policy recommendation; 1) Listing prevention and solution to hate crimes as a national agenda by determining strategy and policy against hate crimes at all levels and 2) Exploring and developing measures in response to hate crimes, such as the amendment and development to pertinent laws, including criminal law, definitions, and sanctions for the commitment of hate crimes.

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2. Academic recommendation; 1) Learning and understanding of violence in society and 2) Promoting and supporting researches and a body of knowledge on violence and crimes including hate crimes.

3. Action recommendation; 1) Fostering peaceful settlement of disputes among members of society 2) Promoting a culture of exchange of knowledge in Thai society through open-mindedness and encouraging expression of constructive comments and opinions, and awareness of diversity and tolerance for different opinions 3) States shall facilitate dialogues by all sectors to commit to resolving conflicts peacefully and 4) Promoting implementation of civic virtue in citizen's quotidian lives as it is a foundation of peaceful society.

Keywords: hate crimes, hatred, violence, revenge

1. INTRODUCTION

The late 20th Century witnessed a significant change in a global economic and social structure which is known as the beginning of the Age of Globalisation. This Age is where science, information technology, and communications have become so advanced that the world is now smaller in the sense that distance and time pose no connectivity barrier. However, Globalisation renders the issues of human rights, pluralistic society or culture, identity demonstration, and respect for differences more prevalent. This is evident through protests advocating for rights, public demonstration of LGBTs identity, and the preservation of ethnic identity.

Globalisation also brings about an increase in non-traditional threats, such as environmental threats, disasters, population migration, epidemiological threats, ethnic, cultural and religious conflicts, economic threats, and transnational crime. Hate crimes are a form of crime that has become more prominent and impactful in the present world.

Hate Crimes are defined as crimes committed by perpetrators where the motive is, partially or entirely, based on prejudice,

negative impression or hatred towards the victims. Such hatred is founded in the perpetrators' attitude toward differences in certain features of the victims, such as ethnicity, nationality, race, identity, religion, belief, membership in a minority group, sexual orientation, disability, political view, caste or social status, etc. (Barkan and Bryjak, 2004, p. 80). Perpetrators of hate crimes are not mentally deviant. They commit such crimes due to a personal sentiment of contempt or bias against a collective group of people, rather than on a particular individual, as a result of a victim's appearance or tendency to belong to such a group.

Nowadays, hate crimes are a global phenomenon, especially in countries where there is a high level of diversity, such as ethnicity, religion, race, or sexual orientation is present. VOA Thai (Internet, 2018) reported based on FBI information that Hate Crimes in the United States skyrocketed after September 11, 2011. Such crimes included threatening behaviour, vandalism, as well as assaults on persons. The FBI further reported that in 2016, there were 4,832 nationality and race-based hate crimes and 1,679 religious-based hate crimes.

However, it is believed that these numbers do not reflect the full situation in the States, as the FBI had requested information from 16,000 law enforcement agencies across the country, but only 2,000 agencies had responded. This means that the hate crime situation in the States could be more serious than the report indicated to the public.

Al Arabiya (Online, 2018) reported that hate crimes in Canada had increased by 151 percent in 2017. Almost all of the victims were identified as either Muslim, Jewish, or a person of colour. The nature of these crimes was vandalism of places, derogatory slurs, verbal assaults, or in extreme cases violence, such as the mass shooting in a mosque in Quebec resulting in 6 deaths.

ASEAN has also been affected by hate crimes, such as the case of the Rohingyas in the Union of Myanmar. On the outside, the Rohingya Crisis may be regarded as based on nationality, religion, and politics, but careful analysis reveals that it stems from historical ethnic conflict, affected not only by the attitudes of the people of Myanmar, but also those of the Rohingya people. In Rakhine state, Rohingyas were not only victims, but also caused violence as well. This conflict is a clear result of prejudice and hatred due to differences in identity.

In Indonesia, although homosexuality is not criminalised, during 2017 laws on obscenity were used against homosexual activities and charges of prostitution were pressed on persons with non-conformed sexual orientation (Laddawan Yaimanee, Online, 2019)

Despite the criminalisation of hate crimes such as homicide, physical assault, and vandalism in numbers of countries with comprehensive penalties, prejudice or hatred-based crimes still occur. Hate crimes

do not affect only the victim, but rather a wider community and public orders are terrorised as the victims could be anybody (Kochakorn Vichayapai Bunnag, 2013, p.4). This article aims to review knowledge relating to hate crimes including analysing the occurrence of hate crime in order to create clearer public awareness on hate crimes, especially within the context of Thailand. A comprehensive understanding of the topic will lead to more inclusive and effective policies to prevent and tackle hate crimes.

