

**FEASIBILITY STUDIES TO ESTABLISH THE CRIMINOLOGY
INSTITUTE IN THAILAND**

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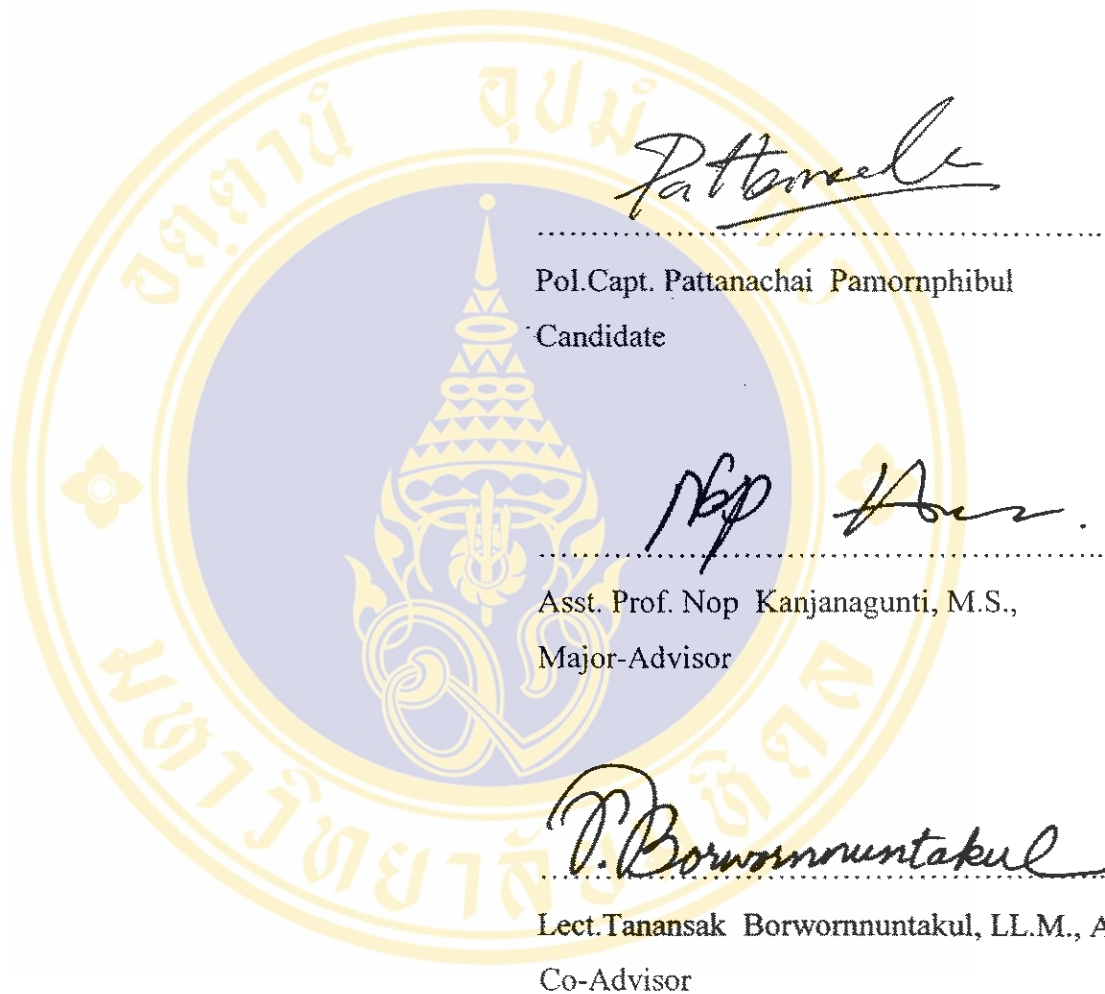
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**A THESIS SUBMITTED IN PARTIAL FULFILLMENT OF
THE REQUIREMENTS FOR THE DEGREE OF
MASTER OF ARTS
(CRIMINOLOGY AND CRIMINAL JUSTICE)
FACULTY OF GRADUATE STUDIES
MAHIDOL UNIVERSITY**

2007

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IN THAILAND**



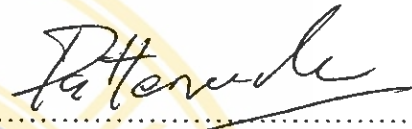
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IN THAILAND**

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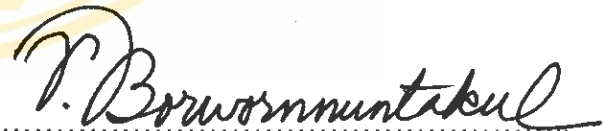
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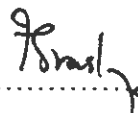
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Had all benefits be for the common good, , the researcher would extend its virtues to his parents who were the highest respect, his family , brothers and sisters who never failed on their spiritual supports. Any defects arisen, the researcher humbly admitted for further corrections.

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**FEASIBILITY STUDIES TO ESTABLISH THE CRIMINOLOGY INSTITUTE
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ABSTRACT

This feasibility study to establish a criminology institute investigated the possibility of establishing a criminology institute in Thailand. This research is based in involved in documentary research and in-depth interviews with key experts justice administration and criminology in different universities in Thailand.

There is strong support for establishing a criminology institute and support for focusing on 6 areas, i.e. (1) criminal statistics, (2) the sociology of law, (3) theory construction, (4) criminal behavior (5) penology, and (6) the victimology. There would need to be 6 operations involved, i.e. (1) developing the institute to level with abroad, (2) creating accountability and values to recompense society, (3) the policy needed meet the policy of the criminology and the government by setting vision and mission not being repetition to any other units in the justice administration and stressing researches for societies while criteria for staff needed to have a teamwork to recruit and screen for allocation of experts, and specialists of criminology and/or sociology and/or laws as well as being socially accepted with being honest and fair, transparent and dedicated, (4) problems and limitations would be around management, budgeting, personnel and materials, (5) the facilitating factors for its operation were the supports of the state in different areas and (6) its trends and direction were relying on effects of the changes of politics, economy, social and information technology.

It is recommended that

1. There should studies of different criminology institutes in aboard to be as guide in establishing a criminology institute in Thailand.
2. There should be studies and collect all criminal theories worldwide as well as collecting research of criminology in Thailand for future database.
3. There should be studies method of counter crime worldwide to further be as database and modules for units of justice administration

KEY WORDS: FEASIBILITY STUDY / CRIMINOLOGY INSTITUTE

148 pp.

การศึกษาความเป็นไปได้ในการดำเนินการก่อตั้งสถาบันอาชญาวิทยาในประเทศไทย (FEASIBILITY STUDIES TO ESTABLISH THE CRIMINOLOGY INSTITUTE IN THAILAND)

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บทคัดย่อ

การศึกษาความเป็นไปได้ในการดำเนินการก่อตั้งสถาบันอาชญาวิทยาในประเทศไทยมีวัตถุประสงค์เพื่อศึกษาความเป็นไปได้ในการก่อตั้ง และ แนวดำเนินการของสถาบันอาชญาวิทยาแห่งประเทศไทย โดยใช้วิธีวิจัย ข้อมูลจากเอกสารและ การสัมภาษณ์แบบเจาะลึกผู้เชี่ยวชาญ จากกระบวนการยุติธรรม และสถาบันอาชญาวิทยาต่างๆที่มีอยู่ในประเทศไทย และผลการวิจัยสรุปได้ดังนี้

จากการศึกษาพบว่า การก่อตั้งสถาบันอาชญาวิทยาแห่งประเทศไทยนั้นมีความเป็นไปได้สูง และ ควรมีการก่อตั้งอย่างแข็งโดยมีหน้าที่ความรับผิดชอบ 6 ด้าน ได้แก่ (1) ด้านสถิติทางอาชญากรรม (2) ด้านกฎหมายทางสังคมวิทยา (3) การสร้างทฤษฎี (4) ระบบพฤติกรรมอาชญากร (5) ราชทัณฑ์ และ (6) วิชาว่าด้วยการตกเป็นเหยื่ออาชญากรรม ส่วนแนวดำเนินการมีอยู่ 6 อย่าง ได้แก่ (1) พัฒนาสถาบันให้ทัดเทียมกับต่างประเทศ (2) สร้างความเชื่อมั่นและคุณค่าของสถาบันให้ตอบแทนสังคมได้ และให้เป็นองค์กรกลางหรือเป็นองค์กรอิสระ (3) ด้านนโยบายให้สอดคล้องกับนโยบายทางอาญาและของรัฐ โดยกำหนดวิสัยทัศน์และพันธกิจที่ชัดเจน ไม่ซ้ำซ้อนกับหน่วยงานอื่นในกระบวนการยุติธรรม และเน้นการวิจัยเพื่อสังคมส่วนรวม ส่วนหลักเกณฑ์คุณสมบัติของสมาชิก ต้องจัดคณะทำงาน มีการสรรหากลั่นกรองบรรจุผู้มีความรู้ ความเชี่ยวชาญทางด้านอาชญาวิทยา และ/หรือด้านสังคมวิทยา และ/หรือด้านกฎหมาย ทั้งเป็นที่ยอมรับของคนในสังคม มีความซื่อสัตย์ สุจริต ยุติธรรม มีความโปร่งใสทุ่มเทเพื่องาน (4) ปัญหาอุปสรรคและข้อเท็จจริงที่น่าจะพบได้แก่ การบริหารจัดการ งบประมาณ บุคลากร และ อุปกรณ์ (5) ปัจจัยที่น่าจะเอื้อประโยชน์ต่อการดำเนินงานได้แก่ การสนับสนุนของรัฐในด้านต่างๆ และ (6) แนวโน้มและทิศทางของสถาบัน ขึ้นอยู่กับผลกระทบของการเปลี่ยนแปลงการเมือง เศรษฐกิจ ทางสังคม และ เทคโนโลยีสารสนเทศ ข้อเสนอแนะสำหรับการศึกษาค้างต่อไป

1. ควรมีการศึกษาประวัติการก่อตั้งสถาบันอาชญาวิทยาในต่างประเทศ เพื่อมาเป็นแนวทางในการจัดตั้งสถาบันอาชญาวิทยาในประเทศไทย
2. ควรมีการศึกษาและรวบรวมทฤษฎีต่างๆทั่วโลกที่เกี่ยวกับอาชญาวิทยา พร้อมกับรวบรวมผลงานวิจัยด้านอาชญาวิทยาที่มีในประเทศไทยเพื่อเป็นฐานข้อมูลในอนาคต
3. ควรมีการศึกษาวิธีการควบคุม ป้องกัน และแก้ไขอาชญากรรมจากทั่วโลกเพื่อเป็นฐานข้อมูล และเป็นต้นแบบในการป้องกันและแก้ไขปัญหอาชญากรรม ให้กับหน่วยงานในกระบวนการยุติธรรมต่อไป

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CHAPTER 1

INTRODUCTION

1.1 Background and Significance of the Problem

1.1.1 Justice Administration in Thailand

It has been found since Sukhothai era in the stone inscriptions, “citizens, the loyal and the nobles with dignity and under to disputes, they are subject to interrogation for verification and impartiality judge not to be parity with the offender and never judge by bribery.” During Sukhothai era, the king held sovereignty over adjudication on justice. It might be that population was not crowded like to today and His royal tasks were likely few, so judgment was subject to His Majesty. By at present, the advancement of the country is growing; the justice administration had been spread to different organizations to sustain justice. It involves police, public prosecutors, lawyers, judges, and penology. Here, the authority of the public prosecutor will be discussed since it is the key organization in the justice administration and people should know who they are. The public prosecutor is a civil servant working in the office of the Attorney General paid by the fiscal budget of its office and authorized to handle lawsuit coded to be subject to their authority.

Recalling the public prosecutor, most people do not precisely know their authority and just know only they take lawsuit in criminal court and commonly said that they have authority to send people into prison. This is completely wrong because no code authorizes them to send people to prison.

As being coded, their authorities are as follows:

1. Justice Administration, i.e. it is in the part of the state administration to create order and security of life and property by the public

prosecutor to examine evidences in the inquiries of the interrogation officers submitted and adjudication and to proceed with the case and resume execution in the criminal case as the kingdom attorney under the criminal procedure code and other laws authorized to the general prosecutors.

2. To secure the state interest, i.e. examination and giving legal advice for the official sectors and different government agencies, checking contract, responding the discussion and preceding the case as the kingdom attorney representing the government, the government agencies as jurist bodies instituted by the code or by the royal decree.

3. To protect rights and assist people on legality, i.e. protecting rights and secure interest of people as coded by laws under the authority of the general prosecutor such as civil cases assigned the general prosecutor to protect the right of the disable, as if incapable, the loss person, pledging the court to appoint inheritance executor. In addition, it is the help lawsuit for the poor by seeking volunteer lawyer and to educate laws for common people.

After summarizing the case from the police, the court hold sovereign power to judge cases by laws and the attorney is the plaintiff (victim) and the defendant (the alleged) rot be the representative to take lawsuit or to defend for the court to try the case. Such individual must own license from the attorney council to fulfill their profession and one needs not appoint any attorney if one could personally conduct one's case.

While the "official of the justice administration" is referred to all level of officials related to the justice administration, i.e. the interrogation officers, the general prosecutor, attorney, and penology when incident happens as criminal case and requires the justice administration in securing peace and happiness of people. Such interaction is indispensable to meet officials. To know sacrificially is in adequate but required the scope of responsibility of these officers. The interrogation officers are police authorized to arrest and search evidence, investigate and summarize the case whether to precede lawsuit the alleged and submit the case to the general prosecutor. It is by another name called the kingdom

attorney holds duties to decide whether to pursue lawsuit by themselves. The penology hold duty to confine the alleged after being sentenced on imprisonment or called regulator would supervise and visit the prisoners and their living in the cells before enter the justice administration. It requires first to study the “criminal case” as foundation (Faculty of Law, Thammasart University, 2001).

