

## งานวิจัย/การสำรวจ/ผลการศึกษา

หัวข้อ	รายละเอียด
ชื่อบทความวิจัย:	The Possibility of Tobacco-Free Generation Law Enactment
ชื่องานวิจัย:	ความเป็นไปได้ในการบัญญัติกฎหมายเพื่อห้ามเด็กที่เกิดใหม่สูบบุหรี่ตลอดอายุ
ชื่อผู้วิจัย:	นายกฤษฎา แสงเจริญทรัพย์ รศ.ดร.เชษฐ รัชดาพรรณากุล
คณะ/สาขาวิชา:	ภาควิชาสังคมศาสตร์ คณะสังคมศาสตร์และมนุษยศาสตร์
ที่มาและความสำคัญ:	<p>The hazard of tobacco products and their smoke has been a critical issue that affects the Thai people's health. Tobacco smoke contains 70 carcinogenic substances (Iamwut et. al., 2013). It has a negative effect on the smokers themselves as well as others who breathe in secondhand smoke (Bureau of Tobacco Control, 2012). In addition, the residual toxic substances left by the smoke are known as third-hand smoke (Iamwut et. al., 2013). Despite the emergence of awareness and acknowledgement on the harm of tobacco and serious attempts to show how dangerous smoking is through various media, along with legislative measures including tobacco advertisement ban, sales of tobacco control, smoke-free public area designation, and tax measures with an intention to reduce cigarette and tobacco consumption, in the conventional Thai society's norm and attitude, smoking is still seen as a small matter. The effects of smoking on health are not immediate but rather chronic and, unlike the effects of alcohol consumption or drug abuse, they are not apparent to the public. This results in the smoking still being normal and common throughout Thailand, especially among children and youths.</p> <p>Nowadays, the Thai society is facing the issue of young smokers who are children and youths, and the number tends to increase (Bureau of Tobacco Control, 2012). This corresponds with the situation in foreign countries where cigarette is the most used drug among teenagers (Regoli et. al, 2011). Section 45 of the Child Protection Act, 2003 states that children are prohibited from buying or using cigarettes and if violated, the officer will have the authorization to interrogate the child to obtain personal information. An appointment will also be sent to the parents to meet and discuss in order to establish an agreement. However, the main factor is the environment in which the children and the youths grew up, which has made them grow accustomed to cigarette smoke. From seeing their own parents or guardians smoking at home, spending time with their friends, which are an important social subunit (Regoli et al, 2011), and the different social</p>

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	<p>context, norm, and attitude on the cigarette in each region. All of these have contributed to children and youth imitating the behaviors (Tibbetts, 2015; Maneepakorn, 2012). This is another main reason for said behavior has been passed on through the generations and influences the smoking behavior among teenagers, especially in universities. A lot of students smoke both inside and outside the campus area, along with in the dormitory.</p> <p>Despite smoking being illegal in some countries and deemed as a criminal act that should be controlled, according to the concept of criminology, there are three principle types of social control: formal control, informal control, and medical control (Chriss, 2007). Although legislative control is an important mechanism frequently used in social control (Sites, 1975) as it is clearly stated both in the aspect of legislative restriction and penalty for violators, law enforcement is effective only when it complies with the crime prevention theory. It must be prompt, firm, and sharp (Lilly et. al, 2013) However, if the violator is a child or a youth, exception or reduction applies. This also reduces the efficiency of law enforcement, specifically on child or teenage smokers. Therefore, the idea of raising children and youths in completely tobacco-free environment became a preferable alternative for resolving this issue. It is important to implement a law to prevent new smokers from having access to tobacco products. The fundamental principle is to keep children away from smoking since the beginning by controlling their environment, such as banning smoking in residential areas or areas which children and youths frequent. Some penalty for parents has also been considered, as stated in the National Council for Peace and Order's Order number 22/2558 about the preventive and corrective measure for car and motorcycle racing on the road and entertainment complex and establishment for entertainment purpose control, in order that children and youths grow up in tobacco-free environment. For said reasons, a study on the possibility for enacting tobacco-free generation laws, as well as related problems and difficulties, shall be conducted. However, this can also be viewed as restricting the rights of the people. In addition, the laws will be enforced throughout the country. It is therefore necessary to seek opinions from law experts and practitioners with relevant experiences in each region in order to understand the different value, attitude and context. A specific law enactment guideline can then be created and the laws can be appropriately and efficiently established.</p>