2. DEFINITION AND THEORETICAL CONCEPT CONCERNING HATE CRIMES

In order to establish an understanding of hate crimes, the author will briefly explain the theoretical concept of hate crimes as follows;

Definition of Hate Crimes

“Hate Crimes” or “Bias Crimes” or “Bias Motivated Crimes” are crimes committed by perpetrators where the motive is, partially or entirely, based on prejudice, negative impression or hatred towards the victims. Such hatred is founded in the perpetrators’ attitudes toward differences in certain features of the victims, such as ethnicity, nationality, race, identity, religion, belief, membership in a minority group, sexual orientation, disability, political views, and caste or social status, etc. (Kochakorn Vichayapai Bunnag, 2013, p. 18). The perpetrators commit hate crimes due to a personal prejudice based on a contempt or false belief against a group of people.

OSCE Office for Democratic Institutions and Human Rights (ODIHR) (2009, as cited by Kochakorn Vichayapai Bunnag, 2013, pp. 18-19) explains that there are two main compositions of hate crimes;

1. Criminal offences: such action that constitutes a criminal offence and is generally a base offence that is universally stipulated as a crime such as murder, physical assault, and vandalism. To be considered as hate crimes, criteria to constitute a crime must be met.

2. Motive or prejudice drive: such crime is specifically motivated or stimulated by perpetrators' prejudice. The prejudice is a form of hatred or contempt which renders hate crimes different from common crimes. The commission of a hate crime does not discriminate against an individual target but rather aim at any person or property with a characteristic of the perpetrator's prejudice.

It could be said that hate crimes are committed out of perpetrators' negative prejudice against victims due to victims' being categorised in certain groups that the perpetrators have prejudice or contempt against. Hate crimes, therefore, stem from differences between the perpetrators and the victims (Levin and McDevitt, Online, 2013). However, in order to identify which actions are tantamount to hate crimes, it should be understood that not all crime involving hatred and contempt is a hate crime. For example, business or workplace conflicts, love triangles, conflicts of interest, are not considered hate crimes.

Therefore, to determine hate crimes, factors related to the characteristics of victims shall be taken into account as hate crimes are based on the difference between the victims and perpetrators in as much that the victims are targeted based on evident

characteristics such as ethnicity, race, religion, opinion, disability, gender identity, etc. Hate crimes can be considered as symbolic crimes (ODIHR, 2009, as cited Kochakorn Vichayapai Bunnag, 2013, p. 21) and it could be said that in the commission of hate crimes, it is not necessary that the perpetrators and victims have a previous conflict, but rather there is prejudice-based contempt of the perpetrators' against certain groups or types of people.

ODIHR (2009, as cited Kochakorn Vichayapai Bunnag, 2013, p. 27) explains that hate crimes are different from common crimes in two perspectives;

Firstly, motive or stimulation to commit crimes:

Hate crimes are motivated by the prejudice of the perpetrators against the targets with certain hated characteristics by the perpetrators. Any persons with such characteristics may fall victim regardless of a previous relationship or conflict.

Secondly, the effects of the crimes:

As hate crimes occur out of contempt against a group of persons, their effects impact a collective group or community that shares the characteristics with the victims. This causes fright and paranoia in a wider extent and could also create trust issues and hatred among people. Hate crimes could also result in an act of revenge and retaliation in response as well.

Another issue of misunderstanding is the difference between hate crimes and terrorism. Nathee Chitsawang (Online, 2016) explained that hate crimes are a criminal act that is motivated by prejudice or hatred, while terrorism is universally accepted as deadly violence that targets lives or properties and aims to spread fear or fright with a political aim.

Therefore, hate crimes and terrorism are partially similar, as in many cases the perpetrators commit the crime out of hatred. However, terrorism and hate crimes are also different in a number of ways. The most evident difference is the motivation, which aims at a certain group and characteristics such as race, nationality, religion and sexual orientation. Terrorism, on the other hand, is committed with objectives to create violence and damages to both lives and properties for political aims, not a particular individual.

