

The History of Debt Enforcement in Thai Society

Passakorn Yeenang, Chiang Mai University, Thailand

The IAFOR International Conference on Arts & Humanities in Hawaii 2026
Official Conference Proceedings

Abstract

This study traces the evolution of debt enforcement in Thai legal history and argues that cultural norms, moral expectations, and hierarchical social structures have long influenced the characteristics of legal enforcement in Thailand today. The central hypothesis is that traditional Thai conceptions of debt as both a legal and moral obligation persist into the present, where loan debtors may still face criminal sanctions through fraud accusations, turning civil obligations into criminal matters. The research scope is limited to debt arising from loan contracts to highlight the moral foundations of credit relations. Using historical analysis, the study draws on pre-modern sources such as the Three Seals Code and the Mangraisat Law, situated within the Nakhonban legal order prior to the Civil and Commercial Code and Civil Procedure Code reforms (1923–1935). The analytical framework is based on the “morality of debt,” which views indebtedness not only as a contractual relationship but also as a moral duty, requiring debtors to remain loyal to creditors within the patron–client hierarchy. The findings show that creditors historically exercised power over both debtors’ assets and bodies, imposing punishments such as flogging, humiliation, and even self-sale into slavery. Although modern law rests on principles of contractual freedom and equality, continuities remain in contemporary judicial practice, where civil default can still be criminalized. By comparing pre-modern rules with modern case law, the study demonstrates how cultural values and historical legacies continue to influence the enforcement of debt in Thailand today.

Keywords: debt enforcement, Thai legal history, morality of debt

iafor

The International Academic Forum
www.iafor.org

Introduction

Debt is usually understood in modern private law as a contractual obligation: a lender advances money, a borrower promises repayment, and enforcement should proceed through civil adjudication and execution against assets. In Thailand, however, loan disputes often move along a more porous civil–criminal boundary. When repayment fails, the dispute may be narrated as deception or bad faith and pursued through criminal allegations of fraud (Nali, 2025). This recurring criminalization pathway raises a socio-legal puzzle: if private law rests on contractual freedom and formal equality, why does non-payment so readily shift from “breach” to “cheating,” and what sustains that shift culturally and institutionally?

This article addresses the puzzle by tracing debt enforcement in Thai legal history and arguing that moral expectations and hierarchical social relations have long shaped enforcement in ways that still resonate. The central hypothesis is that debt in Thailand remains culturally legible as both legal duty and moral obligation, so default can be moralized and retrospectively read as evidence of deceptive intent. The analytical framework draws on the morality-of-debt literature, which treats debt as a moral claim over persons and a site of judgment and discipline, not only a calculable claim over property (Graeber, 2011; Lazzarato, 2012). This lens is historically salient because pre-modern orders linked obligation to hierarchy and governance, and sanctions could extend beyond property toward the debtor’s body and standing (Viraphol, 1977).

Methodologically, the study analyzes two pre-modern legal corpora, the Three Seals Code and the Lan Na Mangraisat tradition, to reconstruct how obligation, hierarchy, and punishment were conceptually connected (Wichienkeo & Wijeyewardene, 1986; Wyatt, 1984). It then situates these logics against the modern settlement of codification and procedural reform that consolidated a civil enforcement track grounded in contract and routinized execution (Harding & Pongsapan, 2021). The aim is not to claim doctrinal identity across periods, but to show how older moral expectations about obligation can persist as cultural common sense and help explain contemporary openness to fraud allegations in loan default settings (Nali, 2025).

The contribution is threefold: a historical genealogy of Thai debt enforcement; a continuity mechanism linking moralization to retrospective intent inference (Graeber, 2011; Lazzarato, 2012); and a reframing of contemporary fraud-based criminalization as a recurring enforcement logic in new institutional form (Viraphol, 1977). The article proceeds from framework, to pre-modern findings, to modernization, and finally to contemporary fraud-based pathways and their implications for the civil–criminal boundary (Nali, 2025).