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ขอบเขตพื้นที่การศึกษา:	This is a qualitative research which involves documentary research of laws, theories, books, academic articles, information from electronic media and relevant documents in Thailand and other countries. A descriptive and analytical approach was used to conclude and propose an appropriate and efficient guideline.
วัตถุประสงค์:	To study the tendency and possibility of tobacco-free generation law enactment.
แหล่งทุนสนับสนุน:	ศูนย์วิจัยและจัดการความรู้เพื่อการควบคุมยาสูบ (ศจย.) ภายใต้สำนักงานกองทุนสนับสนุนการส่งเสริมสุขภาพ (สสส.)
หน่วยงานที่ร่วมมือ:	-
ผู้มีส่วนได้ส่วนเสีย:	-
ระดับความร่วมมือ:	ภายในประเทศ
ผลลัพธ์ที่นำไปใช้ประโยชน์ต่อ:	<p>Although no law has been solidly enacted for lifetime smoking control among children and youths in the countries where case studies were conducted, the principles and ideas generated have created new aspects and alternatives which could eventually lead to the control of population who may begin smoking. For Thailand, tobacco-free generation law enactment may be possible in the future. Therefore, preparation in various aspects may be needed in order to apply the guideline in law implementation, especially from government agencies involved in law enactment and enforcement. From the study, the researchers would like to suggest the followers:</p> <p>1) The government should work on preparing and educating the public so that the people are aware of the importance of health care and safety. Top-down approach, in other words, paternalistic law enactment, should not be used. The government should not view its people as subordinates but instead implement a strategy that promotes understanding among the people to get their support. Once the people understand and realize the importance and the reason behind the law enactment, the law enforcement will be solid and cannot be weakened by tobacco producers. However, the law enactment should not happen too suddenly because there might be a big wave of resistance from the people. A clear strategy should be used in order to get the plan implemented over the period of 20 years. This approach is recommended because the researchers would like the government to spend most of the time on coordinating and adjusting the way of thinking and operating among different agencies and developing awareness and understanding among the public. The content used in creating the awareness should be contemporary, comprehensible and approachable for the people. It</p>

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	<p>should also be realistic, concrete, and not overly idealistic since such content will not receive much appreciation from the people, especially children and youths.</p> <p>2) A legislative guideline should be utilized to help create tobacco-free environment while campaigns are being run. The law should focus on controlling the environment or creating tobacco-free environment, in which children can grow up without any factor that may stimulate the desire to smoke. This will also reduce the chance of children imitating their role models such as parents, guardians, teachers. Stipulating that children born after a certain year stated by the law belong to the tobacco-free generation is not easy. Developing good understanding among the people takes time, especially about the law enforcement. Utilizing a legislative guideline to help create tobacco-free environment is more likely to induce a substantial movement in a short term as a preparation measure for developing a tobacco-free generation in the Thai society.</p> <p>3) The political instability is an important factor that affects the policy or guideline for the law enactment. This is an uncontrollable factor. Therefore, the corrective guideline would be to encourage and support private organizations' investigation on the government's policy implementation. That is, despite the fact that the administrative authorization is transferred to a different person, the change should not adversely affect any policy that enhances the people's livelihood or health care. If a any change is made to the said policy, an explanation along with a suggestion for a better policy to replace the terminated one. Nowadays, investigation in this manner has become easier, especially on the government's operation. It has also become easier to make complaints through social media networks like Facebook, Line and Twitter.</p>
Web link อ้างอิงการดำเนินงาน:	<a href="https://so01.tci-thaijo.org/index.php/APSR/article/download/242082/164188/">https://so01.tci-thaijo.org/index.php/APSR/article/download/242082/164188/</a>
รูปภาพประกอบ:	-
SDG goal ที่เกี่ยวข้อง:	3. สร้างหลักประกันว่าคนมีชีวิตที่มีสุขภาพดีและส่งเสริมสวัสดิภาพสำหรับทุกคนในทุกวัย (Ensure healthy lives and promote well-being for all at all ages)