The perpetrators of hate crimes are usually single individuals, although there might sometimes be accomplices, and the crime itself is not done in an organised manner with political aims, while terrorism is conducted systematically by collective efforts and with a clear affiliation of agents or chain of command. Terrorism is therefore continuous while hate crime is usually a one-off event.

For *modus operandi*, hate crimes are usually unplanned without attempts to cover up or use complex weapons. They are usually caused by oppression and pressure and could be lightly planned, in such things as a choice of venue, scene, and weapons. Terrorism, on the other hand, is well planned and prepared, especially including an escape plan, which could result in suicide for failed attempts, so that the perpetrators cannot be arrested for further investigations.

In terms of the mental state of the perpetrators, high pressure and stress are usually present, as well as bias. This state of mind could also be linked to alcoholism, addiction, or deviation from religious teachings. The perpetrators of hate crimes are not mentally ill but possess a high level of hatred and are violence oriented. Terrorists are usually extremists and not

mentally ill, although in some cases they could be aggressive and sadistic as a result of their extremism and ambition.

From a legal perspective, in some countries, hate crimes are additional offences from common crime and a ground for aggravation such as a murder based on hatred will be considered as an aggravated offence of murder. Terrorism is widely considered a self-contained offence with defined punishment.

In summary, hate crimes could be similar to terrorism but are evidently different, especially in terms of motive, which clearly separates them from terrorism and common crimes.

To understand hate crimes, it must firstly be understood that prejudice by itself is not a crime, but prejudice will become a crime when it is acted upon. This will then be considered as a crime according to a penal definition within different jurisdictions.

Causes of Hate Crimes

From literature reviews, it is found that cases of hate crimes can be committed by perpetrators unknown, close acquaintances, or even family members, and the cause for such could include the economic environment (2009, as cited Kochakorn Vichayapai Bunnag, 2013, p. 25-26) The ODIHR has separated the causes or factors that create hate crimes into 3 categories, which are:

1. From the perpetrator

1.1 A person who commits a crime because he has an unsatisfactory resentment, envy, or desire to be accepted by his friend's group.

1.2 A person who commits a crime may not target an individual for a crime, but rather have a hostile idea or feeling against the victim's group.

1.3 A person who commits a crime may have a hostile feeling against everyone that is outside of his group.

1.4 A person who commits a crime on a victim does so because the victim has been shown to have an idea contrary to that of the perpetrator.

2. Factors from family members

A person who commits a crime may have feelings toward a person of any group, due to influence from a family member or intimate relationship with a person who commits a crime. In this case, it can be said that a feeling of prejudice or hatred is a thing that can be learned. A family that is prejudice against a person or group may train, discipline, or teach other family members to have the same feeling, especially in a family that has an authoritarian parent. The teaching of other ideas by a family member could be an important factor that influences the feelings of people in the family, and could create a feeling of prejudice and hatred leading to hate crimes being committed.

3. Factors from the political, economic, and social environment

3.1 There is political instability or a political conflict that leads to disharmony and violence in society.

3.2 There is poverty or uncertainty in the economic condition.

3.3 A speech that is full of hatred appears on a television program or a political advertisement.

3.4 An insult appears or is disseminated on other types of media.

3.5 There is use of language for communication or ethnic expression (Racial Code Language).

3.6 There is a negative experience with some members of the minority group.

3.7 There is scapegoating of a person of a because they have created a bad event in society.

For contextual issues that cause hate crimes, Laddawan Yaimanee (Online, 2019) noted something interesting. She said that a hate crime could be a basic crime, and not only a crime that physically hurts a person such as murder. This basic crime could arise from something small which has gradually grown to a point where someone takes action. An example of this would be “a speech” that contains forms of prejudice. This is called, “A Hate Speech”. When this is combined with images of violence via media or in the environment it could become the catalyst for hate crimes to occur.

A speech that is deemed a hate speech may also be labelled as a hate crime in itself, if the any elements of the speech are illegal. This could include verbal abuse, insults, and incitement to create hatred, etc. A hate speech can be classes as a speech, both spoken and written, that’s aim is to attack, vilify, insult, or threaten a person violently and which becomes a form of hurting or creating danger to the person who is mentioned.