1.1.2 Criminology in Thailand

Generally, target of preceding the case for individual committing action coded as offense is to sue the person into lawsuit for punishment. So every procedure to try a criminal case regardless arrestment, confinement, interrogation , filing the case and passing a judgment is based on seeking fact from evident fact, evidences whether the alleged or the defendant has really committed and how it could be sentenced. Whereas suing the case of child and juvenile violating laws is coded offense is not aiming to try only the criminal case as above but to find causes of offense, environment and the child and juvenile’s condition rousing them to commit. By reason, it is to allow officers or the court to realize fact and to find proper method to address them in order to rehabilitate them because each one has it own different reason to commit. So, solutions meet the offenders by case and not necessary to use the similar measures or ever punishment. So, law related to the child and juvenile are coded to use the child method replacing punishment.

Rationally, child and juvenile are citizen to grow and become the force for societies in future, Trying the criminal case for them is then based on principles specially coded for them to protect and to secure damages incase they are tried in the criminal case as the alleged or the defendant. Such principles are coded in 2 laws, i.e. the Act of establishing the child and juvenile court BE 2494 (1951) and the Act of examining the case of child and juvenile BE 2494 (1951). Both are codes related to the child and juvenile in the civil and the criminal cases. Later ,there is a new law and terminated both laws by recoding principles of trying a case for child and juvenile in both the civil and the criminal cases by adopting both laws terminated and amended to meet the situation. This law is called the Act to

establish the juvenile and family court and the trying the case of juvenile and family BE 2534 (1991) (Faculty of Law, Thammasart University, 2001)

The program of master of criminology and criminal justice at Mahidol University sets its objectives as follows:

1. To specially disseminate knowledge of modern criminology theories to Thailand
2. To encourage personnel in the justice administration lines and related units
3. To develop personnel in the justice administration system
4. To prepare foundation in order to tap the education of criminology and criminal justice for the changing world.

The doctoral program of criminology and criminal justice at Mahidol University sets its objectives as follows:

1. To specially allow students broaden in-depth foundation of criminology both in justice administration, crime and social
2. To expose students opportunity for real practice which would help them participate and better understand the process of justice administration and social welfare in order to help control and react against crime
3. To help students broaden their thought and envision relationship of different problems related crimes and to help analyzing multiple consequences originated from different social policies and help students to freeze different group conflicts (conflict management) as well including to subside mishaps within real time.

The graduate studies of criminology and criminal justice at Kasetsart University sets its objectives as follows:

1. To graduate students equipped with knowledge of public administration (governing, public administration and justice administration) for developing the country

2. To allow the medium administration and above in every organization unable to spend their routine hour to extend their studies accumulating their knowledge and self-development

3. To develop and broaden their knowledge of governing, public administration, justice administration and security to meet the social situations.

The doctoral curriculum of criminology and criminal justice at Kasetsart University sets 3 objectives as follows:

1. To cultivate public administration theorists, thinkers, writers and researcher at high level of knowledge related to theories, learning methods including knowledge of interdisciplinary in the filed of public administration to fulfill duties of teaching in educational institutions, becoming theorists, and researcher in workplaces, institutions or social thinkers, writers and critique

2. To motivate and encourage climate of researches on public administration leading to formulating new knowledge for the public administration in Thailand and in abroad training the public administration theorists, thinkers, writers and researchers to keep a breast the changing globalization as key force of the Thai societies in pacing to the new century.

Office of the Prime Minister, Ministry of Justice or the Office of Ministerial Secretary of the Ministry of Justice in the past has been formed under the Act of Establishing Ministries and Departments BE 2476 (1933) and the Act of the Civil Charter Be 2476 (1933) called Department of the Ministerial Secretary and in the same year announced to enforce the civil rules of the Siam Kingdom BE 2476 (1933) to change its department into the Office of the Ministerial Secretary equivalent to a department under dependency of each ministry divided itself similarly into 2 divisions subject to the Act of the Civil charter BE 2476 (1933) of the Department of the Secretary. In the same year there was an announcement to enforce the Siam Kingdom administration BE 2476 (1933) to change the office of the ministerial secretary equivalent to a department under each ministry, there were:

1. The Division of Politics

2. The Division of Inspection of affairs and opinions while during 1933-1952 there was many upgrading of status and roles of offices of the ministerial secretary but still maintaining status of liberal unit equivalent to a department direct under command of the minister with its own fiscal budget. Till 1955 its budget had been merged the Office of the permanent secretary. In 1972 its status had once changed again. During 1933-1952, its status had changed by the announcement of the coup d'état No. 216 and No. 218 specifying it as unit in the ministry unequivalent to a department and without being a jurist body but still maintained 2 divisions. Later by the announcement of Act of rules in Public Administration BE 2534(1991) and the Acts of Amendment of Ministry, Department and Division BE 2534 (1991) coded to retain 14 ministries stipulated to maintain an office of the ministerial secretary as a civil office of the ministry having the ministerial secretary as commander.

In 1995 an announcement of a royal decree on public divisions within the office of the ministerial secretary of the Ministry of Justice allocated its office of secretary to handle the state affairs as follows:

1. General Affairs administration
2. Politics and policy coordination

Till 1997, the office of civil servant saw that the current ministries, and ministerial affairs had different responsibility and quantity of jobs and had the same thing been existing there would have been difficulties in fulfilling the state affairs. So, the office of the ministerial secretary was divided into 2 modules, i.e.

Module 1: there were 2 division and 3 groups, i.e.

1. Department of General Affairs Administration
2. Department of Complaints and Politics
3. Group of Public Relation and Foreign affairs
4. Group of Directory
5. Group of Data system and Plans

This module has been adopted by the Ministry of Interior, Ministry of Agriculture and Cooperative, Ministry of Education, Ministry of Public Health, Ministry of Industry, Ministry of Commerce, Ministry of Transport and Communication and Ministry of Labor and Social Welfare.

Module 2: there were 2 divisions and a group, i.e.

1. Department of General Affairs Administration
2. Department of Complaints and Politics
3. Group of Specialized Academics

This module has been adopted by Ministry of Science, Technology and Environments, Ministry of Justice, Ministry of Finance, Ministry of Foreign Affairs, Ministry of University Affairs. Office of the Justice Ministerial Secretary during 1997-2002 contained the department of general affairs administration, department of politics and policy coordination and groups of specialized academics. In October 9, 2002 the ministerial rules had been announced to divide it under the Article 8 in the Act of The Kingdom Administration (No. 8) BE 2543 (2000) specifying it with the Module 2 and adopted by Ministry of Science, Technology and Environments, Ministry of Justice, Ministry of Finance, Ministry of Foreign Affairs, Ministry of University Affairs.

Office of the Justice Ministerial Secretary in 1997-2003 contained 2 departments, i.e. The department of general affairs administration, department of politics and policy coordination and groups of specialized academics. In October 9, 2002 the ministerial rules had been announced to divide it under the Article 8 in the Act of The Kingdom Administration (No. 8) BE 2543 (2000) Amendment in the Act of The Kingdom Administration (No. 4) BE 2543 (2000) allocated it to handle the official errands with the political task to support the ministerial affairs coordinating the ministerial policies with following authorization.

1. Collect and screen data to be submitted to the minister with comment for further ministerial decisive command

2. Support the work of the minister on politics between the cabinet, the parliament and the people
3. Coordinate response to inquiries and agenda of Bills and other political affairs
4. Examine pledges, complaints, and assistance from the minister
5. Fulfill other affairs coded by laws on authorization or by assignments made by the minister and the cabinet

The state affairs of the office of the minister are as follows:

1. Department of General Affairs Administration
2. Department of Complaints and Politics
3. Group of Academics Supports

Tasks of the ministerial office is to screen affairs to be submitted to the minister with comment for further decisive command and handling complaints or assistance petition from the minister.

Vision of the office of the justice affairs is to unite and reconcile units in the Ministry of Justice, developing its personnel to be professional and accountable to societies, strengthening and valuing researches as indicators leading to development of laws and the justice administration, enabling in management as role model of the state organizations while its task is to fulfill office affairs of the National Justice Commission setting policy, strategies and approaches in the justice administration of the country to be submitted to the commission as well as analyzing and proposing policy fiscal budget of the ministry, recommending, supporting and developing laws and working system of the justice administration.

Visions of the Office of the Permanent Secretary are in 2012 it will become the center of legal development, and center of technology in the justice administration, directing job development in the Ministry of Justice, coordinating and supporting internal and external units to effectively fulfill the major tasks with

morality, transparency and audit ability whereas its tasks are to propose the ministerial policy and strategies to meet the Nation Plan of Economic and Social Development, the government policy, and the ministerial policy and to set master plan of the ministry, personnel administration, finance administration, public relation and legal action under the responsibility of the ministry.

Visions of the Office of the Attorney General are in 2012, it will become the world Class Organization with innovation of management, securing justice with international standards to sustain interest of the state and theist people with effectiveness. It focuses on achievement in every task with wisdom, knowledge, ability, honesty and responsibility coated with morality and ethics whereas its task is to protect rights and help people on laws working as the Kingdom Attorney and filing lawsuit for people who cannot, being law consultants and helping legal contracts and compromising conflicts among people as well as disseminating laws knowledge to people.

Visions of Department of Corrections are within 2012 it will be the leading organization in ASEAN in controlling, correcting and rehabilitation prisoners whereas its task is to treat the offenders by sentences or by legal command, setting ways of treating prisoners to meet laws, regulations, obligations, ministerial policy and principles of criminology and penology.

1.2 Necessity of the Criminology Institution

The justice administration is not the sources of the research collections, policy development, and crime combats in Thailand and the world. All parties should watch even being the NGO to cover situation and precise data for professionals in exchanging their information. It is to collect interdisciplinary knowledge of the criminological researches. Funds for researches are scarce and inadequate for publicizing reports and substantial members. There is inadequacy of theorists and criminal professionals for assistance and no cooperation with the

international criminology to exchange knowledge and enhancing potentials for the institutional professionals. Also, it is to improve the criminological personnel holistically. This is to set the climate of teaching, seminars and researches of criminology and justice administration and to support theorists, researchers, students and to organize new batch of criminologists for the purposes of :-

1. Being the hub of researches, policy development and crime combat of the world and the world should heed and also being a NGO to keep pace with situation with precise data
2. Being the center for the professionals to exchange their information
3. Collecting interdisciplinary knowledge of the criminological researches.
4. Allocating funds for researches
5. Publicizing research reports and distributing printed matters substantial members
6. Organizing rewards for criminological theorists and professionals for both members and non-members annually.
7. Cooperating with the international criminology to exchange knowledge and enhancing potentials for the institutional professionals and improving the criminological personnel holistically
8. Setting the climate of teaching, seminars and researches of criminology and justice administration
9. Supporting theorists, researchers, students and to organize new batch of criminologists

The criminology institution should be establish without conflicts with the existing organizations running the justice administration and set its scope of work under the criminology institutions as follows:

1. Center of compiling criminological statistics
2. Center of compiling and studying sociological laws
3. Center of compiling and studying the criminological theories
4. Center of compiling and studying the criminal behaviors

5. Center of compiling and studying the penologist systems
6. Center of compiling and studying the victimology

1.2.1 Guides in Establishment

Peter F. Drucker (2001) wrote the “Managing In a time of Great Change” that the modern business system will be downsized into small organizations. The giant ones will gradually lose ground of competitiveness in terms of expedition of administration and its management allowing information flows through modern tools and end advantages on costs between the giants over the small. The successful organizations will run their core competence another unrelated or incapable will be outsourced. Then the small organizations will raise their networking of business bond room two to three and to multiple groups. The future successful organizations rely on the extent they are able to build networking.

Henry Fayol (1949) set duties and the managerial process (POCCC) as follows:

1. Planning
2. Organizing
3. Commanding
4. Co – ordination
5. Controlling

With a modern concept of administration proposed in 1983 by Tom Peters and Robert Waterman found in their works, “In Search of Excellence” and attributes of distinct organization containing 7 factors as follows:

