

# The Development of Appropriate Gun Control Measures for Thailand: District Chief and Police Perspectives

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## **Abstract**

This study aims to discern impediments to gun control and registration in Thailand. Currently, the Department of Provincial Administration is responsible for issuing gun permits and registration, including those used by law enforcement personnel. In-depth interviews were conducted with executives from the Ministry of Interior and Royal Thai Police with an additional survey conducted with a sample group of 878 district chiefs and 1,465 superintendents throughout the country. The study reveals a spectrum of opinions on this issue, including divergent perspectives from the district chief and the police in Thailand. Moreover, it is argued that tighter gun control and restrictions are needed, as the issuing guidelines for gun registration and permits are lax, creating disparities in terms of who is able to own and operate firearms in Thailand. This is largely attributed to the deeply ingrained system of patronage in the country, which can allow for laws to be bypassed. The study demonstrates overarching issues in gun control measures in Thailand that must be addressed. Chiefly among them are better verification mechanisms for gun ownership and licensing to the establishment of a gun owner database and gun tracking system in order to reduce and prevent gun related crimes.

**Keywords:** Guns, Gun Control, Firearms, Gun Control Legislation, Thailand

## **Introduction**

Since 1752, with the passage of gun legalization in the Ayutthaya period, Thailand has allowed for gun ownership for personal and property protection. Gun ownership was regulated further in 1947 with the passage of the Firearm, Ammunition, Explosives, Fireworks and the Equivalent of Firearms Act of 1947. In the 70 years since its enactment, the Act has been amended nine times (Department of Provincial Administration, 2012: 243-246). Under the law, the Department of Provincial Administration grants power to the Ministry of Interior to control gun trading, sales, and permits, with the responsibility for protecting against gun related crimes going to law enforcement. Yet, despite the law, in the period between 2008 and 2015, the number of arrests due to gun violence against government or law enforcement personnel has increased. The number of gun related arrests in this period totaled 227,582 with the arrest of 241,691 people. The period between 2010 and 2015 saw a slight decrease in this upward arrest trend (The Statics on the Notification and Arrest in Cases in which the Government was the Victim in 2006-2015, 2015). Data from the gun related arrests reveal that automatic pistols accounted for a majority of offenses, with 31,481 cases (Office of Information Technology and Communication of the Royal Thai Police, 2016). In addition to these arrest statistics, daily news reports indicated further offenses of gun related violence and illegal possession of firearms. Under current laws, Section 13 of the Gun Act of 1947 gives the Department of Provincial Administration discretion to judge to whom and under what conditions to grant gun permits (DOPA Service Center, 2015). While it is problematic that gun permits are granted based on the discretionary judgment of individuals

rather than explicit legal qualifications, the lack of measures to determine the psychological stability and mental health of gun owners is also a significant issue. This is further compounded by a need for an updated gun registration database and gun tracking and tracing system. A significant factor in the poor registration and tracking of firearms is attributed to the issuance of life-long gun permits. While theoretically it is required that gun owners notify registrars when a gun changes ownership or possession, this rarely happens in practicality. A lack of a gun tracking system and lenient punishments for violations also work against deterring these violations.

Therefore, this study aims uncover the problems and impediments in gun control in order to propose a more comprehensive gun control policy in Thailand that mitigates violence and increases public safety. This study involved 878 district chiefs throughout the country as well as 1,465 police officers functioning as police superintendents or station heads throughout Thailand under the jurisdiction of the Royal Thai Police (Office of Human Resources, Royal Thai Police, 2016). The scope of this study is confined to gun control measures only regulated under the Act of 1947, with emphasis on qualifications for gun permits, the creation of a gun owner database and tracking system respectively. This research has been approved by the Ethics Committee of Mahidol University and was conducted between 2015 and 2017.

## **Literature Review**

The Firearm, Ammunition, Explosives, Fireworks and the Equivalent of Firearms Act of 1947 is Thailand's current law for gun control. Since its passage, it has been amended nine times and allows for individuals to possess guns for the protection of their lives and property. The law tasks the Ministry of Interior and the police with gun control and regulation.

The Ministry of Interior designates the Department of Provincial Administration with the responsibility to issue gun permits for the manufacture, trading, possession, use and import of guns and ammunition (Department of Provincial Administration, 2016a). The chain of responsibility for gun regulation is delineated as follows:

1. The General Director of the Department of Provincial Administration grants power to the Director of the DOPA Service Center to oversee the gun regulation in the Bangkok Metropolitan area.
2. Gun registration in regional areas, which comprises of 76 provinces and 878 districts, is overseen by district chiefs who function as registrars in the area.
3. The Administration Section of the Central Investigation Bureau under the Royal Thai Police then grants the police and Police Offices the power to issue permits to carry guns under the Act of 1947 (Office of the Secretarial of the Cabinet, 2013).
4. The police of the Crime Prevention and Suppression Office are tasked enforcing the law and liaising with the Department of Provincial Administration to crosscheck gun permit applicants with criminal databases (Office of the Council of State, 2016).

