

THAI CULTURAL ATTITUDES TO LIABILITY LITIGATION

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Abstract

This paper describes attitudes to liability claims in Thailand, and especially the influence of national culture, heavily pervaded by Buddhism. Thai people are culturally disposed to forget and forgive. If misfortune happens to them they will blame themselves or ascribe it to their bad luck or karma

The legal liability system in Thailand will be examined. It has many similarities to the civil law in other countries which base their system on common law as well as statutes. The litigation process tends to take a long time compared to those countries, and if an award is made against the plaintiff, the amount is small. Many cases are settled out of court, by negotiation. Tighter laws affecting personal and company liability to others obviously affect the design of and demand for corresponding insurance products, as do media reports of litigation cases.

Every day, newspapers report liability litigation cases. This is an indicator of an increased claims consciousness and willingness to litigate, and also affects that process by raising awareness of the possibilities. A wider set of influences on what seems to be a change in the knowledge and awareness of the Thai people to liability loss will also be examined, including the increasing number of Thais who have lived abroad in other cultures. This indicates a weakening of Thai traditional culture.

Turning now to liability insurance, Products Liability, Directors and Officers Liability, Professional Indemnity, Employers Liability and Motor Liability insurance will be examined. There is an increasing awareness of the need for various types of liability insurance. However, many types of coverage are not yet available in every insurance company because of limited expertise.

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