1. Structure
2. Strategy
3. Staff
4. Style
5. System
6. Share Value
7. Skill

1.3 Research Questions

1.3.1 To what extent do the Criminal statistics indicate criminal violence?

1.3.2 To what extent do socio-laws help persons involved in the justice administration?

1.3.3 To what extent do criminological studies and theorizations help persons involved in the justice administration?

1.3.4 To what extent do criminal behaviors indicate criminal violence?

1.3.5 To what extent do penological systems help reduce crimes?

1.3.6 To what extent do victimizations help persons involved in the justice administration?

1.4 Research Objectives

1.4.1 To conduct a feasibility study in establishing a criminal institute of Thailand

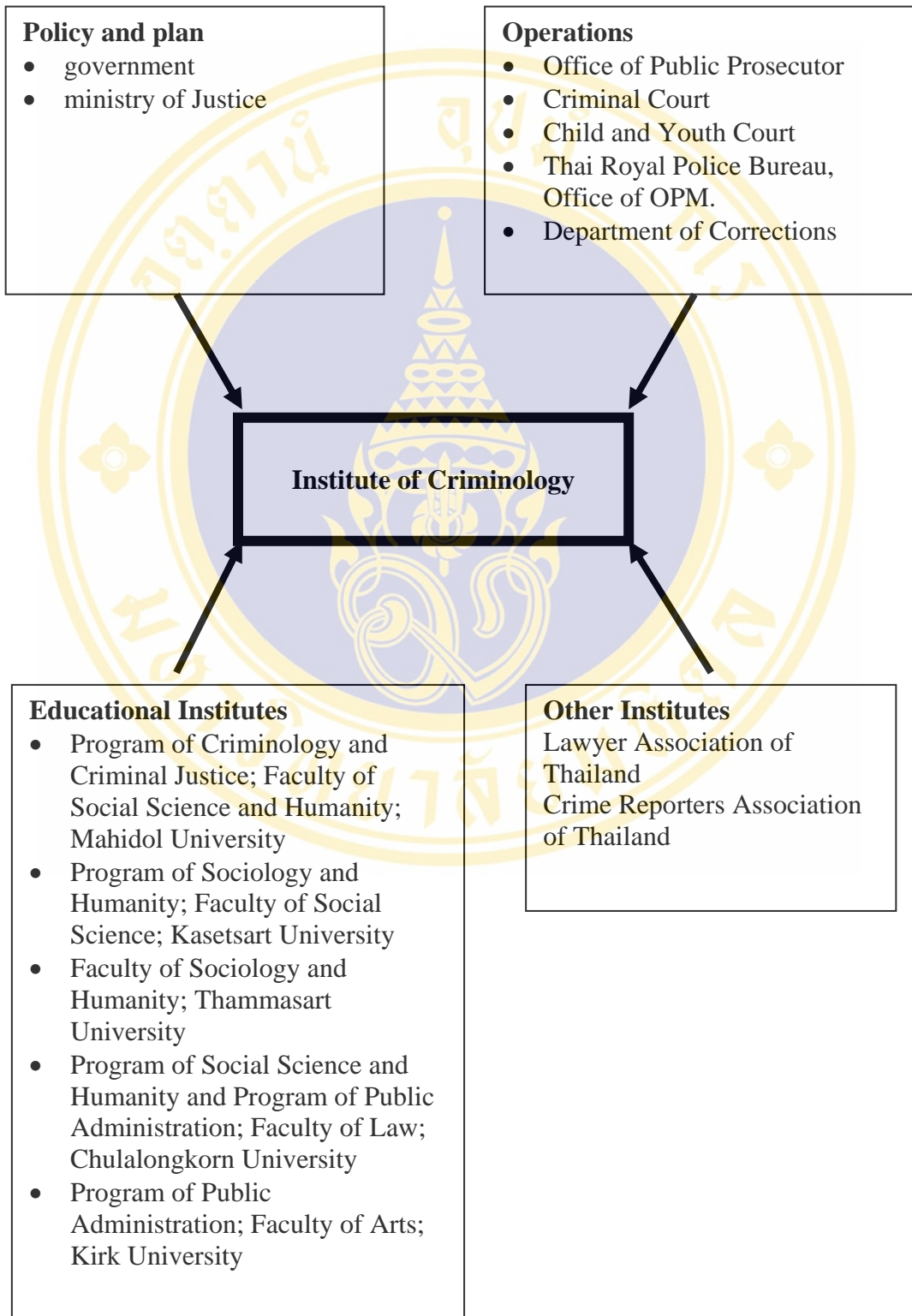
1.4.2 To study the operation of the criminal institute of Thailand

1.5 Scope of the Study

This study uses interview to survey opinions of persons involved in the justice administration, i.e.

- The state government related to crimes and its foundation policy
- Ministry of Justice
- Office of Public Prosecutor
- Criminal Court
- Child and Youth Court
- The National Police Bureau, Office of the Prime Minister (OPM)
- Department of Corrections
- Program of Criminology and Criminal Justice;
Faculty of Social Science and Humanity; Mahidol University
- Program of Sociology and Humanity; Faculty of Social Science;
Kasetsart University
- Faculty of Sociology and Humanity; Thammasart University
- Program of Social Science and Humanity and Program of Public
Administration; Faculty of Law; Chulalongkorn University
- Program of Public Administration; Faculty of Arts; Kirk
University
- Lawyer Association of Thailand
- Crime Reporters Association of Thailand

1.6 Conceptual Framework



No.	Document No..... is	Institutions
1.	Document No 1 is	Ministry of Justice
2.	Document No 2 is	Office of Public Prosecutor
3.	Document No 3 is	Criminal Court
4.	Document No 4 is	Child and Youth Court
5.	Document No 5 is	The National Police Bureau, Office of the Prime Minister (OPM)
6.	Document No 6 is	Department of Corrections
7.	Document No 7 is	Program of Criminology and Criminal Justice; Faculty of Social Science and Humanity; Mahidol University
8.	Document No 8 is	Program of Sociology and Humanity; Faculty of Social Science; Kasetsart University
9.	Document No 9 is	Faculty of Sociology and Humanity; Thammasart University
10.	Document No 10 is	Program of Social Science and Humanity and Program of Public Administration; Faculty of Law; Chulalongkorn University
11.	Document No 11 is	Program of Public Administration; Faculty of Arts; Kirk University
12.	Document No 12 is	Lawyer Association of Thailand
13.	Document No 13 is	Crime Reporters Association of Thailand

1.7 Research Target

An institute of criminology can slow and stop crimes in societies. It also supports data for the state agencies apply in the justice administration and educates youth and common people.

1.8 Primary Agreement

This survey uses interview documents with codes to replace position or the interviewer as follows

Document No....is	Institutions
Document No 1 is	Ministry of Justice
Document No 2 is	Office of Public Prosecutor
Document No 3 is	Criminal Court
Document No 4 is	Child and Youth Court
Document No 5 is	The National Police Bureau, Office of the Prime Minister (OPM)
Document No 6 is	Department of Corrections
Document No 7 is	Program of Criminology and Criminal Justice; Faculty of Social Science and Humanity; Mahidol University
Document No 8 is	Program of Sociology and Humanity; Faculty of Social Science; Kasetsart University
Document No 9 is	Faculty of Sociology and Humanity; Thammasart University
Document No 10 is	Program of Social Science and Humanity and Program of Public Administration; Faculty of Law; Chulalongkorn University
Document No 11 is	Program of Public Administration; Faculty of Arts; Kirk University
Document No 12 is	Lawyer Association of Thailand
Document No 13 is	Crime Reporters Association of Thailand

1.9 Expected Benefits

1.9.1 Knowing how criminal institute of Thailand helps the justice administration.

1.9.2 Knowing the operation and responsibility scope of the criminal institute of Thailand.

1.9.3 Being as guides for persons involved or interested to institute the institution.

CHAPTER 2

LITERATURE REVIEWS

Feasibility Studies to Establish the Criminology Institute in Thailand has reviewed literatures as follows:

- 2.1 Nature and Scope of Criminology
 - 2.1.1 Criminological Nature
 - 2.1.2 Scope of Criminology
- 2.2 Feasibility Studies
 - 2.2.1 Principles and Thoughts
 - 2.2.2 Management
 - 2.2.3 Funding
- 2.3 Criminological Policy and Implementations
 - 2.3.1 Policy
 - 2.3.2 Implementations
- 2.4 World Criminological Institutes
 - 2.4.1 World Criminal Justice Library Network (WCJLN)
 - 2.4.2 American Society of Criminology)
 - 2.4.3 The Center for Criminal Justice Studies
 - 2.4.4 European Society of Criminology)
 - 2.4.5 Australian Institute of Criminology
 - 2.4.6 Department of Criminology and Behavioral Sciences-Japan
- 2.5 The Thai Criminological Institute (Draft)
 - 2.5.1 Backgrounds and Significance
 - 2.5.2 Institutional Objectives
 - 2.5.3 Management and Affiliated Office

2.1 Nature and Scope of Criminology

2.1.1 Criminological Nature

This institute should be responsible for and support both the government and the private sectors to help or to counter crimes. This organization should help training on criminology and studies about crimes and their behaviors. As Marvin Wolfgang and Franco Ferracuti (1967:20) postulate, “the institutional criminologists are persons using their profession to train science for studies and analyses about the criminological phenomenon and behaviors till they are used their roles and duties from their professions and remuneration and interested to employ first the criminological methodology.”

• Sociology of Law – it is a subject disciplines in criminology which investigate the social dynamism which help draft the criminal laws especially those help creating social. Criminologists dedicate to study background and thoughts of different laws and recognize that how are crimes committed at present such as theft, rape and homicide.

Many criminologists have been invited for discussion when a new Draft was proposed for enforcement to restrict rights and probations such as in the United States enforcing arts works, movies, movie production and music. Some say they are too aggressive and immoral and harmful. The criminologists’ design roles how law set roles of media and culture. They help answer how societies mold some behavior of immorality without harming anyone. They define “harm others” and if children read pornographic books, do they harm children?

Criminologists likely help essence of law meet the time in many critical decision-making where laws involved and laws must be both flexible and met changes and different conditions such as computer fraud, hijack, ATM robbery, internet scams, tapping, or snapping telephone waves which are not stipulated in laws. So, it requires to regularly revising laws to reflect the changes of culture, social, and technology. For example, Dr. Jack Kevorkian injects “suicidal

medicine” to help someone wanting suicide as found in the front page of news. Even such is believed to be crime, immoral and harming societies. Reports and rumors for hot-shot are to break and react to such news. The Michigan State codes that helping suicide is a felony. Election in November 1999 voted to permit doctors injected suicides. Finally, Dr. Jack Kevorkian was under lawsuit because of helping the ALS patients (Lou Gehrig’s Diseases) suicide. The charge and lawsuit proved whether public disagreed with Dr. Jack Kevorkian and were there anything guaranteeing that the law would not pass in years to come?

Law Enforcement

Early 19th century, England organized a unit to enforce laws for peace and happiness, deterring crimes and probing law-breakers. So, police roles by tradition involved to keep peace and order by patrolling along roads and streets between towns, interfere for help when request, probing and identifying the criminal alleged. Later police role had covered people services, counter youth crime, deterring youth criminal from justice administration, compromising family conflicts, keeping peace and order during emergency, first aids and developing community relations.

Police best represent the justice administration. Their reaction with victims and criminal is under speculation and inspection by all media. Police are never spared on using violence, bad-manners, unkind, and indifferent. Police interfering mob, protestors, minority groups, youth, political activist, and labor union are under heavy criticisms. Had all problems been collected, police might be uneasy to decide which is the criminal behavior or assaults, why to arrest youth and confine them to the social welfare unit till final verdict whether their actions are criminal or not. Police had to encounter serious criticism on corruption, inefficiency, ruthlessness, and cronyism while most say police overreact. So, it proves that police have to protect themselves, suspecting people, reacting to changes and doing secret job.

Wilson and McLarn (1972:21) cited the primary police objectives.

- Keeping peace and order
- Protecting life and property
- Enforcing criminal laws and controlling behavior of individual

in Societies.

Kenney and William (1968:19) said, "Generally police are entitled to

1. Crime Control – it is referred to suppress criminals and also other police activities at large with intention to control any criminal acts and suing offenders to lawsuit.

2. Crime Preventions – they are activities with intention to eliminate people desires to commit crimes and closely coordinate with other social office in counter crimes.

3. Controller of Regulated Conduct – it is referred to activities with intention to enforcing to abide in the social rules and obligations which standardize all social conducts of people.

4. Provision of Service – it is referred to activities acted to help people or state agencies in servicing and most were assigned by state offices or the government.

Chai Sevikul (1968:130-133) cited there are 6 the police authority by criminology and penology, i.e.

1. Keeping laws
2. Keeping peace and order
3. Protecting people life and property
4. Probing all criminal offenders
5. Providing services for people
6. Other special task – protecting and securing peace during war time.

Prasert Rujirawong (1963: 3) cited that police duties were divided into:

1. Preventing crimes
2. Suppressing crimes
3. Protecting people welfare
4. Securing the nation
5. General services

In Thailand the police regulation by Case 1, Character 1, and Chapter 1 specifies that police duties follow the codes by era and spread through out laws, ministerial regulations and obligations and might be concluded as follows:

1. Being the guard for peace, the duty is to keep peace and order of people in the Kingdom.
2. Being the guard of laws, the duty is to prevent anyone violating laws, probing, arresting, searching, and suppressing offenders for lawsuit.
3. Being the civil officer, besides the duty to follow what is regulated by the Ministry of Interior but also follow civil regulations at large and keep unity, helping each other among arm forces and civil officers.
4. Police being public administration officers fulfill duties of eliminating suffering and keeping peace for people
5. During in the battle filed, police protect and fight enemies along the battlefield and keeping peace and order occasionally assigned by government.

2.1.2 Scope of Criminology

Criminology encounters countless jobs and formed into a criminology institute. Criminologists are specialist like psychiatrists such as child development, cognition, personality, mental studies, and sex education. Criminological specializations are as follows:

- 2.1.2.1 Criminal statistics
- 2.1.2.2 Sociology of laws
- 2.1.2.3 Criminal theorization
- 2.1.2.4 Criminal behavioral systems
- 2.1.2.5 Penology

2.1.2.6 Victimology

2.1.2.7 Criminal Statistics

It involves measures and test number and tendency of crimes. For example, how many crimes committed each year? Who commit? Where and when it has been committed? What crime is most violent? And so on.

2.1.2.1 Criminal statistics

Criminologists interested in criminal statistics need to form accurate and accountable measurement tools to treat the criminal behaviors such as technique to access police and court records, improving questionnaire to survey population to find how many percentage of people commit crime and violate laws and escape probing of the justice administration. It is required to improve technique to find number of victims, and how many percentages of cases notify police. Studying the criminal statistics is important in the criminology institute. Because, if data and sources are invalid and unaccountable, fund spent for researches and theorizations would be useless.

Popular methods to collect criminal statistics are:

1. Survey Research
2. Cohort Research
3. Aggregate Data Research
4. Experimental Research
5. Observational and Interview Research

1. Survey Research

It measures attitudes, belief, values, personality and behavior. Many researches use the survey research for analyses. Data collection uses self-report, and interviews. Both methods need samples to represent the population. For example, criminologists will interview 3,000 prisoners who represent 1,000,000 prisoners in USA. Or, the samples of burglars represent all burglars in Miami. Significantly, samples must be similar to most population.

The popular survey is questioning samples representing the cross section of a community. Such study is called the cross-sectional research. For example, all youth of K10 in a secondary school will be samples in a study of narcotics uses, because all youth at this age are studying in K10. The survey contains samples representing the cross-section of the community such as the rich, the poor, male, female, drug users, and non-drug users and so on.

A self-report survey applying questions for response in details, the past life, and committing crime in life such as surveying the criminal victims should seek data from victims. Similarly, an attitude survey is to measure attitude, belief, and values of each group such as the prostitution groups, the student groups, the addict groups, the police groups, the judge groups, and the juvenile groups.