Section 13 of the Act of 1947 outlines following criteria for the issuance of gun permits: The owner (1) must be mature and at least 20 years old, (2) must not be disabled, except in instances in which the gun is for a collection rather than use, (3) must not be an incompetent person or have mental impairments, (4) must have an income or career, (5) must be a permanent residence, (6) must show proof of local residence for at least 6 months through a housing certificate (7) must not have a history of drugs offenses or other misdemeanors (8) must not have been arrested or convicted for criminal offenses within 5 years, as outlined under Sections 97-111, 120, 177-183, 249-250, 254-257, 293-303 (exceptions for cases of self-defense) (9) must not have a prior record for infractions of the Gun Act of 1934, as it pertains to Sections 11, 22, 29, 33 or to Sections 7, 24, 33 or 38 of the 1947 Gun Act (10).

Within 5 years from the date of the gun permit application, must not have been imprisoned more than twice for other non-gun related infractions (Damrongdhamma Center, 2016).

However, given this criteria, the issuance of a gun permit still ultimately resides at the discretion of the gun registrar, who considers the facts of the case and the intent of the law. The gun registrar's discretionary judgment should ideally be based on the consideration of the facts, the adjustment of the facts to comply with the law, and the final judgment of the applicant's criteria (Office of Permanent Secretary, 2016).

Surveys from the International Firearms Injury Prevention and Policy organization reveal that gun possession in Thailand is significant, ranking 11 out of 178 countries worldwide, with more than 6.2 million guns in possession (Jon Ferquest, 2015). With the laws allowing for individuals to require and the guns are in the people' hands more than 6.2 million. Moreover, the current laws allows for gun registrars to grant permits for the ownership of up to 1 pistol and 1 rifle per person.

Given the high rate of gun possession in Thailand, the Department of Provincial Administration developed a gun database called e-DOPA License. However, given the database's recent development and implementation, it only holds information on new gun registrations, with prior gun ownership remaining undocumented. Moreover, the implementation of an adequate tracking and tracking system has proved challenging as gun permits are life-long. While owners are theoretically supposed to notify the government in instances of gun ownership transfer, trading, or distribution, in practicality it is much more lax with 'floating transfers' being employed without proper registrar notification. As it stands, this leniency surrounding permits and ownership reporting thus would make a database system ineffective.

Prior studies on gun control measures in Thailand mostly examine problems surrounding gun control measures. The study conducted by Prasarn Jaenruamjit in 2000, "The Attitude of the People in Chiang Mai on the State's Policy on Gun Control" found that most people agreed with the gun control measures. The 2006 study conducted by Utchalee Wilakul titled, "Development for bullet and cartridge case comparison by data base system" revealed that most gun related incidences could not be adequately traced due to a lack of collection of bullets and cartridges and insufficient records. This lack of evidence collection was attributed to the expense of gun forensic technology, which either cause investigations to take significant amount of time or prevent them from ever occurring at all. Renu Suhathaikul's 2010 study on "Thailand's Participation in the Anti-Production and Smuggling Protocol of Illegal Components, Equipment and Bullets" found that the gun control laws in Thailand still lack clarity regarding the definitions surrounding gun policy and trading control measures, while failing all together to mention tacking mechanism and a registered gun database. In 2012, Sujat Songsamphunkul's study "Problems and Solutions for the Enforcement of the Firearm, Ammunition, Explosives, Fireworks and the Equivalent of Firearms Act 1947 study on firearms control" indicated that the law does not limit the number of guns that can be owned. Moreover, this paper argued that there were no measures for controlling guns, especially as it pertained to the collection of data on gun bullets and cartridges. This prevented law enforcement from being able to cross reference evidence at a crime scene with a comprehensive database of gun types and their registered owners. Bongkoch Eakkanthanakorn's 2014 study, "The Problems of Carrying Firearms in Thailand" examined discrepancies in gun permit applications and the fulfillment of prerequisite criteria. Wicharn Noitoh's 2014 study, "Legal Measures to Control Possession and use of firearms The Ace on Firearms, Ammunition Explosives, Pyrotechnics and Fake Gun" outlined the problems faced by allowing gun permits to be issued at the registrar's discretion and issues with tracing weapons after permits had been granted.

Therefore, the aforementioned literature underscored the following problems in gun control:

1. Issues with Permit Qualification Certifications: Though Section 13 outlines the criteria for gun ownership, in practice, the verification of qualifications is very lenient, lacking

psychological tests, emotional quotient tests, or certification of operational competency, as is the case with a car in a driver's license test. These lenient standards leave room for potentially unstable, high-risk gun owners. The danger posed by insufficient verification mechanisms is compounded by the fact that registrars are able to use their own discretion in granting permits and determining the number of firearms an individual is allowed to own. This poses further vulnerabilities to gun control as discretion is not objective, but rather highly subjective, subject to an individual's knowledge, capacity and personal experience. The history of the patronage system in Thai society further degrades the validity of individual discretion, as unqualified permit approval and illegal actions can essentially be bought.