In the history of the human race, there have been many times that a hate speech has created discord in a society; for example, in World War II, Adolf Hitler used his prejudice and the hatred of Jews by the German people as a tool for voting him become the leader of the country. From there he started a war that would lead to the mass killing of Jewish people and the death of more than 70 million people worldwide. While the mass killing of the Tutsi (Abatutsi - a social class or ethnic group of the African Great Lakes region) in Rwanda, was instigated using radio as a tool to disseminate information in order to create hatred. Within 100 days, approximately

800,000 died (Laddawan Yaimanee, Online, 2019).

Besides the causes and factors mentioned above, when considering hate crimes as a phenomenon that is connected to the creation of a violent event it can be explained by using psychology. Prajak Kongkeerati (Chaiwat Sathanun, 2010) notes that a cause of violence can be explained according to an idea in psychology that can be separated into 2 parties (“Person Versus Situation” Debate) In this idea, one party focuses on, “A psychology of an individual”. This explains that a person who takes an action to create violence will have a natural tendency to admire violence. He is a person who has an ideology in a religion and prejudice of a race / an extreme view of ethnicity and a Nationalistic Character enforced by the country and population of the country where they live. This first group of people will focus on a personal habit, religious belief, or national characteristic. In the famed academic Daniel Jonah Goldhagen’s story “Hitler’s Willing Executioners: Ordinary Germans and the Holocaust (1996)” he explains that many German people had their role in killing the Jewish people because they hated them and believed that the only way to make German society peaceful and prosperous was to eliminate all of the Jewish people from society. This ideology pushed them to take action and use violence.

Goldhagen concluded that the Holocaust happened not because Hitler and the Nazi party had successfully brainwashed the Germans to hate Jews, but because the German people believed in and had an ideology of hatred toward the Jews which was deeply rooted in the past, including wanting to eliminate all Jews from German society. Hitler’s policy responded to the needs of

most German people who were enthusiastic about being “Voluntary Killers”

The 2nd party focuses on an interesting aspect of social psychology rather than personal psychology. In this the importance of influence comes from the environment more than a personal or national personality. In this it is explained that a belief or behaviour of a person who commits violence is determined by the environment and surrounding situation more than a characteristic that is attached to a person. Academics focus on the point that is an interaction between a person and a situation. Therefore, the issue to be studied is the role of social institutions and social processes that support violence. To understand the creation of violence according to this guideline we can look at three important works. as the first is Raul Hilberg’s “The Destruction of the European Jews” (1961) that suggests that if we want to understand how the Holocaust happened, we have to understand the German structure of bureaucracy at that time which was more powerful than the national personality of the German people. This idea is also reinforced in Hannah Arendt’s “Eichman in Jerusalem: A Report” (1963) where she presents the idea of the “Banality of Evil”. In this she explains that a person who commits violence isn’t a devil that has a cruel personality naturally, but a normal government office that has practiced their duty. In order for a government to commit such a crime it would depend on the mobilization of resources in a bureaucracy, including the creation of a bureaucracy which has loyalty to its own duty. While in Stanley Milgram’s “Obedience to Authority: An Experimental View” (1974) researched jobs related to human violence that had the most influence in academic circles. Milgram created an experiment to answer the question

what behaviour was related to a person who uses violence against others. The results of the experiment led to the conclusion that many normal people have the capacity to use violence unexpectedly and on an unknown person, or person who is not their enemy in a situation where they have received an order from an authorised person who is accepted by society as being righteous.

Although all three works were developed independently, they all had similar conclusions which now influence the way we view a person who commits violence from anger and hatred. That person may be a normal person in a normal situation, such as a good father, a warm husband, a loveable teacher of a student, or a kind colleague, but under certain specific situations they can become murderers who create violence on others without reason.

It can be said that there are many causes or factors that support the creation of hate crimes. They could be both causes from a person or causes related to the environmental context of that person, but one thing is clear; a person who creates Hate Crimes can be anyone in society. No matter who they are, a teacher, a monk, or even a government officer can be a person who creates or supports Hate Crimes. In the case of the Holocaust, Hitler and the Nazi party created the most violent of Hate Crimes against a people of any government of the world.

