world conference on research in
SOCIAL SCIENCES

WORLD CONFERENCE ON RESEARCH IN SOCIAL SCIENCES
SOCIALSCIENCESCONF

21 - 23 November 2025 Copenhagen , Denmark

Criminalization of Private Debt in the Thai Legal System: Human Rights Challenges in a Modern Global Legal Framework

Passakorn Yeenang

Faculty Of Law, Chiang Mai University, Thailand

Abstract

This article examines the criminalization of private debt in the Thai legal system, focusing on how civil obligations are transformed into criminal liabilities through legal mechanisms. It analyzes two key areas: fraud-related prosecutions and offenses under the 1991 Cheque Offenses Act. The study excludes debts involving financial institutions and instead explores how private creditors invoke criminal law to punish debtors in everyday transactions. Drawing on theories from Lazzarato and Althusser, the article argues that this punitive approach reflects enduring ideological structures that moralize debt and reinforce class-based inequality. Despite the modernity of legal institutions, the use of criminal sanctions against debtors perpetuates outdated norms incompatible with contemporary human rights standards. The article calls for reform to align debt enforcement with principles of proportionality and social justice.

Keywords: Criminalization of Debt, Debt, Debtors, Human Rights, Morality of Debt