2. Insufficient Database: Though the Department of Provincial Administration has implemented the database system, e-DOPA License, to record gun permits, ownership, transfer, moving, and losing, the system does not include information prior to its implementation. The validity of the data is further threatened by poor recording keeping as guns change ownership. Many fail to record gun transfers, changes in residency or gun sales, opting for a 'floating transfer' for the new gun owner. This 'floating transfer' allows those who would otherwise be unqualified to own a gun to have one. The Department of Provincial Administration also does not have a record database of the guns themselves, which would, if in existence, provide critical information for police in the tracking of criminals in gun related incidences.

3. Issues in Tracking and Tracing of Guns: As gun permits are issued for life, this leaves room for a lack of registration and repermitting of guns when private sales or transfers of guns occur. This can often lead to guns ending up with unqualified owners or unregulated third party sales, which can often result in guns being possessed illegally. However, without an adequate tracking system, there is not way to prevent this private gun exchange.

Therefore, to determine a solution to increase the efficacy of gun control measures and implement more stringent tracking mechanisms to prevent gun related crimes, this study examined the offices of the Department of Provincial Administration, Ministry of Interior as well as the police, all of whom work to regulate guns and prevent crime.

### Theories and Related Researches

**Rational Choice Theory of Cornish & Clarke:** Rational Choice Theory is a criminological theory in the class of the Classic School that explains the causes of wrongdoing based on the economic principle that man needs the greatest benefit. With minimal investment. Before the offense has. Weighing between benefits and penalties Focus on the opportunity. Or the channel in the offense, the reason is. I think that the offender can escape the arrest or if the arrest will be punished less. The benefits are greater than human beings choose to commit. Behavior Violation Act of Firearms 1947 with illegal trading. Because the system. Permission is granted at the discretion of the individual and there is no system for monitoring or monitoring firearms. Both buyers and sellers have opportunities and see mutual benefits. Especially the gun project, which is 50% lower than the market price, and most importantly, there is no limit to the number of purchases. This is an opening for the offense committed by firearms. Resale and transfer to the buyer or collector called Straw Purchaser, which currently does not have the system to monitor or track trading or change hands after the first license (Cornish & Clarke, 1986: 180-183).

**The Zimring and Hawkins' Deterrence Theory:** Deterrence Theory is a theory that is consistent with Rational Choices Theory that looks at the basis of crime. Human beings have always wanted to break the rules. Therefore, legislation or measures to control humanity. Not to commit crimes with a focus on fair use of the law. And using the punishment of the offender severely and quickly, and of course, believe that if the law is severe, it will help prevent the offender. By intimidation, the focus is on the goals of specific detainees and general detainees. Because the basis of the idea of the Classic School (Classic School)

believe that human reason. To think before doing anything. In terms of controlling crime, Deterrence theories are often used for severe punishment, such as imprisonment and executions. The firearms act of 1947, which is a law that regulates and enforces violators. Trading offense Ownership In addition to carrying firearms in public for more than 69 years, the use of firearms laws, although there are several amendments to the provisions later. But the amount of firearms used in the incident and the volume of lawsuits from the National Police continue to increase every year. Inevitably, the current use of the law is not sacred. And there is no deterrent to the cause and who is responsible for the cause. When considered in terms of punishment, even with penalties imposed by fine or imprisonment, when the case goes to court, the court usually considers punishment for fines or parole because it is a non-fatal offense. It does not include cases involving firearms, physical assault or murder (Zimring & Hawkins, 1973: 210-213).

## **Research Objectives**

1. To study the problems and impediments in controlling the registered gun of Thailand.
2. To compare with the registered gun control measure abroad such as the U.S., Japan, and Germany
3. To develop the effective and appropriate measure in controlling the registered gun for Thailand

## **Research Methodology**

The research used a mixed-methods methodology, consisting of both a quantitative and qualitative approach. For the qualitative method, data was collected through in-depth interviews with 10 experienced executives in the Department of Provincial Administration under Ministry of Interior and 7 police from the Royal Thai Police, all of whom are tasked in some capacity with gun control measures. For the quantitative method, the data was collected through a survey of 275 District Chiefs from 878 districts throughout the country and 314 Police Superintendents or Chiefs of 1,465 police stations throughout the country. Of those given the survey, 475 responded to the questionnaire (a total of 589 questionnaires sent), which accounts for 80% of the sample group.

## **Research Results**

The data collected through the mail surveys included general respondent information such as sex, age, education, marital status, and employment office and more pressing questions such as their perspective towards gun control as those who are required to carry a weapon for work. Of the 275 district chiefs and 314 officers throughout the country whose work relates to gun control, 475 responded to the survey accounting for 80% of the sample group. Most of the respondents were male (390 people/82.11%), age 31+ years (449 people / 94.53%), degree reached beyond bachelor's degree (419 people/88.21%), married (361 people/76%), working under the supervision of the Ministry of Interior (221 people/46.53%) and under the Royal Thai Police (254 people/53.47%), and having the guns in possession (348 people/73.26%) respectively. Most respondents claimed that having a gun in their possession did not affect their opinion (306 people/64.42%) and that they had not personally been attacked or threatened by a gun (337 people/70.95%).