3. HATE CRIMES IN THAI SOCIETY

If we consider Hate Crimes as being one dimension of violence, it can be said that Thai society is becoming increasingly aware of this kind of “violent” phenomenon,

whether it comes from a difference in religion, belief, or political ideology. Prachak Kongkeerati (Chaiwat Sathanunt, 2010) has analysed violence in Thai society. On one side, it is held that violence has never been an important issue in society or Thai academic circles and this can be explained as a phenomenon of, “Silence”, where Thai society can choose to look at violent issues in 2 ways; First, Thai society is in itself peaceful, and therefore does not have violence like other societies, or second, Thai society is full of violence. As a whole, Thai society chooses to live with the myth that all Thais love peace, harmony, reconciliation, and hate conflict. The silence of Thai people on violence comes from an ideology and political discourse that has dominated Thai society. This is the myth that governments and conservative scholars have perpetrated since the beginning government and nation. It has made people blind to the violence that exists in Thai society. The line in the Thai National Anthem “The Thais are peaceful and loving, but are not cowards in war”⁴ perfectly illustrates that in a situation, where other factors are in force, Thai society, the Thai people, will be able to do violence just as other societies have done. Current events in Thailand reflect the many violent issues present in Thai society, such as the violent events in Southern Thailand, the killing or violence against transgender persons, the attacking of students from different institutes, etc.

In law, Thailand does not legislate for hate crimes. They are not considered as being a specific crime and therefore do not require a sanction higher than that of a general crime. However, if it is accepted that hate crimes are a violent phenomenon that happens in

⁴ A part of Thailand National Anthem

Thai society, and we accompany this with the analysis of theoretical ideas related to hate crimes that have been presented above, perhaps this view will change and lawmakers will conclude that Thailand does indeed have the phenomenon called, “Hate Crimes”. In Thailand today, changes in the political situation, economy, society, culture, and technology can all lead to more problems with hate crimes in the future. In this article, we will focus on the following examples of hate crimes in Thai society.

Case Study 1: The unrest in Southern Thailand.

On January 4, 2004 a robbery took place of a number of guns from the military battalion camp, Jor I Rong Sub-District, Narathiwat Province. This followed the event at, “Masjid Kerisek”, Pattani Province on April 28, 2004, where 108 persons died and the crackdown in front of Tak Bai Provincial Police Station, Narathiwat Province on October 24, 2004, which resulted in 84 fatalities. This would make the year 2004 a year of violence, “This was unusual”, for territory of, “An edge” in Southern Thailand (Charnwit Kasetsiri, Online, 2005).

Using Isranews Agency (Online, 2019) reports we can see the number of violent events happening in Southern Thailand for the past 15 years (from 2004 to 2018). This can be separated into 2 areas as follows:

1. Various forms of violent event happened from 2004 until the end of 2018. It was found that there was a total of 9,985 events; 4,314 shootings, 191 ambushes, 41 location attacks, 3,512 explosions, 1,514 acts of arsons, 92 killings, 176 robberies of weapons, 65 protests, and 48 events causing hurt or injury to persons.

These recorded violent events did not include things such as breach by shooting, throwing firebombs, burning car tires, scattering nails, cutting trees, unscrewing screws on railway tracks or electricity posts, and the placing of suspicious objects. These types of events happened 3,582 times. Besides those events, there were still more acts of violence, including shooting, burning, bombing, and killing which did not create general unrest. There was a total of 5,557 of those events.

2. Looking at statistics for death and injury, there were a total of 4,011 dead persons and 10,651 injured recorded over those 15 years. These numbers can be broken down further into career groups as follows;

- 2,605 members of the public died and 5,943 were injured.
- 578 soldiers died and 2,735 were injured.
- 388 police died and 1,599 were injured.
- 241 local leaders died and 170 were injured.
- 109 teachers died and 130 were injured.
- 64 outlaws died and 7 were injured.
- 21 religious leaders died and 25 were injured.
- 5 train staffs died and 42 were injured.

It can be seen from these numbers that the groups of people who have been affected the most by these violent events were innocent members of the public and persons doing regular jobs.