The pros and cons of surveys as information gathering is one of the most popular method because it save costs to arrange the large habitual group. Rationally, questions and method are standardized by its contents. The survey will not affect private ideas and bias of the surveyor.

Analyses of data start from sampling where the researcher can conclude results in general even with large groups. Even the survey is conducted in a period of time or age; the response would be correct even with ante behavior and post ones, and future objectives and the aspiration of the respondents.

Even well serve a purpose but it is not the best method since it just measure and has many limitations because the content can change all the time. Moreover, surveys are often criticized by its positive hypothesis. Most emphasize precision of the question contents but it is difficult to prevent lies from respondents or respond with uncertainty and give wrong answer. Surveying offense or crimes is often under suspicion because it needs to trust the satisfaction of respondents who know not whether to disclose their privacy. Other limitations are interactions among individuals and groups or surveying topic of unable to respond or can decide alone. Even with limitations, the attitude survey is still popular on data collection.

2. Cohort Research

Longitudinal Research is using samples with similar property all the time such as the researcher selects all girls from Albany, New York in 1990 and pursues their behavioral model for 20 years. Data might include school experiences, arrest, hospitalization and family life (divorce, and family relation). Respondents might have intellectual and physical test or diet. Such data are directly collect from the respondents or unknown by them from schools, police and other sources. If cautious in studies, it would help fix period of experience such as being raised from suffering home, or failure from school which might be before committing crime and offense.

Being the difficult method and costly with time consuming to pursue all respondents; a new method is proposed to summarize behavior of offenders by tracing their past behavior such as checking educational background, family, police, hospital records and so on. Such questionnaire is called retrospective cohort study (David Farrington, Lloy Ohlin, and James Q. Wilson, 1986:11-18). This approach is used to study backgrounds of social organizations such as hospitals, schools, offices of social welfare, courts, police bureau, and prisons. Educational results, attendance, intelligence, disciplines and ranking of teachers might be points for investigation in schools while records of medication, suspicious wound for child abuses might be from the hospitals. At police bureau, they might be crime records, arrest, private biography of the suspected, victimization records, police operations. At courts, they might be data of personal habit of offenders, adjudication, charges and types of verdicts. In prison, they might be prisoner's records, personal habit, and self-reserved problem, breaking disciplines, rehabilitation and term of imprisonment.

3. Aggregate Data Research

Such research tells the social tendency and models of crimes. Criminologists use the state agencies and data from the research institutions from different foundations such as the office of demography, Office of labor, department of corrections and other sources. Important data are gained from the UCR (Uniform

Crime Report). The FBI office (1998) collects data and the UCR summarize the annual crime reports notified by common people with illustration of arrest and counted inevitable.

Such research is used in investigating the mob dynamism affecting crimes. For example, a study on relationship between crime and poverty, which criminologists use data from the office of demography (Census Bureau) illustrating income, people receiving welfare allowance, number of the single-parent families living in the city. The criminologist might conduct a cross-study among criminal rates in the locality.

4. Experimental Research

Sometimes, criminologists might need to know the affects of some factors such as whether watching violent movies leading to aggressive conduct which needs to use the experimental approach. They need to experiment and involve with samples to test those impacts. Real experiment contains 3 factors, i.e. (1) sampling; (2) control group and compared group, and (3) the experiment condition. The study of TV affect with violent movies might be randomized by group watching violent drama (e.g. *Scream* or *Psycho*) and other group watches non violent ones (e.g. *Babe* or *the Parent Trap*). Behavior of both groups would be closely observed. If those watching violent action behaved aggressively, then it proved the hypothesis. Sampling is to avoid preexisting conditions in order to gain valid results.

Had sampling failed or beyond controls, it needed multi-experiment such as criminologists test dangers from driving and arrest drunkards while being drunk to support coding laws on imprisonment for the DWI (driving while intoxicating). If police cannot arrest such type of drivers, they might change into Comparing DWI and danger-tendency with driving from neighboring area where the Acts are not strict in the case of the DWI. Even it is not the direct experiment but it can point the affects to support the coding. Such conditions are compatible except driving restriction in some areas is differed for drunkards.

Another type of the experimental approach is time-series design. It is to collect data of DWI in every month the entire year in both ante-posted stipulations of the Acts on imprisonment upon drive and if it works well, it can be enforced.

This approach is rarely found since it was troublesome and costly as well as affecting daily life of the samples and caused traffic halts and ethics as well as time-consuming. However, it gives important data for criminology.

5. Observational and Interview Research

Sometimes, researchers are interested in some samples and used the in-depth interviews or observations to fulfill the vacancy from the survey. For example a study of Claire Sterck – Elifson (1996:63-76) who was interested in studying life among the addicted girls of the middle class. 34 samples were tested the left-behind behavior from surveys. They found that this sample group first involved with cocaine because of “spiritedness”. A 34-year-old lawyer responded in an interview, “Using drug to know that cocaine will not influence my life.” But unfortunately, those people were enslaved by drug and had to suffer emotionally and financially.

Another popular approach is the direct observation to gain data of motive and deeds. This requires fieldwork and participation. For example, William Whyte (1955) a renowned sociologist studied a hooligan group in Boston to in his topic of “Street Corner Society”. Other observant researchers were in the background and never participate in the activities. (Herman Swchendinger and Julia Swchendinger, 1985).

Another approach is using a laboratory to observe reactions against mock situation or arousal. This is popular among investigations of the aggressive behavior such as watching TV with violent movies with behavioral controls and conducted in an experimental laboratory (L. Rowell Huesmann, and Neil Malamuth, 1986:31-53).

Criminology requires fundamental methods above. This also includes sociology, psychology and public administration to achieve the set purposes of the criminology and it requires using countless methods of research.

2.1.2.2 *Sociology of Law*

This area involved the roles of social dynamism sharing part in drafting the social and the criminal laws to improve societies. Criminologists will reviews legal history to understand crime such as theft, rape, and homicide which cycle in many forms.

Often, criminologists are invited to raise questions in new draft to edit or to control behavior. For example, in Isothere were questions on justified law, movie advertisement, movies, photographers and music. Some thought that they were improperly and pornographically endangering. Criminologists help set role for law to control accessing media or such culture. They also gave answer societies should control immorality of non-victimization? What is the meaning of suffering? Do pornographic comics and magazine harm children?

Criminologists need to update contents of laws always. Deciding a matter of laws requires flexibility, and meeting changes of time and space, e.g. computer fraud, hijack, ATM robbery, internet scams, tapping, or snapping telephone waves which are not stipulated in laws. So, it requires to regularly revising laws to reflect the changes of culture, social, and technology. For example, Dr. Jack Kevorkian injects “suicidal medicine” to help someone wanting suicide as found in the front page of news. Even such is believed to be crime, immoral and harming societies. Reports and rumors for hot-shot are to break and react to such news. The Michigan State codes that helping suicide is a felony. Election in November 1999 voted to permit doctors injected suicides. Finally, Dr. Jack Kevorkian was under lawsuit because of helping the ALS patients (Lou Gehrig’s Diseases) suicide. The charge and lawsuit proved whether public disagreed with Dr. Jack Kevorkian and were there anything guaranteeing that the law would not pass in years to come?

1. Origin of Law

If it is well known that early crimes before having books; societies used mores and folkways replacing laws. Every ethnic group has its own folkways to decide solving its daily problems. Such folkways attended by parishioners to conserve their origin. Some folkways turned into cultural heritage and into laws officially. (Rene Wormser, 1962; Jackdon Spielvogel, 1991; Eugen Weber, 1971; James Heath, 1963; David Jones, 1986; Fred Inbau, James Thomson and James Zagel, 1974; Wayne LaFave, and Austin Scott, 1986; Sanford Kadish and Monrad Paulsen, 1975)

Concepts of crimes began with the Babylonians, the Hebrews and improved by the Romans. King Dungi of Sumer Civilization (now in Iraq) first code law 2000 BC as known and improved by Hammurabi (1792-1750BC) the 6th king of Babylonian Civilization. It is called the Code of Hammurabi engraved in basalt coded crimes and their punishment: "an eye for an eye and a tooth for a tooth" (lex talionis). Weight of punishment was depended on social class. For example, assaults by a slave were subject to execution while the common might lose an organ for compensation.

The king's consultants became the consultant for the judge and enforced the laws of Babylon strictly and rigidly. Theft and burglary were counted crime in that age and very common. Officers enforcing laws had to be strict. The local offices had to probe and arrest criminals and if they were not arrested the officers had to repay by their properties for victims, or fined, or compensated relatives of the dead.

An ancient laws still used today is from Mosaic laws during 1200BC. Traditionally, Jehovah promised with the Israelites if they follow laws (613 Articles in the Old Testaments and the Ten Commandments). God conferred to the Israelites through Moses and He protected them. The Mosaic laws were not just the foundation of the Jewish-Christian principles but key to justice principles in

USA to forbade homicide, theft, perjury and adultery. It is unbelievable that such ancient laws are still found in the justice administration of USA.

The Twelve Tablet of the Romans (451BC) by 10 senators to draft laws for enforcement among the plebeians. It is believed that this non-scripted empowered the patricians boundlessly. The first one was engraved in bronze plate but lost. However, all Romans memorized it well. It is still found what related to debts, family relation, and property and miscellaneous in daily life examples follows:

Tablet 8 from 12 coded violating other rights (Table VIII of The Twelve Tables Torts or Delicts)

- Had on sung or composed a songs to malign others and the song an impairs and humiliates others is subject to head-club to death
- Anyone makes other lose an organ is subject to lose of the organ or otherwise agreed upon
- Anyone burns establishment or corn heaps near home is subject to binding and beating and burned to dearth. Had it been preplanned but by negligence, the person must repair or compensate the victim. But if the person is a plebeian unable to compensate, he must be subject to civil punishment.

Early Crimes, Punishment and Law in Chaos

Written laws were lost during the Dark Age where they were used for over thousand years since the Romans (500-1100 CE). The thoughts of this era were dominated by superstition, fear witchcraft and black magic of Satan.

Early feudalism, many attempted to define and set punishment with crimes the left-over was the compensation for damages to punish criminals. The early Germanic and the Anglo Saxon improve compensation and called Wergild if it were crimes. For example, Saltic Franks (a tribe in France) during 6th century stated that had any one caused death to a reproductive ladies or committed

homicide, he/she must be punished with wergild of 24,000 dinars for the family of the dead but if it were over reproductive age, the fine was only 8,000 dinars.

Punishment could be imposed in 2 ways, i.e. punishment–lift with compurgator and ordeals. The first case is the alleged must vow that it is innocent and needed oath-helpers of not less than 12-25 persons. The latter adhere to the Hand of God and belief. God protects the innocent. The latter prove guilt by dipping hands in boil water, holding heated iron bars, and if unaffected, it is innocent otherwise guilty.

A lawsuit by fight is another way by duel and announce being guilty or innocent by its consequence. This approach was used in Europe during 13th century. For example, William of Normandy (William the Conqueror) enthroned in 1066 in England had drafted these laws,

“A royal decree is French accuses an English and defame other person or commit homicide or theft or crime or snatch and run; the English can protect itself as like or use an ordeals or duel. If the English is a disable, it can find a repetitive. Had any side failed, it must pay 40 shillings to the King. But if the English accuses the French but unwilling to prove by ordeal or by duel with weapons; I will adjudicate the French innocent but under oath-taking.”

Even reforms the criminal systems, punishment, laws and justices, they were chaotic and anarchist. High lords adjudicating case by tradition and law in hand even if theft, assaults, traitor, blasphemy and crimes but punishments were by freewill and cruelty including beating in public places. Stigmatizing of law-breakers, beheading, burning alive those farmers violating their lords encountered barbaric punishment and those with charges of traitors underwent capital punishment or execution.

In 14th century, by a record of a Norman that a former disobeying or stealing encountered serious punishment from its lords. Some were taken their teeth,

some pierced by lance on the eye, hand cut, pressing ankles with hot charcoal, burning alive or hot lead pouring into mouth (Weber, 1971). Even vagabond or roamers were countered endangering and met brutal punishment.

2. Origin of Common Laws

Caused by loss of laws during the Dark Age in Europe, concepts of law and crimes during 500 CE (500-1000CE) were anarchist. Most exploited paganism. In 1066, Normans improved the Common Laws to standardize laws and justice before the Normans seized England. Laws in England were similar to Europe that there was centralization in every county or shire. It was divided into 100 zones called the 'hundreds' gathered by 100 families in each hundreds and split into subgroups of 10 families called tithing having Reeve as leader to enforce law, secure peace and order among each group over some minor things such as fire, endangering wild beast, and others. The early enforcement was subject under the tithing, hundred and shire.

Some minor miscellaneous cases were taken the hundred gemots. The violent and critical cases were handled by the shire-gemot or the hali gemot. The holy-mates or ecclesiastics handled spirituality. Even laws were more standardized but differences were still found among different counties and villages.

3. Compensations of Crime

Criminal laws coded to solve most interpersonal conflicts. Crimes before the Normans overtaken England were counted violation of personal rights and had to pay compensations to victims or their families. It is found that the Medieval Era laws were similar the present civil laws like compensations of loss to victims otherwise coerce to or retribution and created family vengeance. This includes traitor, murder, rape, theft, extortion, beating. Traitor is taking side with enemy for territory dispute or enthroning of crown prince and then punished by execution. Theft before the Norman was enslavers both the thief and its family. Had it been arrested and fled with matter of dispute, it will be executed or killed.

Other countless laws even theft and violence required compensations for victims such as murder must be charge with wergild for the victims' family except poisoning or accomplice of assaults which will be subject with execution.

Parts of wergild will be given to the king and the rest to the victim's family. Lord and nobles had seen such advantages then they claimed their shares more than victims. Managing the wergild was the start of the criminal compensation. Rate for enforcement in case of injury was less than amputation or loss of an eye. Important persons like monks and nuns will be compensated more than common people but paid more than common people, if subject to criminal case.