The interpretation of the questionnaire data was made using a scoring scale. Using Best's method, a numerical scale 1 to 5 was implemented, with the average score indicating a spectrum of agreement from 'Most Agreement' (5-4.50) to Least Agreement (1.50-1.00) (Best, 1981). The full scale is as follows:

Average score from 4.50-5.00      means Most Agreement

Average score from 3.50-4.49 means High Agreement  
 Average score from 2.50-3.49 means Average Agreement  
 Average score from 1.50-2.49 means Less Agreement  
 Average score from 1.00-1.49 means Least Agreement  
 Regarding questions pertaining to issues in gun control, 74% of district chiefs and police has the Most Agreement that the patronage system in Thai society adversely affects gun control. 73% of respondents indicated that they understood “the content of the gun control measure based on the Gun Act of 1947” and around 52% voiced an average opinion of the efficacy of the current gun tracking system.

Interviews with the executives in police offices, further illuminated insufficiencies in gun control measures. One interviewee commented that:

The measure is so loose it is ineffective. A person who has a gun should keep it at home but, at present, it has become something to boast about. People should know who has a gun, especially in the village, where everyone knows who has a gun. If one is to be respected, he must have a gun in his possession and if he is too respected, he must also carry the gun. It has emphasized the wrong values in Thai society.

Another respondent echoed similar sentiments:

There is too little gun control in Thailand. This can be seen from the number of guns in society, which results from the welfare gun project that have too many guns and can be transferred within 5 years.

A third respondent said:

The situation is beyond control due to the fact that we do know the number of guns in people's possession and their identity. Abroad, the police can tell immediately how many guns there, where they are, and who has them. But in Thailand, there is not centralized place for permit information that can be accessed.

Regarding questions on gun control measures, it was found that 90% of district chiefs and the police favored stricter qualification verifications, especially pertaining to mental health, competency to operate a fire arm, and registration of guns and ammunition. Furthermore, 88% agreed that the law should be amended or improved to be more reflective of contemporary circumstances.

To test the hypothesis as to whether the varying work experiences of police officers and their working proximity to guns would affect their opinion of gun control, a T-test was utilized to analyze the data. (see Table 1)

**Table 1** Differences in the opinion between individuals in the Office of the Department of Interior (Superior Leadership) and Law Enforcement personnel towards the Development of Appropriate Gun Control Measures in Thailand

Gun Control Development Measure	Superior Leadership		Law Enforcement Side		t	Sig.
	$\bar{x}$	S.D.	$\bar{x}$	S.D.		
1. Make improvements to update the law	4.38	.775	4.48	7.58	-1.35	.175
2. More stringent checks, security check points, arresting of legally non-compliant police	4.24	.783	4.42	.694	-2.58	.010*
3. More stringent verification of mental health and competency in firearm operation	4.38	.775	4.56	.713	-2.48	.013*
4. Development of a registration database of gun history throughout the country, to which officers will have access	4.07	.914	4.58	.671	-6.85	.000*

**Table 1 (Con.)**

<b>Gun Control Development Measure</b>	<b>Superior Leadership</b>		<b>Law Enforcement Side</b>		<b>t</b>	<b>Sig.</b>
	<b><math>\bar{x}</math></b>	<b>S.D.</b>	<b><math>\bar{x}</math></b>	<b>S.D.</b>		
5. Registration of gun data such including type and ammunition	4.29	.847	4.64	.673	-4.84	.000*
6. Development of a gun tracking system by mandating permit renewals every 5 years	3.87	1.30	4.15	1.01	-2.62	.009*
7. Development of a gun tracking system using GPS technology	3.88	1.10	4.14	.922	-2.79	.005*
8. Increase the severity of the punishment for floating transfers and unregistered sales from fines to fine and imprisonment for both buyers and sellers	4.05	.945	4.08	.914	-.385	.700
9. Increase the severity of the punishment for possession of illegal weapons, including military-grade firearms to execution or life imprisonment	3.67	1.05	3.78	.996	-1.21	.227
10. End the discretionary aspect of the registrar system and make qualifications objective and legally delineated	3.70	1.22	4.28	.778	-6.10	.000*
11. Expand the authority of the gun registrar to allow for bi-annual verifications of the gun(s) in the residence or storage location	3.88	1.07	3.90	.918	-.166	.869
<b>Total</b>	<b>4.03</b>	<b>.598</b>	<b>4.27</b>	<b>.561</b>	<b>-4.41</b>	<b>.000*</b>

That data indicates that there is indeed a difference of opinion on gun control measures between police officers and their superiors. With results where  $p<0.05$  was deemed to be statistically significant, it is evident that police and the superior leadership feel differently on issues pertaining to more stringent checks (4.2), mental health verifications (4.3), development of a registration database (4.4), registration of gun data (4.5), permit renewal system (4.6), GPS tracking technology (4.7), and an end to the discretionary judgments by gun registrars (4.10).