Literature Review & Analytical Framework

This section reviews scholarship that treats debt as more than a neutral contractual exchange and develops the framework used in this article. It first draws on the “morality of debt” perspective to show how repayment is often surrounded by moral expectations that can turn default into a judgment about character and deservingness. It then links these moral dynamics to hierarchical and dependency-based relations, where enforcement may operate not only to compensate loss but also to discipline and restore social order. Finally, it identifies a gap between legal-historical work on enforcement traditions and contemporary doctrinal discussions of the civil–criminal boundary, and explains how this article bridges them

through a continuity-based account of how default can be routed toward fraud allegations in the present.

Morality of Debt: Debt as Contract and Moral Obligation

A large body of critical scholarship argues that debt cannot be fully understood as a neutral contractual exchange. Even where a loan is formally structured as a private agreement, indebtedness typically carries moral expectations that exceed legal doctrine. In this view, debt is a social relation through which responsibility, trust, and worthiness are evaluated, and repayment becomes a measure of character rather than merely performance under a contract (Graeber, 2011; Lazzarato, 2012). The “morality of debt” perspective is therefore not simply a claim that people *feel* morally about debt; it is an analytical claim that debt historically operates as a moral technology—an instrument that ties obligation to judgment, and that can legitimate coercion by presenting enforcement as deserved.

Two elements of this framework are especially relevant. First, debt is often encoded in moral language that distinguishes the “good debtor” from the “bad debtor.” The debtor who repays is interpreted as responsible and trustworthy; the debtor who defaults is easily framed as shameless, disloyal, or ungrateful. These evaluations are not external to enforcement: they can shape how non-payment is interpreted and what responses are considered legitimate. Second, moralization enables *retrospective* readings of intent. When default is narrated as moral failure, it becomes easier to treat non-payment as evidence that the debtor never intended to repay in the first place. This interpretive move matters because it opens a path from civil breach to allegations of deception—an especially consequential shift in systems where fraud remains available as a criminal charge (Nali, 2025).

For Thailand, the morality-of-debt approach helps explain why loan default is not always stabilized as a routine civil dispute. The issue is not that Thai law lacks a civil enforcement track; rather, moral expectations can render civil categories insufficiently satisfying as an account of wrongdoing. If default is understood as a violation of trust and proper conduct, then the demand for punishment can appear socially coherent even when the underlying obligation is contractual. The framework thus directs attention to the social production of “deservingness”: the process through which enforcement is justified not only as compensation, but as a moral response to perceived deviance (Graeber, 2011; Lazzarato, 2012).

Debt, Hierarchy, and Relations of Dependency

A second strand of the analytical framework concerns hierarchy and dependency. The morality of debt is rarely egalitarian: historically, obligations are embedded in asymmetric relations, where one party possesses greater social standing, resources, or authority. In hierarchical settings, debt can function as a mechanism of subordination, tying the debtor to the creditor through ongoing dependence and expectations of deference. Thai social and political history is frequently described through patterns of patronage and dependency, in which authority and protection are exchanged for loyalty and compliance, and where social relations are structured by rank and obligation (Baker & Phongpaichit, 2022). Within such relational contexts, repayment is not only settlement of an account; it is also restoration of order.

Hierarchy reshapes what enforcement is for. In an egalitarian contractual imaginary, enforcement is mainly compensatory, aiming to restore loss through payment or execution against assets. In a hierarchy- and dependency-oriented imaginary, enforcement can become disciplinary, reasserting status and placing the debtor back in a “proper” position. This aligns with accounts of traditional Siamese law, where legal norms were embedded in governance and moral pedagogy and coercive authority could reach beyond property toward persons (Viraphol, 1977). Even under modern Thai law’s formal commitment to contractual freedom and equality, hierarchical expectations can still shape how creditor–debtor disputes are interpreted and mobilized (Baker & Phongpaichit, 2022; Harding & Pongsapan, 2021).

The linkage between debt, hierarchy, and discipline is also visible in the historical record of enforcement repertoires. Traditional legal orders did not treat the debtor as a purely economic actor; rather, the debtor’s body, liberty, and social standing were exposed to sanction. Viraphol (1977) emphasizes that traditional enforcement could involve punitive and humiliating measures, including bodily punishment and practices connected to debt bondage. These historical patterns do not imply doctrinal continuity. They instead suggest a continuity of enforcement orientation: an underlying disposition to treat default as a moral and social disturbance that authorizes coercive correction, not merely financial adjustment (Harding & Pongsapan, 2021; Viraphol, 1977).