On one side, the unrest in the three southern provinces of Thailand can be viewed as a rebellion that hopes to create effects on the security apparatus there. But when looking at the statistics above we can

clearly see that many of the violent events were not directed toward security personnel. In addition, these violent events have a part in creating prejudice or distrust between people in society. Kochakorn Vichayapai Bunnag (2013) analysed that many violent incidents in the southern provinces of Thailand were reprisals from one incident to another, with cases of inciting unrest to acts of vengeance, including crimes against life and body that arose due to the motivation of bias in the nature of hate, especially in regards to religious differences, such as when after criminals had used weapons to attack Muslims in a mosque, perpetrators used guns to shoot monks in revenge. The religious characteristics of victims, which are clearly identifiable, make them easy targets of crime, and the offenders do not need to be specific in their choice of victim. Therefore, this can be considered as a hate crime where the symbolism of the attack can be clearly seen.

Case Study 2: Prejudice against LGBT or Alternative Genders

Currently, issues related to gender are becoming more widespread and accepted. This can be seen in the various definitions for sexual identity, such as Gay, Lesbian, Bisexual, Transgender or Queer that may also now be defined as, “An alternative gender”. In a progressive, democratic society, a person who has alternative gender is accepted and is not viewed as a person with a psychiatric disease. Although, on the whole, prejudice in society for those with alternative genders seem to be weakening, there are still some persons who have prejudice or bad feelings toward them. This seems to be a change in form from a thick wall that opposed it in the past time to a thin smog that we can't see,

but still feel.

In a seminar on the topic of “Um Som Thoraman Khatkakam: Atyakam Haeng Khwam Kliatchang To “Tom” Lae Khwam Laklai Thang Phet” (carrying, hitting, torturing, murdering: hate crimes on, “A tom boy” and a variety in a gender) (Prachatai, Online, 2017) the participants analysed the violent case of the kidnapping and murder of Ms. Suphaksorn Poltaisong by a high level government police officer in 2017. This crime was not only committed due to a personal conflict, but was also a reflection of the problem rooted in prejudice and hatred for a group with a variety of a genders in Thai society. Over the past 10 years, there have been 13 criminal cases concerning a tomboy and a girl who loved another girl. Besides these, were other cases that did not appear in the news; especially, when the person who committed the offence was a governmental officer.

Although the Thai government is committed by both country level and international law mechanisms in protecting the population from force, loss, or violence by a governmental officer, Thai society still lacks information about how these laws relate to violations that are done to a person of alternative gender. Thailand still lacks interpretation on the issue of a violation or violent action with a cause of hatred (Phobia). In this case, the hatred that is focused on the gender (Homophobia and Transphobia) of a person who has an alternative gender is held as a hate crime.

Laddawan Yaimanee (Online, 2019) has analysed that one context for the acceptance of Thai society on gender issues comes from the media, such as a TV drama that presents content related to an important character that is a tomboy who tries to

become a girl. This creates discourse in the topic of, “Toms like you will have to face a guy like me.”, and reflects the values of the writer, director, actors, and even persons in society that sexual harassment and the refusal of sexual identity of other persons is a joke. This is no different than the case of a Muslim man who threatens to rape a Muslim lady who wants to be a man in order for her to truly become a girl according to custom. If this is analysed more deeply, the threat has an element of hate speech because it shows a prejudice in gender and the threat to use violence which could be considered battery or sexual harassment.

While although homosexuals now seem to be broadly accepted in Thai society, derogatory phrases in use today condemn or insult this sexual taste, such as “The yellow stripe group”, and “A gold digger”. There is also use of speech in news media which communicates a negative meaning toward homosexuals, such as “Catching a handsome guy who kills a faggot and put his corpse in a hidden suitcase”. The use of wording in this aspect conveys that there is still prejudice against alternative genders in Thailand.

Case Study 3: Student Conflict Violence

Violent conflicts between students of different schools is an example of crime that is easily found in Thai society and appears frequently in the daily newspapers. Most of these problems begin when students create a quarrel and then attack each other. This is not usually caused by personal vengeance, but rather from association to the uniform of a particular institute. When a student group sees the uniform of a student from a rival school, they immediately attack without

consideration for who the individuals are. They do this in order to receive acceptance from their friends and the seniors in their school. From information gathered from interviewing students who have committed an offence of this nature, it is found that many students commit the offence because their senior friends in the institute have taught, trained, and instructed them to have feelings of intense rivalry with other institutes. If they do not show enmity, they will not be accepted by the society in their institute (Laddawan Yaimanee, Online, 2019).