## Discussion

### Situations, Problems, and Impediments of the Gun Control Measures of Thailand

The results of both qualitative and quantitative researches show that there is consistency of the opinion about the situations, problems, and obstacles in the gun control. Both the interviewees at the administration level from the Department of Interior and the respondents at the operational level commented in a neutral way that the situation of barriers to control of the guns in the present situation is appropriate to a certain extent. It is still in control, but some measures need to be taken to improve it. On the contrary, the results of the interviews at the executive level from law enforcement officers are that they can not control the situation. In terms of the amount of firearms and the use of firearms used in offenses. The urgent need to improve these measures is urgently needed.

### Gun Control Situation

The results of this study show that the respondents who have the policy to practice the concrete results. Most of the opinions on the situation of firearms as a whole are at a

moderate level. The violence caused by firearms is still in a controlled state. And when looking back to the body, most of the 2490 firearms are rated as moderately suitable. Some of the laws have to be updated and more comprehensive than ever before which is consistent with the opinion of the governing administration, the view that the firearms issued by the Department of the Interior are of appropriate quantity and in the hands of those who have been screened for eligibility for and available. In terms of measures currently in use, it is well suited only need to improve and develop in some areas to be more effective. But when considering the situation regarding gun control, the executives from the law enforcement department view the current situation as not being able to control firearms. And yet, as a result, the use of crimes is easily required to be resolved by urgency.

The difference in opinion of the executives from the two agencies. It is in accordance with the principles of Conflict Theory of Chambliss & Seidman (1971: 201-202), where the authorities have the power to legislate or to agree on the benefits of the group.

The results of the study show that the amount of firearms available at the hands of a large number of people, both legally registered and not in the system more than 10 million barrels, although it is set out in the Armed Forces Act. Guns in 2490 to the people to have firearms to protect life and property is a short gun and 1 cylinder guns, but in practice, depending on the approval of the master. Register as main In fact, some people have guns in their possession. In addition, the amount of firearms is also a consequence of the gun project, which has no limit on the number of purchases at less than the market by 50% and can be transferred to other people after 5 years. It is a crime to buy guns and sell them to those who want it. This behavior is based on the principle of rational choice. And the least investment. Before the offense, there was a balance between the benefits and the penalty. The focus is on opportunities for offenses. If the offender thinks he or she can escape, the arrest or imprisonment will result in a lesser penalty. The purchase of firearms and resale in the form of a floating transfer to a third party or notification is the result of the law to open the channel for the purchase of unlimited firearms from the gun project Welfare. There is no definite number of gun possession. However, the Registrar shall exercise its own discretion in considering the possibility of fraudulent misappropriation due to the lack of monitoring system. And lead to gun trouble. The gun was illegal, but later it was traded. Exchanges to third, fourth and fifth parties without notification to registrar and non-tracking firearms routes. This is called a firearm that was later pirated. This corresponds with the study of Songsamphankul (2012: 83-84), and also found that there are fraudulent wearing the right to buy guns, guns, welfare programs as well. The impact of legitimate firearms control measures is expected to lead to the use and use of firearms, guns, Thai guns, guns, guns, BB Guns and artillery firearms among people. Disqualification under Section 13 of the Firearms Act BE 1947 and can not apply for firearms properly to the law. At the level of executives and executives from the Department of Administration and law enforcement, Gun control measures in the current system do not have any connection or effect on the availability and use of illegal firearms. Because people have and use illegal firearms. Mostly criminals. Drug traffickers, influential offenders who do not want to leave evidence. Include children. So do not want to use firearms issued by the government.

### **Problems and Obstacles to Firearm Control**

The problem of firearm database and access. In this study, the respondents had moderate opinions on the issue of database and access. This is different from the executive interviews from both the Department of Administration and the law enforcement department. Executives who are responsible for overseeing the policy are expected to achieve results and take a more holistic view of the operations. It acts as a direct command of the commander. In practice, it follows the framework. Also, the practitioners may not be able to clearly express their policy comments. The opinions expressed are those of a central nature, which is in accordance with

the principles of Conflict Theory of Chambliss & Seidman (1971: 210-212). It was determined by political and administrative authorities. As a worker, there is no bargaining power at the policy level.