Research Gap: Connecting Legal History to Contemporary Criminalization Pathways

Despite the relevance of these perspectives, existing scholarship often remains segmented. On the one hand, historical research on Thai legal development reconstructs pre-modern law and the transition to modern codification, clarifying how legal authority, governance, and enforcement were organized across periods (Harding & Pongsapan, 2021; Viraphol, 1977; Wichienkeo & Wijeyewardene, 1986; Wyatt, 1984). On the other hand, contemporary legal analysis tends to address the civil–criminal boundary through doctrinal categories—distinguishing contractual breach, defects of consent, and criminal fraud—without situating these interpretive moves within a longer genealogy of moralized enforcement (Nali, 2025). What is often missing is an account that explains why the leap from default to deception is culturally resonant, and how historical enforcement imaginaries can continue to structure present-day legal mobilization.

This article addresses that gap by offering a continuity-based reading across periods. It does not argue that modern Thai courts simply reproduce pre-modern rules. Rather, it traces how older moral and hierarchical understandings of obligation—visible in pre-modern sources and enforcement practices—can persist as legal-cultural common sense. In the pre-modern setting, creditor power could extend to the debtor’s body through coercion, humiliation, or bondage-like arrangements (Viraphol, 1977). In the contemporary setting, coercion is institutionalized differently, but the enforcement pressure can still reach the person through criminal process, including arrest risk, bail burdens, and the possibility of detention. The continuity claim is thus structural and cultural: the modalities change, but the moralized and disciplinary orientation of debt enforcement can remain influential in shaping why and how loan default is sometimes pushed toward criminalization (Graeber, 2011; Lazzarato, 2012; Nali, 2025).

Methodology & Sources

This study combines historical analysis with interpretive socio-legal analysis to explain how Thai debt enforcement has been shaped by moral expectations and hierarchical relations across time. The historical component reconstructs an “enforcement pattern” by reading pre-modern legal texts as normative scripts that define who may compel repayment, through what means, and with what moral rationale. This approach treats law as embedded in governance and social ordering rather than as a self-contained doctrinal system (Viraphol, 1977; Wyatt, 1984). Conceptually, the analysis draws on scholarship that frames debt as a moralized social relation—where repayment signals trustworthiness and default invites moral judgment—rather than a purely contractual exchange (Graeber, 2011; Lazzarato, 2012; Zelizer, 1994). To connect moral obligation to hierarchy and discipline, the study also draws on broader accounts of obligation, reciprocity, and coercive ordering in social life (Mauss, 1990; Polanyi, 2001; Scott, 1976), and on the idea that enforcement may operate as a disciplinary technology rather than merely compensation (Foucault, 1977).

The socio-legal component examines how contemporary loan default can be re-described as deception and mobilized through criminal fraud allegations. Here, the analysis focuses on interpretive moves—moralization of default, retrospective inference of intent, and the conversion of a civil dispute into criminal suspicion—using insights from socio-legal work on legal consciousness and the transformation of disputes as they move through institutions (Ewick & Silbey, 1998; Merry, 1990). Doctrinal clarification is guided by Thai legal analysis on the relationship between civil fraud concepts and criminal fraud provisions in practice (Nali, 2025).

Pre-modern materials include (1) the Three Seals Code (compiled in 1805), (2) Lan Na legal materials associated with the Mangraisat tradition, and (3) historical scholarship situating these sources within the Nakhonban legal order and its enforcement logic. Modern materials include (1) the Civil and Commercial Code and the Civil Procedure Code reform period (1923–1935) as the formal pivot toward contract-based enforcement (Harding & Pongsapan, 2021), and (2) illustrative contemporary fraud-related cases and doctrinal discussions involving loan disputes. To contextualize legal practice and local institutional dynamics, the study draws selectively on Thai socio-legal scholarship on courts and dispute processing (Engel, 1978).

Contemporary examples are selected where (1) the underlying relationship is a loan/private lending arrangement, (2) fraud allegations are used to pursue criminal process in connection with non-payment, and (3) fraudulent intent is inferred substantially from post-default conduct (evasion, concealment, shifting explanations) rather than only clear misrepresentation at contracting. The study is qualitative and illustrative, not a prevalence estimate: the goal is to identify meaning-making and enforcement pathways rather than to generalize statistically.