Paying system is still found in criminal case, and property confiscation in punishment of business crimes or crime ring as well as experimenting that confiscation is varied by rate of income of employees.

Early in the Middle Era in Europe and England all accusation of crimes were proved by ordeals such as holding hot steel and if there were burns and uncured, it was counted guilty while claiming for duel from the defendant, the plaintiff could choose any opponents.

Ordeals taken was terminated during the 4th Later a Council 1215 of the Catholic Church which drafted the Canon that that priests were not necessary to subject under ordeals. When it was terminated, the English and the European courts got loss how to resume.

When ordeals were terminated, in England, it proved that criminal lawsuits were indispensable and needed improvements. So England turned to tax lands. Previously, since William the Conqueror all the 12 knights had to report themselves to submit the county taxes caused by late lawsuits over the nobles. The 12 knights would inspect the lands and announced the latest ownership to gained

the precise data because knights were good friends to common people and ever ready if the king announce open the circuit. Henry II decreed the Write of Novel Dissension in 1166, for the 12 knights to settle land dispute.

In 1219, jury was appointed to examine the criminal cases. At first, they work as witness for charge in court which was called 'assize'. Later in 14th century, the jury had changed into facts examiners and to check the government. Critical cases were Bushel (1670) when the jury dismissed William Penn in London a Quaker Leader and later he instituted the Pennsylvania State. He was charged on illegal gathering and street preaches. The church was permanently closed down. The jury was punished by the special governors from the palace but finally dismissed by Vaughn, the court general director of England announcing that had the jury was not corrupted, and adjudication needed evidence otherwise the jury was just rubber stamp. (Marvin Zelman and Larry Siegel 1991).

It was observed that records of case examination employed both worldly and moral powers especially the county leaders appointed by the king because they were familiar with the local people. Using ordeals which is at present is terminated, it could be observed on belief and culture in lawsuit examination sociologically and psychologically. It helps showing ways in legal amendments. At present, the scientific and technological advancement turn people to be more lethal. Arms are devices for force giving enormous benefits and loss as well as the enforcer relies principally on their judgment. There is no guarantee on proper using science or technology worth to handle crimes. So, matters of law in sociological perspectives measuring mass dynamism should likely change laws and societies in terms of criminology.

2.1.2.3 Theorizations

Since the beginning, criminologists suspected that why people were attracted by crimes? Why and how such deeds deserved sever punishment like antisocial by theft or rape or murder? In short, why people behave as such? Are crimes based on social or personal? Are they either psychological, or biological, or

social or economic phenomenon? Had criminologist used belief and their own ground in studying criminal behavior, the cause of crimes would have changed. Some of them supported psychological perspectives and viewed that crimes were the consequences of personality, social learning development, and cognition. Other criminologists investigated correlation between biology and behavior of antisocial as well as conducted researches on biochemistry, heredity and neuron-system involved with crimes. Sociologists studied social dynamism leading to crimes including the conditions of neighbors, poverty, and association and groups interactions.

Knowing real causes of crimes still created endless difficulties. Criminologists were uncertain when with the same condition some selected to commit crimes as solution while others were pleased to follow the social norms and understood rate and criminal tendencies. For example, why are criminal rate up and down? Why did some localities have more crimes than the other? Why do some groups tend to commit crimes more? Such questions led to theorizations for solving crimes.

Theorizations related to crimes were as follows:

1. Choice Theory
2. Trait Theory
3. Social Structure Theory
4. Social Process Theory
5. Conflict Theory
6. Integrated Theory

1. Choice Theory

Table 2-1 : The Choice Theories

Theories	Major Premises	Strength
Rational Choice	Law-violating behavior occurs after offenders weigh information on their personal needs and the situational factors involved in the difficulty and risk of committing a crime	Explains why high-risk youths do not constantly engage in delinquency. Relates theory to delinquency control policy. It is not limited by class or other social variables
Routine Activities	Crime and delinquency are functions of presence of motivated offenders, the availability of suitable targets, and the absence of capable guardians	Can explain fluctuation in crime and delinquency rates. Shows how victim behavior influences criminal choice.
General Deterrence	People will commit crime and delinquency if they perceive that the benefits outweigh the risks. Crime is function of the severity, certainty, and speed of punishment	Show the relationship between crime and punishment. Suggests a real solution to crime

Table 2-1 : The Choice Theories (Continued)

Theories	Major Premises	Strength
Specific deterrence	If punishment is serve enough, criminals will not repeat their illegal acts	Provides a strategy to reduce crime.
Incapacitation	Keeping known criminals out of circulation will reduce crime rates	Recognizes the role opportunity plays in criminal behavior. Provides solution to chronic offending.

Sources: Larry Siegel. 2000: 139. Criminology. 7th ed. USA: Wadsworth

Choice theories assume that criminals carefully choose whether to commit crime as above. People are influenced by their fear of the criminal penalties associated with being caught and convicted for law breaking. More severe, certain and swift punishment the more it is to control crime; the choice approach is rooted in the classical criminology of Cesare Beccaria (1738-1794) and Jeremy Bentham (1748-1833). Both social philosopher proposed punishment should be certain, swift and severe enough to deter crime.

The growth of positivist criminology which stressed external causes of crime and rehabilitation of known offenders reduced the popularity of the classical approach in the 20th century. But in late 1970s the concept of criminal choice again became an important criminological perspective. Today, choice theories view crime as offense-and offender-specific. Researches find that offenders consider their targets carefully before deciding on course of action. By implication crime can be prevented or displaced by convincing potential criminals that the risks of violating the law exceed benefits.

Deterrence Theory holds that if criminals are indeed rational an inverse relationship should exist between punishment and crime. But, a number of factors confound the relationship. For example, if people do not believe they will be caught, even harsh punishment may not deter crime. Deterrence theory has been criticized on the grounds its wrongfully assumes that criminals make a rational choice committing crimes, ignores the intricacies of the criminal justice system and does not take into account the social and psychological factors that may influence criminality. Research designed to test the validity of the deterrence concept has not indicated that deterrent measures actually reduce the crime rate.

Specific deterrence theory holds that the crime rate can be reduced if known offenders are punished so severely that they never commit crimes again. However, there is little evidence that harsh punishment actually reduces the crime rate. Incapacitation theory maintains that if deterrence does not work, the best course of action is to incarcerate known offenders for long periods so that they lack criminal opportunity. Research efforts, however, have not proved that increasing the number of people in prison-and increasing prison sentences-will reduce crime rates.

Choice theory has been influential in shaping public policy. Criminal law is designed to deter potential criminals and fairly punish those who have been caught in illegal acts. Some courts have changed sentencing policies to adapt to classical principles, and the U.S. correctional system seems geared toward incapacitation and specific deterrence. The just desert view is that criminal sanctions should be geared precisely to the seriousness of the crime. People should be punished on the basis of whether they deserve to be punished for what they did and not because it may affect or deter their future behavior.

2. Trait Theory

Table 2-2 : Biological and Psychological Theories

Theories	Premises	Strength
Biosocial Biochemical	Crime, especially violence, is a function of diet, vitamin intake, hormonal imbalance, or food allergies.	Explains irrational violence, Shows how the environment interacts with personal traits to influence behavior.
Neurological	Criminals and delinquents often suffer brain impairment, as measured by the EEG. Attention deficit / hyperactivity disorder and minimal brain dysfunction are related to antisocial behavior.	Explains irrational violence. Shows how the environment interacts with personal traits to influence behavior.
Genetic	Criminal traits and predispositions are inherited. The criminality of parents can predict the delinquency of children.	Explains why only a small percentage of youth in a high-crime area become chronic offenders.
Evolutionary	As the human race evolved, traits and characteristics have become ingrained. Some of these traits make people aggressive and predisposed to commit crime.	Explains high violence rates and aggregate gender differences in the crime rate.

Table 2-2 : Biological and Psychological Theories (Continued)

Theories	Premises	Strength
Psychological (Psychodynamic)	The development of the unconscious personality early in childhood influences behavior for the rest of a person's life. Criminals have weak egos and damaged personalities	Explains the onset of crime and why crime and drug abuse cut across class lines.
Behavioral	People commit crime when they model their behavior after others they see being rewarded for the same acts. Behavior is reinforced by rewards and extinguished by punishment.	Explains the role of significant others in the crime process. Shows how family life and media can influence crime and violence.
Cognitive	Individual reasoning processes influence behavior. Reasoning is influenced by the way people perceive their environment and by their moral and intellectual development.	Shows why criminal behavior patterns change over time as people mature and develop their moral reasoning. May explain the aging-out process.

Sources: Larry Siegel. 2000: 176. Criminology. 7th ed. USA: Wadsworth

The earliest positivist criminologists were biologists. Led by Cesare Lombroso, these early researchers believed some people manifested primitive traits that made them born criminals. Today their research is debunked because of poor

methodology, testing, and logic. Biological views fell out of favor in the early twentieth century. In the 1970s, spurred by the publication of Edmund O. Wilson's *Sociobiology*, several criminologists again turned to study of the biological basis of criminality. For the most part, the effort has focused on the cause of violent crime. Interest has centered on several areas: (1) biochemical factors, such as diet, allergies, hormonal imbalances, and environmental contaminants (like lead); (2) neurophysiologic factors, such as brain disorders, EEG abnormalities, tumors, and head injuries; and (3) genetic factors, such as the XYY syndrome and inherited traits. An evolutionary branch holds that changes in the human condition, which has taken millions of years to evolve, may help explain crime rate differences.

Psychological attempts to explain criminal behavior have historical roots in Maudsley's concept that all criminals are insane or mentally damaged. This position is no longer accepted. Today there are three main psychological perspectives: the psychodynamic view, the cognitive view, and the social learning perspective. The psychodynamic view, created by Sigmund Freud, links aggressive behavior to personality conflicts developed in childhood. According to some psychoanalysts, psychotics are aggressive, unstable people who can easily become involved in crime. Cognitive psychology is concerned with human development and how people perceive the world. Criminality is viewed as a function of improper information processing or moral development. In contrast, behavioral and social learning theorists see criminality as a learned behavior. Children who are exposed to violence and see it rewarded may become violent as adults.

Psychological traits such as personality and intelligence have been linked to criminality. One important area of study has been the psychopath, a person who lacks emotion and concern for others. The controversial issue of the relationship of IQ to criminality has been resurrected once again with the publication of research studies purporting to show that criminals have lower IQs than no criminals. Psychologists have developed standardized tests with which to measure personality traits. One avenue of research has been to determine whether criminals and no criminals manifest any differences in their responses to test items.

3. Social Structure Theories

Table 2-3 : Social Structure Theories

Theories	Premises	Strength
Social Disorganization Theory Shaw & McKay 's Concentric Zone Theory	Crime is a product of transitional neighborhoods that manifest social disorganization and value conflict.	Identifies why crime rates are highest in slum areas. Points out the factors that produce crime. Suggests programs to help reduce crime.
Social Ecology Theory	The conflicts and problems of urban social life and communities, including fear, unemployment, deterioration, and siege mentality, influence crime rates.	Accounts for urban crime rates and trends.
Strain Theory Anomie Theory	People who adopt the goals of society but lack the means to attain them seek alternatives, such as crime.	Points out how competition for success creates conflict and crime. Suggests that social conditions and not personality can account for crime. Can explain middle- and upper-class crime
General Strain Theory	Strain has a variety of sources. Strain causes crime in the absence of adequate coping mechanisms.	Identifies the complexities of strain in modern society. Expands on anomie theory, Shows the influence of social events on behavior over the life course.

Table 2-3 : Social Structure Theories (Continued)

Theories	Premises	Strength
Institutional anomie Theory	Material goals pervade all aspects of American life.	Explains why crime rates are so high in American culture.
Relative deprivation Theory	Crime occurs when the wealthy and poor live close to one another.	Explains high crime rates in deteriorated inner-city areas located near more affluent neighborhoods.
Cultural Deviance Theory Sellin's culture conflict Theory	Obedience to the norms of their lower-class culture puts people in conflict with the norms of the dominant culture.	Identifies the aspects of lower-class life that produce street crime. Adds to Shaw and McKay's analysis. Creates the concept of culture conflict.
Miller's focal concern theory	Citizens who obey the street rules of lower-class life (focal concerns) find themselves in conflict with the dominant culture.	Identifies the core values of lower-class culture and shows their association to crime.
Cohen's theory of delinquent gang	Status frustration of lower-class boys, created by their failure to achieve middle-class success, causes them to join gangs.	Shows how the conditions of lower-class life produce crime. Explains violence and destructive acts. Identifies conflict of lower class with middle class.

Table 2-3 : Social Structure Theories (Continued)

Theories	Premises	Strength
Cloward & Ohlin Cloward & Ohlin's theory of opportunity	Blockage of conventional opportunities causes lower-class youths to join criminal, conflict, or retreatist gangs.	Shows that even illegal opportunities are structured in society. Indicates why people become involved in a particular type of criminal activity. Presents a way of preventing crime.

Source: Larry Siegel. 2000: 214. *Criminology*. 7th ed. USA: Wadsworth

Sociology has been the main orientation of criminologists because they know that crime rates vary among elements of the social structure that society goes through changes that affect crime and that social interaction relates to criminality. Social structure theories suggest that people's places in the socioeconomic structure influence their chances of becoming a criminal. Poor people are more likely to commit crimes because they are unable to achieve monetary or social success in any other way. Social structure theory has three schools of thought: social disorganization, strain, and cultural deviance theories.

Social disorganization theory suggests that slum dwellers violate the law because they live in areas in which social control has broken down. The origin of social disorganization theory can be traced to the work of Clifford R. Shaw and Henry D. McKay. Shaw and McKay concluded that disorganized areas marked by divergent values and transitional populations produce criminality. Modern social ecology theory looks at such issues as community fear, unemployment, siege mentality, and deterioration.