Management studies focus on the development of database systems and access to databases from various organizations, with the opinion that if the database system is accurate, current and can connect to the database of the other agencies. It will make the firearm control measures more effective. But nowadays, there are still problems in developing the registration system. The database is stored in the records of those who possess firearms. Shooting to collect bullets to store each gun's identity. And access to databases from other agencies. Although the Department of Interior is developing a database called the e-DOPA License to store firearm registration, currently, the database is not complete because the e-DOPA License was developed later but the registration of firearms, handwriting and file storage has been around since 2004. After the Department of Interior has transferred the registration of firearms from the National Police. The problem is. The firearms registrations are redundant. The owner of a firearm is not current due to lack of contact with the government after obtaining a license to use it. Lack of current and the key is not to keep the identity of the bullets of each firearm. This is an issue that should be addressed because each gun has the potential to cause a fire. If the identity of each gun is kept, it will help those who are thinking of bringing more firearms. It can also help the investigation work quickly and easily. Because of the crime, the casualty often throws bullet proof at the scene. And another important issue is. Lack of links with law enforcement agencies, which are downstream organizations that control and prevent crime. The number of gun owners is unknown. Do not know where each gun is in the hands of someone. I can not plan to prevent crime effectively. This is in line with the acreage learning theory (Akers, 1994: 235-237), which discusses the causes of violations of the law, what happens to the behavior is rewarded. What do you do? It will be avoided. Therefore, to solve the problem of database and access. Need to promote the working environment. In particular, the creation of a firearm database by storing bullet identities of all firearms. In order for those who think that they are violating the law, they are aware that there is a process to check ownership of firearms. If you think you can bring a firearm to cause or handle the transfer, you can check who owns it. The results of this study are consistent with the study of Sukhathaikul (2010: 93-94). The study found that Thailand lacked clarity on the current provisions on monitoring and storage of firearms databases. It is proposed that the definitions of firearms activities should be broadened to include universal coverage.

### **The Problem of the Registration System and the Monitoring of the Guns**

For the results of this study, the respondents from government agencies and law enforcement agencies have moderate opinions on the issue of registration and monitoring systems for firearms. This is different from the executive interviews from both the Department of Administration and law enforcement. The difference between executive and supervisory feedback may be due to Executives who are responsible for overseeing the policy are expected to achieve results and take a more holistic view of the operations. It acts as a direct command of the commander. In practice, it follows the framework. Also, the practitioners may not be able to clearly express their policy comments. So in the comments are so in the middle. This is in accordance with the principles of Conflict Theory of Chambliss & Seidman (1971: 220-222) where the purpose of the agency is determined by the political and administrative authority. As a worker, there is no bargaining power at the policy level. The results of the study suggest that the monitoring process is important and affects the database system since the law does not currently require any measures to monitor or monitor firearms after licensing if changed or transferred without notification to the Registrar. There is no way to know if the guns are allowed in the hands. The results of this study is in line with the study

conducted by Tohnoi (2014: 75-77) on "Legal Measures to Control the Use and Use of Firearms by the Firearms Act on Gunshot, explosive materials, firearms and gun artifacts" The study supports that Thailand suffers from the gun inspections after licensing. The proposed solution is to have a firearms monitoring system with a license for up to 3 years.

### **Law Enforcement Issues and Obsolete Law**

For the results of this study, the respondents from the government and law enforcement agencies have moderate opinions on the issues of law enforcement. This is different from the executive interview. The difference between executive and supervisory feedback may be due to that the executives who are responsible for overseeing the policy are expected to achieve results and take a more holistic view of the operations. It acts as a direct command of the commander. In practice, it follows the framework. Also, the practitioners may not be able to clearly express their policy comments. So in the comments are so in the middle. The results of the interviews with the executives and the law enforcement officers showed that the current law enforcement is relatively weak and can not deter the perpetrators. It is often used to carry firearms in public places and to intimidate drivers when driving. The law enforcement department has taken measures to set up a siege, arrest, arrest, but look as if it can not make the offender afraid. The punishment is quite light, with the court usually considering a penalty for imprisonment. In view of the safety of society, the carrying of firearms has created fear and is considered a risk of crime. The results of this study can be applied to Simring and Horkins' Deterrence Theory (1973: 189-190). The problem is solved by focusing on the prevention and prevention of delinquent punishment. Of course, it is the intention of the offender and those who commit the offense to fear that, when committed, they must be arrested and severely punished. Because of the human need to violate the rules at all times. So, the state has to make serious penalties enough to be able to deter those who think the offense is not going to take. In addition, police officers must enforce law enforcement seriously and equitably, using the principle of criminal control (Crime Control) in conjunction with the rule of law (Due Process) by equally setting up a siege and arrest and send based on the justice process. It also coincides with the study of Janeruamjit (2000: 82-83) The law is defective and outdated. He also suggested that sanctions should be imposed on the violent and that the state must take a serious policy of arresting the perpetrators.

### **The Problem of Determining the Frame of Discretion of Registrar**

The respondents strongly agree on the abolition of the use of the firearms registrar's discretion to license and use firearms. This is different from the interview of the executives from the Department of Civil Service who disagreed to abolish the discretionary system because of the confidence that the firearms registrar had knowledge. Competency and maturity in license issuance. In addition, the consideration of the Registrar is also a screening of eligibility. This is a matter of morality. Behavior by observation method. Talk and interview, which is a screening of mental qualities, can not be measured by evidence. In contrast, the use of discretion gives the opportunity to misuse authority by issuing a number of firearms licenses to individuals. There should only be two guns, one gun, one gun and one gun. This is in accordance with the research by Noitoh (2014: 80-81). There is a problem in the use of the Registrar's discretion to license and use firearms. It is suggested that there is a need for rules or legislation to frame the licensing process to prevent the use of personal judgment in the wrong way.