Historical Findings: Pre-modern Debt Enforcement

Debt in the Nakhonban Order: Debt as a Power Relation

Pre-modern debt enforcement in Siam is difficult to explain through the modern image of private law as a neutral arena where equal parties bargain and litigate. Classic legal history emphasizes that “law” operated within a moral-cosmological and governance framework,

closely connected to dhammasattha/thammasat traditions and adjudicative practice rather than modern statutory, rights-centered legality (Lingat, 1950). In the Nakhonban order, social rank and administrative power shaped who could claim, who could resist, and how coercion was realistically deployed. Debt therefore functioned as a relationship of dependence within hierarchy, not merely a private contract.

This matters because the meaning of “enforcement” changes when obligation is embedded in rank and patronage. Studies of early Bangkok society show that hierarchy and dependence were institutionalized through rank, manpower organization, and unequal access to resources and protection (Rabibhadana, 1969). These features help explain why creditor–debtor relations were rarely horizontal. Creditors could be patrons, local elites, or officials—or could mobilize patronage networks—so that repayment disputes were entangled with social position. In this setting, default threatened not only the creditor’s wealth but also the credibility of hierarchical expectation: that those below must remain accountable and compliant (Baker & Phongpaichit, 2022; Rabibhadana, 1969).

Enforcement Tools Reaching Both Property and the Body

A central historical finding is the breadth of the enforcement repertoire. Pre-modern enforcement could reach beyond assets to the debtor’s body, liberty, and social standing, reflecting an enforcement imagination in which coercion over persons was thinkable as part of “repayment.” Legal-historical scholarship notes that coercive and punitive measures were embedded in governance practice and could operate alongside asset recovery (Viraphol, 1977). In other words, the debt relation was not insulated from disciplinary power: the debtor’s person remained in the field of compulsion.

This broader enforcement horizon becomes clearer when debt is placed near the boundary of bondage and dependency. Lingat’s study of private slavery in old Siamese law documents how older legal categories recognized arrangements in which persons could become subject to coercive control, making the line between economic obligation and personal subordination porous (Lingat, 1931). This does not mean every debt became slavery; it shows that debt existed in a social-legal landscape where dependence could be intensified and legal status did not necessarily protect the body from coercive correction.

Humiliation also operated as a tool of enforcement. Public degradation, shame, and symbolic punishment raised the social costs of default and reasserted the moral order by marking the debtor as deviant. In disciplinary terms, humiliation works not only by harming reputation but by producing compliance through visibility and stigma (Foucault, 1977). In hierarchical contexts, this is especially effective: shame does not merely punish; it repositions the debtor “back” within the ranked order.

Symbolic Violence: Debt as Moral Wrongdoing

Pre-modern enforcement is intelligible only when we recognize the moral grammar surrounding obligation. The morality-of-debt literature argues that repayment is never only a technical performance; it is a measure of responsibility, trust, and worth, while default invites moral judgment (Graeber, 2011; Lazzarato, 2012; Mauss, 1990). Applied to Siam, this lens helps explain why default could be framed as more than breach. Non-payment could be narrated as betrayal of trust and disturbance of hierarchy, legitimating coercive correction as deserved.

Lingat's account strengthens this interpretation by depicting law as connected to moral order: if legal authority is imagined as guardianship of order rather than neutral rule-application, then default readily becomes a moral disturbance calling for correction (Lingat, 1950). This framing also supports a key interpretive move that later becomes crucial in modern criminalization pathways: retrospective inference of bad faith. Once default is moralized, it becomes easier to treat non-payment as evidence that the debtor never intended to repay, turning breach into suspicion of deception. In modern law this move maps onto fraud allegations; historically it functioned as a moral logic that made punitive responses coherent (Scott, 1976).

Interim Conclusion

Pre-modern debt enforcement reveals a consistent pattern: obligation operated within hierarchy, creditor power could reach both property and person, and coercion, including humiliation, functioned as discipline as well as recovery (Lingat, 1931; Rabibhadana, 1969; Viraphol, 1977). This does not imply doctrinal continuity with modern private law. It suggests a continuity of enforcement orientation: debt was moralized and status-inflected, and enforcement could be justified as deserved correction. This historical background helps explain why, even under modern codes that formalize equality and civil execution, loan default can remain culturally available for punitive reinterpretation and criminal legal mobilization (Graeber, 2011; Lazzarato, 2012; Nali, 2025).