Strain theories comprise the second branch of the social structure approach. They view crime as resulting from the anger people experience over their inability to achieve legitimate social and economic success. Strain theories hold

that most people share common values and beliefs, but the ability to achieve them is differentiated throughout the social structure. The best-known strain theory is Robert Merton's theory of anomie, which describes what happens when people have inadequate means to satisfy their goals. Steven Messner and Richard Rosenfeld show that American culture produces strain, and Robert Agnew found that strain has multiple sources.

Cultural deviance theories hold that a unique value system develops in lower-class areas. Lower-class values approve of behaviors such as being tough, never showing fear, and defying authority. People perceiving strain will bond together in their own groups or subcultures for support and recognition. Albert Cohen links the formation of subcultures to the failure of lower-class citizens to achieve recognition from middle-class decision makers, such as teachers, employers, and police officers. Richard Cloward and Lloyd Ohlin have argued that crime results from lower-class people's perception that their opportunity for success is limited. Consequently, youths in low-income areas may join criminal, conflict, or retreatist gangs.

4. Social Process Theories

Table 2-4 : Social Process Theories

Theories	Premises	Strength
Social Learning Theories Differential Association Theory	People learn to commit crime from exposure to antisocial definitions.	Explains onset of criminality. Explains the presence of crime in all elements of social structure. Explains why some people in high-crime areas refrain from criminality. Can apply to adults and juvenile

Table 2-4 : Social Process Theories (Continued)

Theories	Premises	Strength
Differential Reinforcement Theory	Criminal behavior depends on the person's experiences with rewards for conventional behaviors and punishment for deviant ones. Being rewarded for deviance leads to crime.	Adds psychological learning theory principles to differential association. Links sociological and psychological principles.
Neutralization Theory	Youths learn ways of neutralizing moral restraints and periodically drift in and out of criminal behavior patterns.	Explains why many delinquents do not become adult criminals. Explains why youthful law violators can participate in conventional behavior.
Social Control Theories Containment Theory	Society produces pushes and pulls toward crime. In some people, they are counteracted by internal and external containments, such as a good self-concept and group cohesiveness.	Brings together psychological and sociological principles. Can explain why some people are able to resist the strongest social pressure to commit crime.
Hirschi's control theory	A person's bond to society prevents him or her from violation social rules. If the bond weakens, the person is free to commit crime.	Explains the onset of crime; can apply to both middle – and lower-class crime. Explains its theoretical constructs adequately so they can be measured. Has been empirically tested.

Source: Larry Siegel. 2000: 248. Criminology. 7th ed. USA: Wadsworth

Social process theories view criminality as a function of people's interaction with various organizations, institutions, and processes in society. People in all walks of life have the potential to become criminals if they maintain destructive social relationships. Social process theory has three main branches: social learning theory stresses that people learn how to commit crimes; social control theory analyzes the failure of society to control criminal tendencies; and labeling theory maintains that negative labels produce criminal careers.

The social learning branch of social process theory suggests that people learn criminal behaviors much as they learn conventional behavior. Differential association theory, formulated by Edwin Sutherland, holds that criminality is a result of a person's perceiving an excess of definitions in favor of crime over definitions that uphold conventional values. Ronald Akers has reformulated Sutherland's work using psychological learning theory; he calls his approach differential reinforcement theory. Sykes and Matza's theory of neutralization stresses that youths learn behavior rationalizations that enable them to overcome societal values and norms and break the law.

Control theory is the second branch of the social process approach. Control theories maintain that all people have the potential to become criminals, but their bonds to conventional society prevent them from violating the law. Walter Reckless's containment theory suggests that a person's self-concept aids his or her commitment to conventional action. Travis Hirschi describes the social bond as containing elements of belief, commitment, attachment, and involvement. Weakened bonds allow youths to behave antisocially.

Social reaction or labeling theory holds that criminality is promoted by becoming negatively labeled by significant others. Such labels as "criminal," "ex-con." and "junkie" isolate people from society and lock them into lives of crime. Labels create expectations that the labeled person will act in a certain way; labeled people are always watched and suspected. Eventually these people begin to accept their labels as personal identities, locking them further into lives of crime

and deviance. Edwin Lemert has said that people who accept labels are involved in secondary deviance. Unfortunately, research on labeling has not supported its major premises. Consequently, critics have charged that it lacks credibility as a description of crime causation.

Social proves theories have greatly influenced social policy. They have controlled treatment orientations as well as community action policies.

5. Social Conflict Theory

Table 2-5 : Social Conflict Theory

Theories	Premises	Strength
Conflict Theory	Crime is a function of class conflict. Law is defined by people who hold social and political power.	Accounts for class differentials in the crime rate. Shows how class conflict influences behavior.
Marxist Theory	The capitalist means of production creates class conflict. Crime is a rebellion of the lower class. The criminal justice system is an agent of class warfare.	Accounts for the associations between economic structure and crime rates.
Instrumental Marxist Theory	Criminals are revolutionaries. The real crimes are sexism, racism, and profiteering.	Broadens the definition of crime and demystifies or explains the historical development of law.
Structural Marxist Theory	The law is designed to sustain the capitalist economic system.	Explains the existence of white-collar crime and business control laws.

Table 2-5 : Social Conflict Theory (Continued)

Theories	Premises	Strength
Radical Feminists Theory	The capital system creates patriarchy, which oppresses women.	Explains gender bias, violence against women, and repression.
Left realism	Crime is a function of relative deprivation; criminals prey on the poor.	Represents a compromise between conflict and traditional criminology.
Deconstructionism	Language controls the meaning and use of the law.	Provides a critical analysis of meaning.
Peacemaking	Peace and humanism can reduce crime; conflict resolution strategies can work.	Offers a new approach to crime control through mediation.

Sources: Larry Siegel 2000: 280. Criminology, 7th . ed. USA: Wadsworth.

Social conflict theorists view crime as a function of the conflict that exists in society. Social conflict theory is based on the works of Karl Marx as interpreted by Willem Bonger, Ralf Dahrendorf, and George Vold. Conflict theorists suggest that crime in any society is caused by class conflict. Laws are created by those in power to protect their rights and interests.

All criminal acts have political undertones; Richard Quinney has called this concept “the social reality of crime.” Unfortunately, research efforts to validate the conflict approach have not produced significant findings. One of conflict theory’s most important premises is that the justice system is biased and designed to protect the wealthy, Research has not been unanimous in supporting this point.

Marxist criminology views the competitive nature of the capitalist system as a major cause of crime. The poor commit crimes because of their frustration, anger, and need. The wealthy engage in illegal acts because they are used to competition and because they must do so to keep their positions in society. Marxist scholars such as Quinney, Platt, and Krisberg have attempted to show that the law is designed to protect the wealthy and powerful and to control the poor, have-not members of society. Branches of radical theory include instrumental Marxism and structural Marxism.

Research on Marxist theory focuses on how the system of justice was designed and how it operates to further class interests. Often this research uses historical analysis to show how the capitalist classes have exerted their control over the police, courts, and correctional agencies. Both Marxist and conflict criminology have been heavily criticized by consensus criminologists. Jackson Toby sees Marxists as sentimental and unwilling to face reality. Carl Klockars suggests Marxists make fundamental errors in their concepts of ownership and class interest.

During the 1990s new forms of conflict theory emerged. Feminist writers draw attention to the influence of patriarchal society on crime; left realism takes a centrist position on crime by showing its rational, destructive nature; peacemaking criminology calls for humanism in criminology; and deconstructionism looks at the symbolic meaning of law and culture.

6. Integrated Theories: Latent trait and Developmental Theories

Table 2-6 : Integrated Theories: Latent trait and Developmental Theories

Theories	Premises	Strength
Latent Trait Theory General Theory	Crime and criminality are separate concepts. People choose to commit crime when they lack self-control. People lacking in self-control will seize criminal opportunities.	Integrates choice and social control concepts. Identifies the difference between crime and criminality.
Human Nature Theory	People choose to commit crime when they are biologically and psychologically impaired.	Shows how physical traits interact with social conditions to produce crime. Can account for no criminal behavior in high-crime areas. Integrates choice and developmental theories.
Developmental Theory Social development model (SDM)	Weak social controls produce crime. A person's place in the structure influences his or her bond to society.	Combines elements of social structural and social process theories. Accounts for variations in the crime rate.
Elliot Integrated Theory	Strained and weak social bonds lead youths to associate with and learn from deviant peers.	Combines elements of learning, strain, and control theories.

Table 2-6 : Integrated Theories: Latent trait and Developmental Theories
(Continued)

Theories	Premises	Strength
Farrington’s theory of delinquent development	Personal and social factors control the onset and stability of criminal careers.	Makes use of data collected over a 20-year period to substantiate hypothesis.
Interactional Theory	Criminals go through lifestyle changes during their offending career.	Combines sociological and psychological theories.
Age – graded Theory	As people mature, the factors that influence their propensity to commit crime change. In childhood, family factors are critical; in adulthood, marital and job factors are keys.	Shows how crime is a developmental process that shifts in direction over the life course.

Source: Larry Siegel 2000: 311. Criminology, 7th ed . USA : Wadsworth.

Recently, criminologists have been combining elements from a number of different theoretical models into integrated theories of crime, which are outlined in Table 2-6.

Latent trait theories hold that some underlying condition present at birth or soon after controls behavior. Suspect traits include low IQ. Impulsivity and personality structure. This underlying trait explains the continuity of offending because once present; it remains with a person throughout his or her life. The latent trait theories developed by Gottfredson and Hirschi and Wilson and Herrnstein

both integrate choice theory concepts; people with latent traits choose crime over nonprime. The opportunity for crime mediates their choice.

Developmental theories look at multiple factors derived from a number of different structural and process theories. Examples of this include the social development model and Elliott's integrated theory, which holds that social position controls life events. The SDM finds that living in a disorganized area helps weaken social bonds; Elliott's theory holds that strain leads to weakened bonds. Both theories find that weakened bonds lead to the development of deviant peer group associations.

Life-course theories argue that events that take place over the life course influence criminal choices. The cause of crime constantly changes as people mature. At first, the nuclear family influences behavior; during adolescence, the peer group dominates; in adulthood, marriage and career are critical. There are a variety of pathways to crime: some kids are sneaky, others hostile, and still others defiant. Crime may be part of a variety of social problems, including health, physical, and interpersonal troubles. Important life-course theories have been formulated by Terence Thornberry, David Farrington, and John Laub and Robert Sampson.

2.1.2.4 Criminal Behavior Systems

The criminal behavior systems subarea of criminology involves research on specific criminal types and patterns: violent crime, theft crime, public order crime, organized crime, and so on. Numerous attempts have been made to describe and understand particular crime types. For example, Marvin Wolfgang's famous 1958 study, *Patterns in Criminal Homicide*, is considered a landmark analysis of the nature of homicide and the relationship between victim and offender. [Marvin Wolfgang, *Patterns in Criminal Homicide* (Philadelphia: University of Pennsylvania Press, 1958). Edwin Sutherland's analysis of business-related offenses helped coin a new phrase – white –collar crime – to describe economic crime activities. The study of criminal behavior also researches the links

between different types of crime and criminals. This is known as crime typology. Unfortunately, because people often disagree about types of crimes and criminal motivation, no standard exists within the field. Some typologies focus on the criminal, suggesting the existence of offender groups such as professional criminals, psychotic criminals, occasional criminals, and so forth. Others focus on the crimes, clustering them into such categories as property crimes, sex crimes, and so on.

1. Violent Crime

Although violence occurs throughout the world, the United States is an extremely violent society. Among the various explanations for violent crimes are the availability of firearms, human traits, a subculture of violence that stresses violent solutions to interpersonal problems, and family conflict.

There are many types of interpersonal violent crime. Rape, defined as the carnal knowledge of a female forcibly and against her will, has been known throughout history; but the view of rape has evolved. At present, close to 100,000 rapes are reported to U.S. police each year; the actual number of rapes is probably much higher. Rape is an extremely difficult charge to prove in court. The victim's lack of consent must be proven; therefore, it almost seems that the victim is on trial. Consequently, changes are being made in rape law and procedure.

Murder is defined as killing a human being with malice aforethought. There are different degrees of murder and punishments very accordingly. One important characteristic of murder is that the victim and criminal often know each other. This has led some criminologists to believe that murder is partly victim-precipitated. Assault, another serious interpersonal violent crime, often occurs in the home, including child abuse and spouse abuse. It has been estimated that almost 1 million children are abused by their parents each year and that 16 percent of families report husband-wife violence. There also appears to be a trend toward violence between dating couples.

Robbery involves theft by force, usually in a public place. Types of offenders include professional, opportunist, addict, and alcoholic rovers. Robbery is considered a violent crime because it can and often does involve violence.

Political violence is another serious problem throughout the world. Many terrorist groups exist at both the national and international levels. Hundreds of terrorist acts are reported each year in the United States alone. Terrorists may be motivated by criminal gain, psychosis, grievance against the state, or ideology.

2. Property Crime

Economic crimes are designed to financially reward the offender. Opportunistic amateurs commit the majority of economic crimes. However, economic crime has also attracted professional criminals. Professionals earn most of their income from crime, view themselves as criminals, and possess skills that aid them in their law-breaking behavior. Edwin Sutherland's classic book *The Professional Thief* is perhaps the most famous portrayal of professional crime. According to Sutherland and his informant, Chic Conwell, professionals live by their wits and never resort to violence. A good example of the professional criminal is the fence that buys and sells stolen merchandise. There are also occasional thieves whose skill level and commitment fall below the professional level.

Common theft offenses include larceny, embezzlement, fraud, and burglary. These are common-law crimes, defined by English judges to meet social needs. Larceny involves taking the legal possessions of another. Petty larceny is typically theft of amounts under \$100; grand larceny usually refers to amounts over \$100. The crime of false pretenses, or fraud, is similar to larceny in that it involves the theft of goods or money; it differs in that the criminal tricks victims into voluntarily giving up their possessions. Embezzlement is another larceny crime. It involves a person taking something that was temporarily entrusted to them, such as bank tellers taking money out of the cash drawer and keeping it for themselves. Most states have codified these common-law crimes in their legal codes. New larceny crimes have also been defined to keep abreast of changing social

conditions: passing bad checks, stealing or illegally using credit cards, shoplifting, and stealing automobiles. Burglary, a more serious theft offense, was defined in common law as the “breaking and entering of a dwelling house of another in the nighttime with the intent to commit a felony within.” This definition has also evolved over time. Today most states have modified their definitions of burglary to include theft from any structure at any time of day. Because burglary involves planning and risk, it attracts professional thieves. The most competent are known as good burglars. Good burglars have technical competence and personal integrity, specialize in burglary, are financially successful, and avoid prison sentences.