The difference in opinion of the respondents and interviewers who want to discontinue the discretionary system may be due to Respondents who are directly responsible for the use of firearms. The problem is more complex than in the past. Nowadays, the law promulgated by the people can be filed with the civil servants if they see that they are wrong or do not get justice. This issue resulted in the lack of morale in government officials. In case of not allowing firearms because the applicant has a number of firearms in possession of the number

or the applicant for influence is sent to the registrar need to issue a license because of fear of lawsuit. This is why it is necessary to allow some unavoidable cases.

An interesting study that supports the abolition of the registrar's discretionary system to license and use firearms. It was found that Thai society remained under the influence of the patronage system. The latent system has resulted in low levels of firearms control. The law should be clearly defined or framed in a way that respects the same standard. In case of unauthorized use, there is no question of personal opinion. Transparency and fairness for all parties. In this case, at the level of executives' opinions at the operational level, the legislators, policies or measures need to revisit the policy that should be clarified. The guidelines and guidelines are in the same direction. The policy can be practiced.

### **Comparison of Gun Control Measures in Foreign Countries: USA, Japan, Germany and Thailand**

**Comparison of United States Firearm Control Measures:** In this study, the respondents agreed less on the issues such as liberalization, trade, possession, portability, firearms, liberalization of arms imports, and the unrestricted possession of firearms. This is consistent with interviews with executives who do not agree that Thailand will take measures to liberalize firearms like the United States. It is said that Thailand has a cultural difference and can not solve social problems, drug problem, the problem of raising children, allowing and using firearms will increase the problem rather than reduce the problem.

The United States gives citizens the right to freedom of thought and use. There is a constitutional law supported by the history of creating the nation 200 years ago, resulting in a culture of firearms used by the people to protect their rights, including life and property. The result of the liberalization of firearms is easy to buy, even with firearm control measures, with intensive inspection. But there are still problems with the use of firearms in crimes especially the shooting, which causes a lot of loss of life. Most of the causes are identified as the result of a mental disorder of the victim. President Barack Obama's government has been trying to pass a law to control more firearms. Developed a technology to detect and track firearms with GPS (Global Positioning System), which is a smart technology (Smart Gun) by piloting the use of firearms of government agencies to monitor the case of firearms lost or stolen. The advantage of this technology is that it can send the firearm information to a smartphone that is connected to a chip embedded in the gun handle, which helps to track the firearms back. Easily share gun cases or stolen cases. But this GPS technology has been criticized on the issue of violating civil liberties because the United States is a country of freedom. If there is a chip embedded in the firearm and the government can be tracked. As a result, this technology is still only a pilot project for firearms of some government agencies.

**Comparison of Japanese Gun Control Measures:** In this study, the respondents from the Department of Interior and Law enforcement at the operational level agreed on blocking (BAN) firearms out of the hands of the people by agreeing with the medium. At the executive level, the results of the interviews were different, with the administration of the Department of the Interior not agreeing to Thailand's BAN measures, stating that people still need firearms to protect their lives and the property because the state can not care for the people thoroughly. Removing guns from people's hands does not help to reduce crime, as most of the firearms used in the attacks are from illegal firearms, not firearms in legitimate registrations. The law enforcement, it may focus on the gun fire clearance because of its prevention and suppression of the crime. It needs to devote personal resources to the search, arrests the suspects and offenders. If society is free of firearms, it is easy to screen out criminals from the public because those who have firearms assume that they must be taken to the disaster. But nowadays, because of the firearms in the hands of the people and criminals, police officers have difficulty accessing firearms databases, thus preventing them from planning crime prevention or targeting vulnerable groups. Also, the police force is the issue that can

not support the crime. The ban on the use of firearms by the people of Japan began to take effect from the days of the past and with the willingness of the people to sacrifice the right to freedom in order to give peace to the society can not take possession of firearms. As well as the police outside of work, they can not have a firearm. When all parties have no firearms, paranoia or violence that will cause widespread damage, it does not happen. The use of violent and serious penalties by law enforcement is an important part of keeping Japan in the world with the lowest number of injuries and lifeboats in the world.

**Comparison of firearm control measures in Germany:** In this study, the respondents strongly agreed on the issue. There are a number of steps that need to be taken to get a gun license with the concentration or the registrar's authority over firearms checks. Germany is one of the most heavily regulated countries in firearm control in Europe. People can own firearms but must pass rigorous qualification checks. There are also control measures with the registration and licensing system (licensing), as well as empowering police officers to inspect firearms in their homes. These measures are a consequence of the legislation aimed at depriving citizens of the rights of freedom. Hitler wanted to control and monitor the use of Jewish firearms. This results in the present. A special unit has been set up to oversee the firearms database. The National Weapon Register in 2013, the Firearms database is linked to the National Register of Firearms and is monitored with a -3year license renewal. Withdrawal and confiscation of firearms temporarily if the licensee fails to meet the required qualifications

**Approach to develop appropriate firearm control measures for Thailand:** The qualitative research and quantitative researches have shown that there is a consensus between opinion and opinion. Guidelines for developing the appropriate gun control measures for Thailand both the interviewees at the executive level from the Department of Administration and the executives from the law enforcement officers have the same opinion about the guidelines for development of appropriate firearm control measures in Thailand. In summary, the measures are as follows.