Legal Modernization and the Shift to Civil Enforcement

Reform (1923–1935): Contract, Freedom, and Equality as a New Enforcement Architecture

Early twentieth-century legal modernization in Thailand restructured debt enforcement by relocating private obligation into a court-centred, code-based framework. This reform agenda was closely tied to state-building and the pursuit of judicial autonomy in an era shaped by extraterritorial constraints, where legal modernization functioned as a marker of sovereignty and equality in foreign relations (Suthiwartnarueput, 2021). Within this broader project, the Civil and Commercial Code was promulgated in stages across the 1920s and 1930s, consolidating a private-law grammar of juristic acts, obligations, and remedies and stabilizing the expectation that loan default should be handled primarily through civil law (Nguyen, 1993; Piamsombun, 1980).

Institutionally, modernization supported a clearer civil enforcement pathway. Default is addressed by filing a civil claim, obtaining a judgment, and enforcing that judgment through regulated execution mechanisms directed at assets, such as attachment, seizure, or garnishment. This shift was reinforced by the reorganization and professionalization of the judiciary, which helped routinize adjudication and create a standardized enforcement apparatus (Boonyawan & Phetsiri, 2011; Court of Justice Thailand, 2018). Conceptually, the reform redefined enforcement as compensatory and property-oriented, distancing repayment from direct coercion over the debtor's body or personal status.

An Incomplete Rupture: Moral Language and Status Judgments Persist

Even so, modernization did not fully erase older moral and hierarchical ways of interpreting debt. Legal histories of Thailand describe reform as a complex process of receiving and

adapting foreign legal forms, rather than a simple replacement of local social meanings (Hooker, 1988; Loos, 2006). This matters because the civil framing of default as non-performance can coexist with moralized readings of debt as a matter of trust, responsibility, and proper conduct. Work on Thai codification similarly shows that the reception of private-law concepts involved choices about meaning and remedy, and these choices interact with local institutional and cultural expectations (Pongsapan, 2013).

As a result, the rupture between pre-modern and modern enforcement can be incomplete at the level of legal consciousness. Modern procedure channels disputes into civil adjudication, but moral language and status-inflected evaluation of the debtor may persist in social and legal imagination. When non-payment is narrated as betrayal or bad faith, civil remedies may appear normatively insufficient, and the boundary between civil dispute and punitive response can become practically contestable. This does not mean the modern system collapses into the old one; it means the civil enforcement infrastructure coexists with cultural conditions that can make punitive reinterpretation attractive, including attempts to recast default as deception and to mobilize criminal process for leverage (Loos, 2006; Pongsapan, 2013).

Contemporary Continuities: Criminalization via Fraud Accusations

Loan default is often moralized: non-payment is framed as irresponsibility and betrayal of trust, so the debtor appears blameworthy rather than simply in breach. That moral framing enables intent inference. Because fraudulent intent at inception is rarely observable, courts rely on circumstantial indicators and treat post default conduct as evidence of what the debtor intended when taking the loan. The final move is punitive deservingness. Once default is reconstructed as intentional deception, criminal prosecution can look like a proper moral response and can supply coercive leverage that a purely civil route may not provide.

Illustrative Cases

Supreme Court Decision No. 1229/2536. The case concerned a promise to repay a debt on behalf of another person during a police inquiry. The Court held that fraud was not established because the plaintiff failed to prove intent to deceive at the time of the promise. Here, a failed promise remains on the civil side unless deception at the relevant moment is proved.

Criminal Court Case No. A7481/2562. The dispute began as an informal loan of 1.2 million baht, with the creditor holding the original land use certificate as a guarantee. After default, the debtor sought a replacement certificate by claiming the original was lost and used the new certificate to register a sale to another party. The criminal turn occurred when the court treated this post default sequence as evidence of an original intent to defraud, and convicted the defendant of both fraud (Section 341) and making a false statement to an official (Section 137). The court also gave significant weight to the creditor's testimony and the suspicious post default conduct, while noting the parties' long acquaintance and not focusing on the absence of a written loan agreement.