Arson is another serious property crime. Although most arsonists are teenage vandals, there are professional arsonists who specialize in burning commercial buildings for profit.

3. White – Collar and Organized Crime

White-collar and organized criminals are similar because the both use ongoing illegal business enterprises to make personal profits. There are various types of white-collar crime. Stings and swindles involve the use of deception to bilk people out of their money. Chiseling customers, businesses, or the government regularly is a second common type of white-collar crime. Surprisingly, many professionals engage in chiseling offenses. Other white-collar criminals use their positions in business and the marketplace to commit economic crimes. Their crimes include exploitation of position in a company or the government to secure illegal payments; embezzlement and employee pilferage and fraud; client fraud; and influence peddling and bribery. Further, corporate officers sometimes violate the law to improve the position and profitability of their businesses. Their crimes include price-fixing, false advertising and environmental offenses.

So far, little has been done to combat white-collar crimes. Most offenders do not view themselves as criminals and therefore do not seem to be deterred by criminal statutes. Although thousands of white-collar criminals are prosecuted each year, their numbers are insignificant compared with the magnitude

of the problem. The government has used various law enforcement strategies to combat white-collar crime. Some involve deterrence, which uses punishment to frighten potential abusers. Others involve economism or compliance strategies, which create economic incentives to obey the law

The demand for illegal goods and services has produced a symbiotic relationship between the public and an organized criminal network. Although criminal gangs have existed since the early nineteenth century, their power and size were spurred by the Volstead Act and Prohibition in the 1920s. Organized crime supplies alcohol, gambling, drugs, prostitutes, and pornography to the public. It is immune from prosecution because of public apathy and because of its own strong political connections. Organized criminals used to be white ethnics- Jews, Italians, and Irish-but today African-Americans, Hispanics and other groups have become included in organized crime activities. The old-line “families” are no more likely to use their criminal wealth and power to buy into legitimate businesses.

There is debate over the control of organized crime. Some experts believe a national crime cartel controls all activities. Others view organized crime as a group of disorganized, competing gangs dedicated to extortion or to providing illegal goods and services. Efforts to control organized crime have been stepped up. The federal government has used antiracketeering statutes to arrest syndicate leaders. But as long as huge profits can be made, illegal enterprises should continue to flourish.

Public order crimes are acts considered illegal because they conflict with social policy, accepted moral rules, and public opinion. There is usually great debate over public order crimes. Some charge that they are not really crimes at all and that it is foolish to legislate morality. Others view such morally tinged acts as prostitution, gambling, and drug abuse as harmful and therefore subject to public control. Many public order crimes are sex-related. Although homosexuality is not a crime, homosexual acts are subject to legal control. Some states still follow the archaic custom of legislating long prison terms for consensual homosexual sex.

Prostitution is another sex-related public order crime. Although prostitution has been practiced for thousands of years and is legal in some areas, most states outlaw commercial sex. There are a variety of prostitutes, including streetwalkers, B-girls, and call girls. Studies indicate that prostitutes came from poor, troubled families and have abusive parents. However, there is little evidence that prostitutes are emotionally disturbed, addicted to drugs, or sexually abnormal. Although prostitution is illegal, some cities have set up adult entertainment areas where commercial sex is tolerated by law enforcement agents.

Pornography involves the sale of sexually explicit material intended to sexually excite paying customers. The depiction of sex and nudity is not illegal, but it does violate the law when it is judged obscene. Obscene material is a legal term that today is defined as material offensive to community standards. Thus each local jurisdiction must decide what pornographic material is obscene. A growing problem is the exploitation of children in obscene materials (kiddie's porn). The Supreme Court has ruled that local communities can pass statutes outlawing any sexually explicit material. There is no hard evidence that pornography is related to crime or aggression, but data suggest that sexual material with a violent theme is related to sexual violence by those who view it.

Substance abuse is another type of public order crime. Most states and the federal government outlaw a wide variety of drugs they consider harmful, including narcotics, amphetamines, barbiturates, cocaine, hallucinogens, and marijuana. One of the main reasons for the continued ban on drugs is their relationship to crime. Numerous studies have found that drug addicts commit enormous amounts of property crime.

Alcohol is another commonly abused substance. Although alcohol is legal to possess, it too has been linked to crime. Drunk driving and deaths caused by drunk drivers are growing national problems. There are many different strategies to control substance abuse, ranging from source control to treatment. So far, no single method seems effective. Although legalization is debated, the fact that so many

people already take drugs and the association of drug abuse with crime make legalization unlikely in the near term.

2.1.2.5 Penology

The study of penology involves the correction and control of known criminal offenders. Penologists formulate strategies for crime control and then help implement these policies. Although the field of criminal justice overlaps this area, criminologists have continued their efforts to develop new crime control programs and policies. Some criminologists view penology as involving rehabilitation and treatment. They direct their efforts toward providing behavior alternatives for would-be criminals and treating individuals convicted of law violations. This view portrays the criminal as someone society has failed; someone under social, psychological, or economic stress; and someone who can be helped if society is willing to pay the price. Others argue that crime can be prevented only through a strict policy of social control; they advocate such strict penological measures as the death penalty (capital punishment) and mandatory prison sentences. Criminologists also help evaluate correctional initiatives to determine if they are effective and how they impact people's lives. Future penological research efforts seem warranted because most criminal offenders continue to commit crime after their release from prison (recidivate)

Penology related to punishment, rehabilitation deterrence criminal offenders. Punishment methods changed through time in the history. Aft first, it was fine to compensate victims or their relatives. Finally, it was execution. Economic system and the colony development n foreign countries required labors, so, slavery and forced labor began to replace punishment. During the end of 18th century; execution revived again.

Reformists attempted to push changes of punishment for more severe. So, prison was the choice to rehabilitate offenders. However, the early prisons were harsh where there was only silence, punishments, hardworking, and warehousing of prisoners. Before new century, reformists proposed educating and

counseling to prisoners. At present, imprisonment is divided into 5 types: community-based, correction, jail, prison, and parole programs.

Many offenders were under the community based project, some were under the probation departments and if they never fail orders they would be moved to the community-based project. This is a new development into the fine, confiscated matters of dispute, probation, confinement, electronic controls and different measures in community-based. Such method is the combination between imprisonment and liberty by probation. Even it seems potentials but requires researches to support.

Jails for lawsuit-waiting are part of punishment where the criminal offenders wait for sentence. Jails are like stigmata in the justice system because they are usually the old and eroded place without rehabilitation.

Imprisonment by sentence by new philosophy allows out-number prisoners and they have to adapt themselves and subject to control every inch. Prisons are violent and stressful including culture with inferiority and their own language. There are tools for rehabilitation the imprisonment system as well as counseling and career training. However, theorists argue that such methods are useless. So, philosophy dominating the justice system believes that prisons are still places for punishment and deterrence by not rehabilitation.

For the past 20 years, prisoners were relieved on their rights for the Supreme Court of the country for medication, freedom of belief, justice facilitation and responding the media.

The parole project by experimenting spending life in communities but under tight supervision till terms of sentence but still there is no certain evidence its viability of the control or the parole for enforcement. Many prisoners were recidivate.

2.1.2.6 Victimology

Two classic criminological studies, one by Hans von Hentig and another by Stephen Schafer, first identified the critical role of the victim in the criminal process. These authors suggested that victim behavior is often a key determinant of crime and that victim actions may actually precipitate crime. Both von Hentig and Schafer believe that the study of crime is not complete unless the victim's role is considered. [Hans von Hentig. *The Criminal and His Victim* (New Haven: Yale University Press, 1948); Stephen Schafer. *The Victim and His Criminal* (New York : Random House, 1968).] In recent years criminologists have devoted much attention to the victim's role in the criminal process. It has been suggested that lifestyle and behavior may actually increase the risk that a person will become a crime victim. Some suggest that living in a high-crime neighborhood increases risk, whereas others point to problems caused by associating with dangerous peers and companions. For a discussion of victimization risk. Victimologists are particularly interested in the following areas:

- ◆ Using victim surveys to measure the nature and extent of criminal behavior, calculating the actual costs of crime to victims
- ◆ Creating probabilities of victimization risk
- ◆ Studying victim culpability or precipitation of crime
- ◆ Designing services for crime victims, such as counseling and compensation programs

Victimology has taken on greater importance as more criminologists focus attention on the victim's role in the criminal event.

Table 2-7 : Victimization Theories

Theories	Premises	Strength
Victim precipitation	Victims trigger criminal acts by their provocative behavior. Active precipitation involves fighting words or gestures. Passive precipitation occurs when victims unknowingly threaten their attacker.	Explains multiple victimizations. If people precipitate crime, it follows that they will become repeat victims if their behavior persists over time.
Life style	Victimization risk is increased when people have a high-risk lifestyle. Placing oneself at risk by going out to dangerous places results in increased victimization.	Explains victimization patterns in the social structure. Males, young people, and the poor have high victimization rates because they have a higher-risk lifestyle than females, the elderly, and the affluent.
Equivalent Group Hypothesis	Criminals and victims are one and the same. Both crime and victimization are part of a high-risk lifestyle.	Shows that the conditions that create criminality also produce high victimization risk. Victims may commit crime out of a need for revenge or frustration.
Proximity Hypothesis	People who live in deviant places are at high risk for crime. Victim behavior has little influence over the criminal act.	Places the focus of crime on deviant places. Shows why people with conventional lifestyles become crime victims.

Table 2-7 : Victimization Theories (Continued)

Theories	Premises	Strength
Routine Activities	Crime rates can be explained by the availability of suitable targets, the absence of capable guardians, and the presence of motivated offenders.	Can explain crime rates and trends. Shows how victim behavior can influence criminal opportunity. Suggests that victimization risk can be reduced by increasing guardianship and / or reducing target vulnerability.

Sources : Larry Siegel 2000 : 106. Criminology , 7th ed . USA : Wadsworth.

Criminologists now consider victims and victimization a major focus of study. More than 30 million U.S citizens suffer from crime each year, and the social and economic costs of crime are in the billions of dollars. Like crime, victimization has stable patterns and trends. Violent crime victims tend to be young, poor, single males living in large cities, although victims come in all ages, sizes, races, and genders. Much victimization occurs in the home, and many victims are the target of relatives and loved ones. In a few cases where children have been the victims of parental abuse, the parents later become the victims of their children. When the crime results in death, this is known as parricide.

There are a number of theories of victimization. One view, called victim precipitation, is that victims provoke criminals. More common are lifestyle theories that suggest that victims put themselves in danger by engaging in high-risk activities, such as going out late at night, living in a high-crime area, and association with high-risk peers. The routine activities theory maintains that a pool of motivated offenders exists and that these offenders will take advantage of unguarded, suitable targets. The major theories of victimization are summarized.

Numerous programs help victims by providing court services, economic compensation, public education, and crisis intervention. Some people suggest that the U.S. Constitution should be amended to include protection of victims' rights. Rather than depend on the justice system, some victims have attempted to help themselves. In some instances this self-help means community organization for self-protection. In other instances victims have armed themselves and fought back against their attackers. There is evidence that fighting back reduces the number of completed crimes but is also related to victim injury.

2.2 Feasibility Studies

2.2.1 Rationale and Concepts

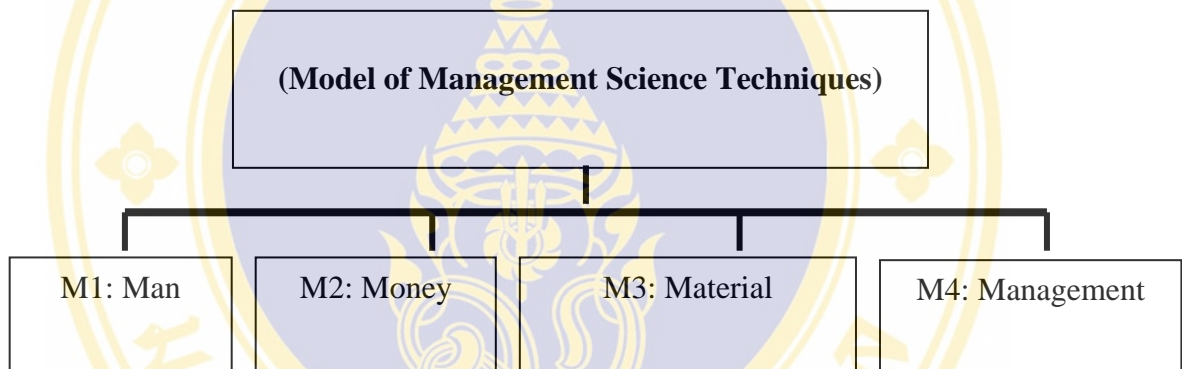
Peter F. Drucker (2001) wrote in "Managing in a Time of Great Change" that in the new business, companies would be smaller. Large companies would lose their competitiveness on reasons of expedite and information-transfer. Advance communication devices became competitive advantages of cost for both the large companies and the small ones ended. Companies successful will pursue their core competence rather than outsourcing. They also started networking and expanded into larger groups. Successful companies relied on how much they can build their network.

The criminology institute is the center to collect researches, developing policy and strategies to counter world crimes where the world deserves to pay attention. It must be ands NGI free to meet situations and with precise data, a data center for professionals to exchange their information in order to collect interdisciplinary sciences of the criminological researches. It raises funds for researches, publicity and dissemination of printed matters for members, organizing rewards for theorists and criminological professionals either being members or non members each year. Sending the criminological professionals to assist criminological jobs and coordinating world criminology to exchange their information in order to raise their potentials for the institutional professionals and

to improve personnel to help criminological job at large. Also, it helps teaching and organizing conferences and researches on the disciplines and justice administration to support theorists, researchers, educators and organizing criminology.