1. Guidelines for the development of law enforcement and amending the law to be up-to-date.
2. Development of firearm registration database system.
3. Development of monitoring system by licensing (Licensing)
4. Guidelines for the development of the Registrar Framework.

The results of this study can be used to discuss the differences in ideas on how to develop firearm control measures between the Department of the Interior and law enforcement agencies at the operational level. It may be the result of a different nature of duty. Although the Department of Interior has developed a firearms registration system called the e-DOPA License, but it is still not complete due to lack of monitoring system, the database is not current. There are also repetitions of firearm registration number. And in storing gun fire identities, law enforcement officials say it's important to help investigate the case quickly and easily. This led to the arrest of the offender quickly. It is a project that requires a high budget and it is difficult to call a firearm of more than 5 million barrels that have already issued a license to shoot bullets. Including the budget for the operation of the project is another factor that can cause concern for the workers. In addition, the e-DOPA license used by the Department of the Interior to register firearm information. It is only the importation of gun possession data, which is useless in terms of linking. Distributed to other relevant agencies. These databases can not be utilized in terms of analysis to plan the firearms control, crime prevention plans including the direction of future measures.

The qualification system under Section 13 of the Firearms Act 1947 does not contain mental or mental health examination. This is very important in the current situation, but there are tensions with the economic and social conditions are at the moment. Mental health of firearm applicants can be changed at any time. Neglect of mental health screening results in the risk

of firearms being used. And while foreign countries attach importance to the mental health of gun owners. Even countries with the most firearms in the world such as the United States. In countries such as Japan, the Ministry of Health (MOH) has introduced mental health checks as an important part of licensing but Thailand has neglected to focus on this issue in any way. This Conclusion study indicates that existing gun control measures are undermined by the patronage system ingrained in Thai society, which has allowed gun permits to be granted for a price rather than a fulfillment of requisite criteria. Moreover, the language of the law still allows for the use of a registrar's subjective discretion in the granting of gun permits, which leaves further room for corruption and opportunism, as indicated by the 2012 study of Songsamphunkul and 2014 study of Noitoh. Additional issues have arisen as a result of the gun welfare project, under which officers are given firearms on the condition that they do not sell or transfer their firearm, except through inheritance of ownership. The lack of tracking and registration of these weapons has allowed for their sale and transfer, which is further exacerbated by the patronage system.

Given the data and its analysis, it can be determined that appropriate gun control measures for Thailand necessitate that both district chiefs and police mutually agree to amendments to gun control laws. Both parties must be in accord on issues of more stringent qualification verifications, including mental health verifications. More importantly, it is vital that an up to date, working gun database be implemented to not only aid in gun related crimes, but also help to prevent crime. The mandatory renewal of permits every 3-5 years will also allow police to collect up to date data on the gun's ownership, verify both the identity of the gun owners as well as check their continued mental health and capacity to own and operate a firearm.

This proposed solution is supported by the reported data collected from police and their government superiors. Both parties agreed that improvements were necessary in (1) the definition of qualifications for gun permits, (2) the cataloging of gun information, including make, model and ammunition (3) a clear, objective determination of a limit to the number of guns that can be owned (not at the discretion of the registrar) (4) the checking and tracking of guns after permits are granted, (5) the registration of gun owners in a database, (6) the tightening of sanctions against those who violate gun laws in order to deter further crime and law breaking.

## Suggestions

### Recommendations in Terms of Policy

1. The policy-makers should give priority to revising the law in order to bring tangible results. It also has to reflect on the problems that arise from the actual operation as well. As the law changes, the type of firearms that can be available and available to the public. Development of the law to prevent and suppress the sale of firearms via the Internet. Determining the applicant's eligibility for and use of firearms is rigorous and concise, with the addition of mental health screenings and should be tested both written and practical knowledge about the use of firearms law.
2. The policy-makers should focus on the effective gun control measures in foreign countries which is used in the context of Thai society, especially in tracking the path of guns such as the gun identity system and the database analysis system for crime prevention, tracking with licensing and technology to maximize control of firearms.
3. The policy-makers should clearly plan the policy framework and direction so that the practitioner can apply the measure effectively. Should plan future in the direction of Thailand that the people should have the guns in the next possession or not or should take the measures such as present and use intensive control instead.

## Recommendations in Terms of Workshops

1. A member of Department of Interior who serves as a firearms registrar should have a standard or framework for the consideration, approval, and use of the guns in a straightforward manner. Specifically, the number of the guns assigned, 1 gun, 1 gun, only to avoid over-judgment and do not be afraid to use the authority to pressure the licensing.
2. The law enforcement personnel; Police officers should be very strict in enforcing the law against every group of offenders without a system of faction or patronage system which is a factor in the prosecution to create equality and to sanctify the law that will help to deter and create fear for those who think wrong in the future.

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