Thung Song Provincial Court Criminal Case No. A716/2562. This case concerned a hire purchase agreement for a motorcycle. The defendant obtained the vehicle, stopped paying, and later transferred it to another person. The fraud allegation rested on the claim that the

debtor never intended to perform, inferred from the post default transfer. The defendant pleaded guilty, and the court-imposed imprisonment and a fine, with the sentence suspended.

Across these examples, the hinge is the reconstruction of dishonest intent at inception from later behavior. The analysis highlights an evidentiary danger: post breach suspicion can substitute for proof and collapse the civil and criminal boundary in practice, shifting pressure onto the accused to show good faith or inability to pay.

Pre-modern enforcement reached the debtor's body directly. Contemporary enforcement reaches the person through criminal process, including arrest or detention risk and bail burdens, which can operate as bargaining leverage in private creditor debtor disputes. The continuity claim is structural: the modality changes, but default can still be governed through coercive pressure on liberty rather than only through asset-based execution.

Moral hierarchy helps explain why fraud accusations remain a plausible bridge from civil default to criminal punishment in contemporary Thailand.

Discussion and Conclusion

The article's continuity argument explains why loan default in Thailand can remain culturally and institutionally open to criminalization. The morality of debt framework suggests that repayment is widely evaluated as a moral test of responsibility and trust, so non-payment is easily narrated as blameworthy conduct rather than contractual non-performance (Graeber, 2011; Lazzarato, 2012). Once default is moralized, retrospective intent inference becomes more plausible: post-default behavior can be treated as circumstantial proof of deception from the outset, enabling fraud allegations to re-describe a civil dispute as criminal wrongdoing (Nali, 2025). This dynamic reflects legal consciousness. Even under modern private law, older moral and hierarchical expectations can persist in social interpretation and legal mobilization, shaping what counts as "deserved" enforcement (Ewick & Silbey, 1998; Loos, 2006; Pongsapan, 2013). The continuity is structural rather than doctrinal: where pre-modern enforcement could reach the debtor's body directly, contemporary enforcement can reach the person through criminal process, including arrest risk, bail burdens, and detention pressure, which may function as leverage in private debt conflicts (Viraphol, 1977).

These patterns raise rule-of-law and human rights concerns. Criminal punishment and procedure in contract-rooted disputes can be disproportionate, especially when stigma and liberty restrictions are used to pressure repayment rather than to sanction clearly proven deceit. The evidentiary risk is that suspicion after default substitutes for proof of deception at inducement, effectively blurring the civil-criminal boundary and shifting pressure onto defendants to disprove dishonest intent (Nali, 2025). This study is limited by its qualitative and illustrative case selection and by its focus on loan-related disputes rather than other debt forms. Overall, the findings suggest a policy implication: strengthen screening standards for fraud complaints in loan-default settings, insist on clearer proof of deceptive inducement, and reinforce civil execution mechanisms so repayment is pursued through civil enforcement rather than punitive criminal leverage.

Acknowledgements

This study forms part of the requirements for the Ph.D. Degree Program in Law, Faculty of Law, Chiang Mai University, and was supported by the CMU Presidential Scholarship.

Declaration of Generative AI and AI-Assisted Technologies in the Writing Process

The author declares that Grammarly, an AI-assisted writing software, was used in proofreading and refining the language used in the manuscript. The usage was limited to correcting grammatical and spelling errors and rephrasing statements for accuracy and clarity. The author further declares that, apart from Grammarly, no other AI or AI-assisted technologies have been used to generate content in writing the manuscript. The ideas, design, procedures, findings, analyses, and discussion are originally written and derived from careful and systematic conduct of the research.

The author declares that no AI or AI-assisted technologies have been used to generate, refine, or correct the content in the manuscript. The ideas, design, procedures, findings, analyses, and discussion are originally written and derived from careful and systematic conduct of the research.