In other words, the problems between mechanical and vocational students from different institutes reflects a prejudice and hatred toward the different institute in which each party belongs. This offence happens because the victim is from a different institute. The offender and the victim may have never met each other before. The offence is an act of violence against life and body with no fear of the law. When they see students from a different institute, no matter when or where the different students are, they will immediately attack, with no regard to the result of their offence. Unfortunately, these kinds of hate crimes do not only have an effect on students between different institutes. Sometimes a person who does not belong to an institute may also be targeted. A person could be attacked because he happens to be wearing clothes like students from one of the institutes, or perhaps he is in an area where an attack is taking place and he is mistaken for being someone from a different institute, etc. These kinds of offences can happen in any place where a victim is seen. It could be a place where the general public move in and out. Therefore, if an offence is committed, the consequences of the action can also cause harm to the general public in the vicinity.

Case Study 4: Prejudice from political conflicts

Over the years, political conflicts in Thai society have been an ever-present phenomenon that people have seen and felt. It has created division among different parties and groups with different political ideas. Most notably, the conflict between the yellow shirt group and the red shirt group. This conflict would lead to rioting and attacks on opposing groups with different ideas or political beliefs. These attacks often hurt people who had joined a political rally, and in some cases these people were disabled or even killed. There were constant threats toward persons who had shown differing political opinions persons who were members of or had agreed with an opposing party. There was also the destruction of property of cars, and the burning of houses and other building, etc.

Here, the hate crimes were caused by a difference in political belief. In normal political circumstances this kind of event would not usually happen because it needs a commitment to violence and the intention to damage property, and hurt a body and a life. But this conflict happened because a party had a very different political opinion and ideology, and even though the people involved had never met before, there was hatred and discrimination against the shirt colours that represented the different political leaders. This conflict ultimately led to bloodshed and the destruction of property. Although the current political situation seems to have changed for the better, events in the past show that “A prejudice” can and will happen given the right set of circumstances. This is considered to be very dangerous because it can start from a small point which may

disseminate and give an effect to a broader area (Laddawan Yaimanee, Online, 2019).

From the 4 cases studied, we can surmise that hate crimes happen and are currently found in Thai society. Hate crimes do not only affect the victims but also create fear for other persons who have the same opinions, views, or lifestyle as the victims.

Hate crimes are closer to us than we think and have been present in Thai society for a long time. The world is changing rapidly and violently and this also has an effect on Thailand, but Thai society still has little understanding of hate crimes. This is the result of the following reasons;

1. Although Thai society and Thai academic circles are now focusing more on violent issues, there are few persons speaking about this violence in the public arena and those who do usually give opinions without knowledge. Their aim is to use words to attack or create distrust in one party or another. There is a distorted discourse related to violence for to suit their own benefit, or the violent issue is used as an aspect of a persuasion. This makes Thai society have many, “An opinion” and “A word”, related to violence. There is little knowledge or attempt to create knowledge related to violence (Prachak Kongkeerati in Chaiwat Sathanunt, 2010). The violence, prejudice, and hatred that we use as a reason in attacking or hurting will continue without an attempt in creating an understanding or a development of knowledge for preparing in coping with the results of this violence and hate crimes will increase in Thai society.

2. Democracy in Thai society is not strong enough yet. Although Thailand changed its government system more than 86 years ago, some values from previous government systems, such as the patron-client

system, shyness in showing an opinion, and belief in a difference in classes, oppose the growth of democracy. Until people fully understand democracy, they will lack the consciousness to bring democracy to life. Western influence makes many Thai people misunderstand democracy. They consider their own rights but do not know about duty and how to be a good citizen and respect other's right, too. They do not respect difference. Weakness in democracy allows people to be used as political tool; especially, when a belief and an adherence to a person or party will give its own benefits. In this way a person can think that another person is an enemy. Therefore, the use of political propaganda to create bias or hate between people who are different is a strategy that works well in Thai society.

