

Dissertation Title : A Comparative Study on the Disciplinary Investigation of the
Buddhist officials and the police

Ecclesiastical Administrative Officer and Thai Police

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Abstract

The dissertation was consisted of 3 objectives as 1) to study the disciplinary investigation procedure for the Buddhist Ecclesiastical Administrative officials, 2) to explore the disciplinary investigation procedure for Thai police and 3) to make a comparative study of both procedures.

The discipline or Vinaya is considered as the rule of society in order to live in peace. Regarding to Vinaya in Buddhism, it was classified into 2 categories viz. 1) Anāgāriya Vinaya or the disciplines for Bhikkhu and Bhikkhni; the regulatory framework for the Buddhist monastic community or Sangha, based on the canonical texts called Vinaya Piaka and 2) Āgāriya Vinaya or the regulatory framework for lay Buddhist people such as the abstention from unwholesomeness.

The disciplinary investigation procedure for the Buddhist Ecclesiastical officials is the disciplinary punishment to the Ecclesiastical Administrative Officer according to the hierarchy based on the virtue of Sasgha Act B.E. 2505 as amended in BE 2535 (No.2) and Rule of Council of Elders (Mahāthera samāgama) No. 24 (BE 2541) on the appointment and withdrawal of the ecclesiastical official.

The disciplinary offence can be divided into 2 categories viz. (1) Major Offences and (2) Minor Offences. There are 4 level of punishment as 1) removed from the duty, 2) deposition, 3) threaten with punishment and 4) probation. The Niggahakamma or suppression consisted of 2 levels of punishment as: (1) expulsion from monkhood (2) probation.

The disciplinary investigation for police officers, it can be divided into 2 categories as: 1) serious and 2) innocent. By the virtue of the Police Act BE 2547 as amended in BE 2554, the punishments were consisted of 7 positions as: 1) dismiss, 2) dismantle, 3) reduce wages, 4) imprison, 5) quarantined to a guard, 6) probation and 7) punishment. However, they will be investigated by Police Act BE 2547 and the Rules of Police Commission BE 2547 on the investigation and consideration.

When it is compared, it was found 8 difference factors: (1) being a treasurer (2) kind of discipline (3) the method of Niggahakamma and investigation (4) the consideration of Adhikaraṇa and the method of investigation (5) the duration of Niggahakamma and its investigation (6) citing evidence (7) the rights of the accused (8) methods of disciplinary punishment.