References

- Baker, C., & Phongpaichit, P. (2022). *A history of Thailand* (4th ed.). Cambridge University Press.
- Boonyawan, C., & Phetsiri, A. (2011). Justice system and legislative process of Thailand. In S. Thanitcul & S. Imaizumi (Eds.), *Legislative process in Thailand: An historical perspective* (IDE-JETRO Joint Research Program Series No. 157, pp. 65–86). Institute of Developing Economies, JETRO.
- Criminal Court (Thailand). (2019). *Criminal Case No. A7481/2562* (unreported judgment).
- Engel, D. M. (1978). *Code and custom in a Thai provincial court: The interaction of formal and informal systems of justice*. University of Arizona Press.
- Ewick, P., & Silbey, S. S. (1998). *The common place of law: Stories from everyday life*. University of Chicago Press.
- Foucault, M. (1977). *Discipline and punish: The birth of the prison* (A. Sheridan, Trans.). Pantheon Books.
- Graeber, D. (2011). *Debt: The first 5,000 years*. Melville House.
- Harding, A., & Pongsapan, M. (Eds.). (2021). *Thai legal history: From traditional to modern law*. Cambridge University Press.
- Hooker, M. B. (1988). The Europeanization of Siam's law, 1855–1908. In M. B. Hooker (Ed.), *The laws of South-East Asia* (Vol. 2: *The Europeanization of South-East Asia*). Butterworths.
- Lazzarato, M. (2012). *The making of the indebted man: An essay on the neoliberal condition* (J. D. Jordan, Trans.). Semiotext(e).
- Lingat, R. (1931). L'esclavage privé dans le vieux droit siamois [Private slavery in old Siamese law]. Domat-Montchrestien.
- Lingat, R. (1950). Evolution of the conception of law in Burma and Siam. *Journal of the Siam Society*, 38(1), 9–31.
- Loos, T. (2006). *Subject Siam: Family, law, and colonial modernity in Thailand*. Cornell University Press.
- Mauss, M. (1990). *The gift: The form and reason for exchange in archaic societies* (W. D. Halls, Trans.). W. W. Norton.
- Merry, S. E. (1990). *Getting justice and getting even: Legal consciousness among working-class Americans*. University of Chicago Press.

- Nali, P. (2025). Fraud under the Civil and Commercial Code or fraud under the Penal Code: A study of similarities and differences within the context of Thai law. *Law for Development Graduate Journal*, 2(1), 32–44.
- Nguyen, P. K. T. (1993). *Thailand's legal system: A bibliography of secondary sources and selected primary sources on Thai law*. Washington, DC: Law Library of Congress, Global Legal Research Directorate.
- Piamsombun, K. (1974). Legal reform of Thailand from A.D. 1868 to 1935 [Master's thesis, Chulalongkorn University]. Chulalongkorn University Theses and Dissertations (Chula ETD).
- Polanyi, K. (2001). *The great transformation: The political and economic origins of our time* (2nd ed.). Beacon Press.
- Pongsapan, M. (2013). *The reception of foreign private law in Thailand: An analysis of the use of specific performance as a contract remedy in 1925* (Doctoral dissertation). University of Edinburgh, Edinburgh, Scotland.
- Rabibhadana, A. (1969). *The organization of Thai society in the early Bangkok period, 1782–1873* (Cornell Thailand Project, Data Paper No. 74). Southeast Asia Program, Cornell University.
- Scott, J. C. (1976). *The moral economy of the peasant: Rebellion and subsistence in Southeast Asia*. Yale University Press.
- Supreme Court of Thailand. (1993). *Supreme Court Decision No. 1229/2536* (unreported judgment).
- Suthiwartnarueput, K. (2021). *From extraterritoriality to equality: Thailand's foreign relations 1855–1939*. International Studies Center, Faculty of Political Science, Chulalongkorn University.
- Thung Song Provincial Court (Thailand). (2019). *Criminal Case No. A716/2562* (unreported judgment).
- Viraphol, S. (1977). Law in traditional Siam and China. *Journal of the Siam Society*, 65(1), 81–136.
- Wichienkeo, N., & Wijeyewardene, G. (1986). *The laws of King Mangrai: Wat Chang Kham, Nan manuscript* (Translation and introduction). The Richard Davis Fund.
- Wyatt, D. K. (1984). The “Mangraisaat” law and the three seals code. *Journal of Southeast Asian Studies*, 15(2), 245–252. <https://doi.org/10.1017/S0022463400004644>
- Zelizer, V. A. (1994). *The social meaning of money*. Basic Books.

Contact email: Passakorn_yeenang@cmu.ac.th