

## **Ejusdem Generis: of the Same Kind or Nature**

This article examines the legal interpretation of the term “สิ่งอื่นใดอันลามก” (“other obscene objects”) under Section 287(1) of the Thai Penal Code through the principle of *ejusdem generis* (“of the same kind or nature”).

The case study involves the prosecution of a defendant found in possession of pornographic films and ‘sex toys’ with intent to sell. While pornographic films clearly constitute obscene materials under the law, the status of ‘sex toys’ remains controversial. By applying *ejusdem generis*, the article argues that “other obscene objects” should be interpreted in line with the listed items, i.e. documents, pictures, films, or other media representing sexual acts which function as forms of communication or representation.

Since ‘sex toys’ are physical devices for sexual gratification rather than media depicting obscenity, their inclusion under Section 287(1) of the Thai Penal Code may conflict with the principle of legality (*nulla poena sine lege*), which prohibits punishment without a specific law.

In conclusion, ‘sex toys’ should not be regarded as “other obscene objects” within the meaning of the Thai Penal Code, as doing so would extend criminal liability beyond the scope of the law and revive provisions of The Act on the Prevention of the Dissemination and Trade of Obscene Objects of 1928 that have already been repealed.