3. Instability in politics, the economy, and the society of Thailand results from a Mainstream Development Paradigm that focuses on developing the economy as the main issue and neglects development in other areas. The unbalanced development results in socio-economic gaps, unfair access to resources, rights violations of persons in some groups, such as a poor persons, ethnic groups, and communities that have invaded an area, will lead to the creation of prejudice, hatred, and a demand for revenge. The Government and relevant sectors try to solve these problems by using the leading economic dimension, but this is unable to solve the problem and actually plays a part in supporting the creation of the hate crimes that are caused by the socio-economic gaps and an overall feeling of not having received fairness.

4. The Government and related sectors have not given importance to making an understanding and searching for guidelines in protecting and solving hate crimes. This can

be seen from the current situation in Thailand where there is no specific law to determine responsibility, with offenders judged only according to the regulation of basic guilt. Therefore, the cause of committing an offence is not considered from the motivation of prejudice or hatred (Kochakorn Vichayapai Bunnag, 2013) Thailand still lacks the knowledge and research directly related to this issue, including lack of gathering information or statistics systematically related to hate crimes and will not able to plan in protecting and solving the aforementioned problem efficiently.

We can conclude that hate crimes are a phenomenon that exists and occurs in Thai society. Although in the past, Thai society may not have acknowledged, understood, or even neglected the issue of hate crimes, today, it is imperative we accept that hate crimes are a new form of danger that is increasing worldwide. In Thailand, hate crimes are also increasing and this is linked changes in society which include gender condition, racism, claim and negotiation to an identity, the wealth-gap between rich and poor. These changes can lead to pressure, creating anger, and hatred.

Thai society needs to also realise that besides the increasing trend of hate crimes in Thai society, there is another form of hate crimes which is even more complex; hate crimes in the online world in the form of computer crimes that antagonise and provoke ideas of hatred and the creation of hate speech in other forms. Furthermore, hate crimes in the current world may have an even broader scope where an issue or conflict that is happening in one country could be used as a reason for creating hate crimes by a person who lives in another country.

4. CONCLUSION AND RECOMMENDATIONS

As mentioned earlier, hate crimes are multiplying in numbers and degrees of violence. Study and analysis must be made in order to understand hate crimes and this can lead to awareness and immunity for members of society.

In addition to academic understanding and analysis of the phenomenon, this article proposes the following methods of prevention and solution;

1. Policy recommendations

1.1 The Government and related sectors shall provide priority on raising awareness and prevention of hate crimes as this could severely impact the population's lives as well as national security. The government should establish coherent strategies and policies at various levels to support the hate crimes situation that may occur in Thai society.

1.2 Exploration and development of response to hate crimes such as legal development, the clear definition of hate crimes, and its punishment, in order to enable effective law enforcement. Law enforcement agencies shall also be trained in standard responses and handling of hate crimes as well as standardised collection of the data of crime statistics and the reporting or cross agencies reporting for effective cooperation both among government agencies and private sectors and civil society for the effective response to hate crime.

2. Academic recommendations

2.1 Learning and understanding the violence that occurs in society is very important. If Thai people want to escape the myth and propaganda on violence in Thai society, we need to learn from other societies

in order to understand how it operates and affects people's lives for the effective prevention of hatred and vengeance.

2.2 Promotion of study, research, and knowledge development on violence related matters and crimes including hate crimes. Multisectoral study and joint study could be conducted for knowledge and experience sharing on the matters such as open stage, public discourse, or seminars, to raise public awareness from individuals, family, community, and society level, such as fostering respect for diversity, difference, forgiving culture, tolerance and empathy, as well as self-responsibility, and social responsibility.

3. Practical recommendations

3.1 All institutions in Thailand, such as family, religious, and educational, shall foster a sense of peaceful settlement of dispute for their members. Awareness of non-violence and respect for rights and duties under a democratic way shall also be fostered.

3.2 Promotion of the culture of exchange, especially constructive criticism, open-mindedness, acceptance of difference and diversity. This shall open a space for the expression of opinion and joint solution to conflicts.

3.3 The state shall collaborate in different sectors in society to create dialogue for the peaceful settlement of conflict and shall also promote the culture of the dialogue of harmonious existence.

3.4 Peaceful society cannot exist by individual actions alone, but there shall be concerted efforts by all Thais. In this regard, civic virtue, such as respect of their own rights as well as the rights of others, responsibility, respect for diversity, reasonableness, and morality, are the

foundation of social happiness.

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