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PAJIT SAVASDISARA : INDIVIDUAL DIFFERENCES OF THAI
JUDGES THAT INFLUENCE ON SENTENCING GOALS IN CRIMINAL CASES.
THESIS ADVISORS: CHAIWAT PANJAPHONGSE, Ph.D., SOBHA SPIELMANN,
Ph.D., MANEE CHAITEERANUWATSIRI, Ph.D., CHIRANIT HAVANOND,
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This study has the objectives of identifying the opinions of Thai judges on sentencing goals, namely, punishment, incapacitation, and rehabilitation. Possible relationships between judges' opinions on sentencing goals and judges's demographic characteristics, personality, and beliefs concerning the causes of crime are also examined.

The results strongly demonstrate that judges' opinions on punishment, incapacitation, and rehabilitation goals were different due to some of their demographic characteristics, personality, and beliefs. The punishment goal was determined by individual cause, and authoritarianism, with authoritarianism having more effect than individual cause. The incapacitation goal was determined by individual cause, welfarism, authoritarianism, income of 10,000-39,999 baht with individual cause having the most effect, followed by welfarism, income of 10,000-39,999 baht per month, and authoritarianism in descending order of importance. The rehabilitation goal was determined by social cause, economic cause, authoritarianism with negative direction, income of 10,000-39,999 baht and having completed grade 12 graduation in a municipal area in a province other than Bangkok, with economic cause having the most effect, followed by social cause, income of 10,000-39,999 baht per month, place of grade 12 graduation, and authoritarianism. The results further suggest that the individual differences tend to influence sentencing goals empirically in two ways. Judges believed in the punitiveness factors which consist of two-sentencing goal factors that focus on punishment and incapacitation if they believed in individual causation, and authoritarianism. Judges believed in rehabilitation if they believed in economic and social causation and had less authoritarianism.

The simulated cases revealed that when judges made decisions, some of the individual differences that had effect on sentencing goals also had effect on the judgement with same or different directions while some differences had no effect on the judgement. Also, some of the individual differences that had effect on the judgement had no effect on sentencing goals. The similarities and differences of the effect of individual differences on sentencing goals and sentencing decision could be explained with the theory that attitudes alone do not explain the severity of sentences imposed by judges and the influence of personal attitudes on sentencing behavior is narrowly interpreted without taking other factors and reasons into consideration. This means that the individual differences of judges is only one of factors that influence sentencing and thus other factors should be taken into consideration, as well.