2.2.2 Management

To achieve goal, it requires arts and science by implement experiences with knowledge to readjust uses of sciences to meet situation and environments, which are ever changing as follows:



2.2.3 Money

It is the critical core to operation for success. So, expenses had to be estimated by budgeting and it a formality for an activity in some period. Budgeting is popularly used in planning and controlling activities in all levels of an organization. It proves expenses, income and profits as planned by the executive. It is then a standard in performance appraisal in the future.

Objectives of budgeting

1. To recognize the organizational or the workplace plan
2. To recognize policy of the organizational operation or the workplace
3. To recognize the organizational jobs or the interested workplace
4. To allow executive, personnel and common people understand significance of the job in a workplace (Siriwan Serirat, 2002:320). It was divided into 2 types, i.e.

1. Operational budget – a financial plan to allocate resources for the management in order to support the organizational plans and strategies, i.e.

1.1. Profit budget

1.2. Expenditures

2. Estimated cash flow

2.1. Cash budget – it shows source of income and spending

2.2. Cost budget

3. Time budget, place, material, and products showed by quantity such work-hour, machine-hour and raw material unit

Budgeting requires the management to consider, i.e.

1. Objectives of finance and the management should know how to prevent misuses and unnecessary loss.

2. Responsible person for budget requires coordinating and needs plans, projects, expenditure, and fund from different line of command. The management should know or prepare budget. To reach goal, the management should anticipate 1 year-3 years and 5 years plans. It is indispensable to project long-term budgeting.

Necessity of fund raising is multiple, as follow:

1. If under the government such as Ministry of Justice or the Royal Thai Police Bureau or University Affairs, the state had to support annual budget.

2. Had it been and NGI it need fund supports or raising fund by organizing activities and build accountability and fame of the organization ,if requiring foreign monetary supports and as well as networking.

2.3 Criminological Policy and Implementation

The criminology institute sets policy and implementation as follows:

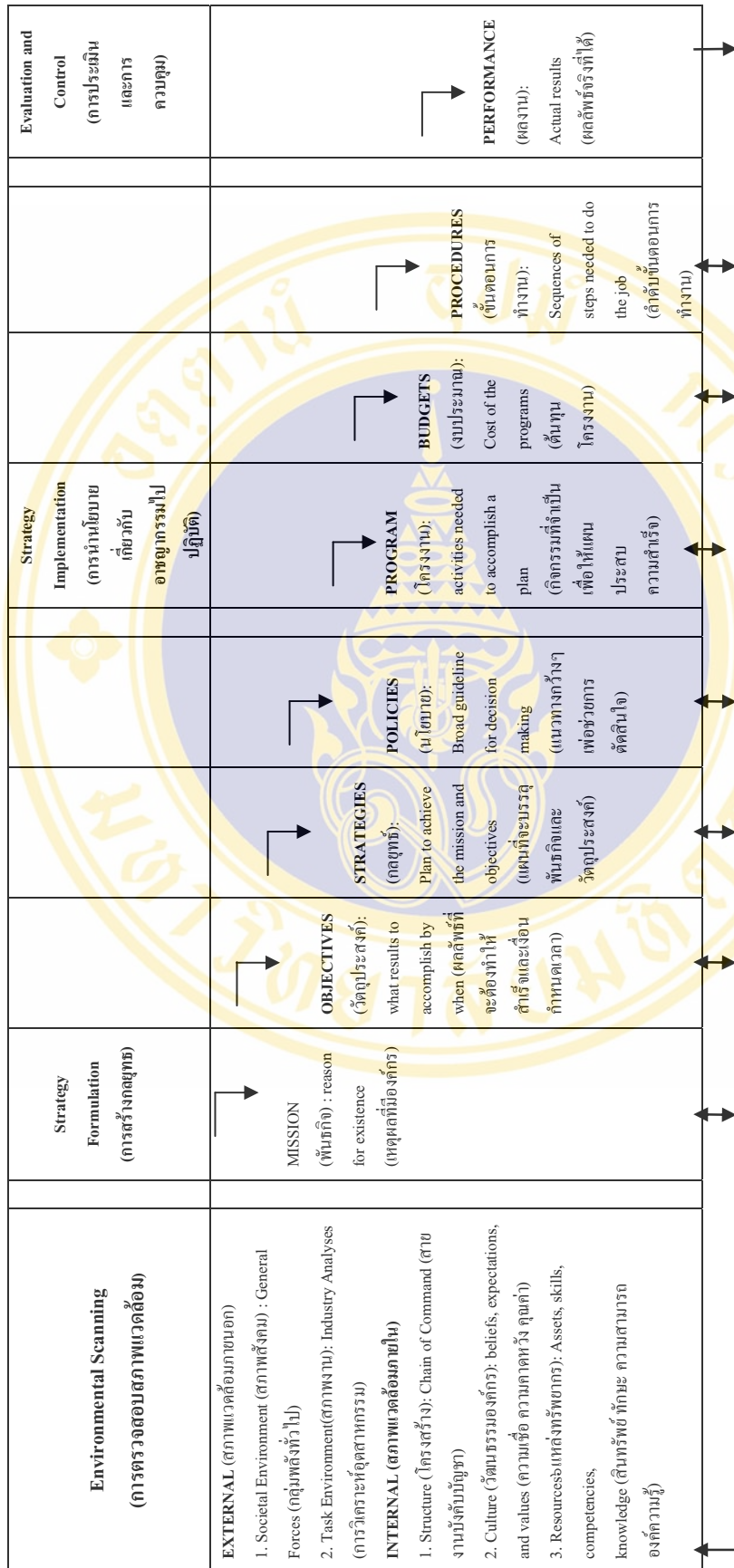
2.3.1 The criminological policy

1. To be source of researches, policy development, strategies to counter world crimes where the world must pay attention and being the modern NGO to meet satiation and precise data
2. Being information center for professionals to exchange information
3. Collecting interdisciplinary sciences and criminological researches
4. Allocating research funds
5. Publicizing researches and sending printed matters to members
6. Organizing rewards for criminological theorists and professionals for members and non members each year
7. Sending professionals to help criminological job and coordinate with criminologists worldwide in order to exchange knowledge and leveraging competency for professionals of the institute and to improve personnel for the criminological job at large.
8. Organizing teaching climates, conferences and researches on criminology and the justice administration
9. Supporting theorists, researchers, educators and organizing criminological conference.

2.3.2 The policy implementations

Strategies of implementations were base on Thomas L. Wheelen and J. David Hunger (2000) as follows:

Concepts of Strategic Management



Source : Thomas L. Wheelen and J. David Hunger (2000: 1 –9). Strategic Management and Business Policy: Entering 21st Century Global Society, 7th ed. Upper Saddle River, New Jersey: Prentice Hall

The Criminology institute conceptualizes and supervises the project as follows:

1. Center of collection and studies of criminology implements and supervises, and popular approaches are

- 1.1 Survey Research
- 1.2 Cohort Research
- 1.3 Aggregate Data Research
- 1.4 Experimental Research
- 1.5 Observational and Interview Research
- 1.6 New method of criminal statistics collection

2. Center of collection and studies of sociology of laws implements and supervises,

- 2.1 Sociology of Law
- 2.2 Law Enforcement

3. Center of collection and studies of theorizations implements and supervises,

- 3.1 Choice Theory
- 3.2 Trait Theory
- 3.3 Social Structure Theory
- 3.4 Social Process Theory
- 3.5 Conflict Theory
- 3.6 Integrated Theory
- 3.7 New theorization

4. Center of collection and studies of criminal behavior system implements and supervises, i.e.

- 4.1 Violent Crime
- 4.2 Property Crime
- 4.3 White – Collar and Organized Crime

5. Center of collection and studies of penology implements and supervises, i.e.

- 5.1 Support education and advice prisoners

5.2 Study community based, correction, jail, prison, parole programs

6. Center of collection and studies of victimology implements and supervises, i.e.

6.1 Surveying criminal victims to find nature and scope of criminal behavior and cost to medicate victims

6.2 Studying potential risk of victimization

6.3 Studying marking victims and inducement leading to crime

6.4 Servicing criminal victims, e.g. counseling and compensation plans

2.4 The Criminology Institute - world criminological institutes are:

2.4.1 World Criminal Justice Library Network. (WCJLN)

2.4.2 American Society of Criminology. USA

2.4.3 The Center for Criminal Justice Studies)

2.4.4 European Society of Criminology

2.4.5 Australian Institute of Criminology

2.4.6 Department of Criminology and Behavioral Sciences -Japan

2.4.1 World Criminal Justice Library Network. (WCJLN) – It has been instituted in 1991 during the conference of experts and library of the world justice at Rutgers University in April 25, 1991. It rationales are:

1. The source to collect researches, policy development, and strategies to counter world crimes where the world should pay attention and being NGO to meet situation and with precise data.

2. There are countless data for the justice administration but the source to collect is restricted. Different organizations and the library will not cover all aspects or find data from the past. So, the institute needs to build data center for professionals to exchange information.

This institute organizes a meeting once in two years and every time there are new members representing regions of Asia, Europe, Africa, North America, Latin America, Australia and New Zealand.

Recent performances were:

- Borrowing system to exchange data within the library
- Improving collaboration for specially data, necessary data and important to the justice administration
- Exchanging data to develop policy of justice administration specially from different research centers
- Easing distinguishing risky literatures
- Allocating World Wide Website for WCJLN
- Developing professional for the library related to the justice administration following agreement in each meeting.

2.4.2 American Society of Criminology.

It is located at 1314 Kinnear Road, Columbus, Ohio 43212 – 1156, USA. It is the worldwide criminal study institute collecting researches and scientific findings of causes of crimes, prevention, controls and medicating victims, delinquency, criminal laws process, law enforcement, court and penology system.

Its purposes are collecting interdisciplinary subjects and criminological researches, criminological education and members, who are lawyers, theorists, and students of justice administration.

The institute organizes meeting each year for members on interested topic of crimes. The last one was “Taking Stock = Current Knowledge and Future Priorities”. The second one was “The Courses and Consequences of Crime = Multiple-disciplinary Contributions” and the third one was the “Criminology, Justice and Public in the Twenty – First Century.”

The institute provides fund for personnel exchange for assisting annual conference and also recruit professionals in Website each year.

Members will receive criminal journals and criminology with public policy and criminological information. The institute sill has section of penology experts and critical criminology; woman and crimes; international crimes; and the color and crimes as wells selling news, journals and warrants.

The institute awards criminology theorists and professionals both members and non-members each year. It sends professional to help routine criminological jobs and coordinates worldwide to exchange knowledge and leverage competence with other professionals in order to improve personnel and criminology in general.

2.4.3 The Center for Criminal Justice Studies

This center is located in the faculty of Laws in Leeds University, UK established in 1987 to investigate the justice administration and criminology. At present, it is accepted as a leading institute of the world criminology institute with objectives of organizing teaching climate and criminological researches and the justice administration including it researches have been awarded since 1996 till present.

Staffs of the center are lawyers and criminologists from other organizations to conduct researches with ESRC, Home Office Nuffield Foundation, Leverhulme Trust and West Yorkshire Police; Works are “terrorism and trading target”; middleman between victims and offenders; court humiliation; computer crimes; violence through heredity; and powerful persons in justice administration. Each research has been joined by senior counselors, police bureau, court, department of probation and corrections.

2.4.4 European Society of Criminology

This institute has been established by the Faculty of Sciences under Library and Scientific Institution Act 1854, in the UK house of Common with following objectives

1. To collect Europe-wide institute in criminological researches, teaching and working
2. To support theorists, researchers, educators and criminological training
3. To exchange and collaborate in different levels in Europe and at international levels
4. To be the data source and disseminate the criminological knowledge to Europe and membership principles contain 13 charters.

2.4.5 Australian Institute of Criminology

This institute has other short name AIC under the Constitution of the Commonwealth and instituted in 1973 under supervision of the Ministry of Justice and Revenues. The Executive Board is experts from the Ministry of Justice Australian-wide raking responsibility of:

1. Conduct researches of criminology
2. Publicize findings
3. Organize conference and
4. Publish AIC performance

The institute attracts to study in depth about crimes and the justice administration of Australia and ready to publicize information related to justice administration. This organization is an NGO and not involved with any universities and any teaching.

2.4.6 Department of Criminology and Behavioral Sciences -Japan

The department of criminology and behavioral sciences carries out research that aims at unraveling criminal incidents and the behavior of offenders from the viewpoint of behavioral sciences such as psychology, sociology, and

psychiatry. Its main areas of research include studies on the correlates and countermeasures of juvenile delinquency, studies on the development and evaluation of crime prevention measures, and studies on criminal investigation and the psychology of offenders.

1. Juvenile Section

The Juvenile Section is responsible for conducting studies on the causes and backgrounds of unlawful behaviors of young people, and examining effective measures for juvenile delinquency.

Recent research projects include;

- Research on the backgrounds and precursory behaviors of serious and violent juvenile offenders
- Research on the factors affecting the recidivism by juvenile delinquents
- Research on the empowerment of community activities for preventing delinquency

1.1 Research on the Backgrounds and Precursory Behaviors of Serious and Violent Juvenile offenders

Among the serious and violent offenders who are arrested or given police guidance, not a few of them show precursory behaviors including activities similar to the present criminal acts (delinquent behaviors such as assault and threat just before the offences) or suggestion of the following offences before they occur. However, recognition and appropriate measures of those precursory behaviors (restraint of the behaviors or consultation with specialized clinics) by the surrounding people are not often enough to prevent the criminal acts.

1.2 Research on the Empowerment of Community Activities for Preventing Delinquency

According to the results analyzed using structural equation modeling, it is shown that in the neighborhood where more students join campaigns to beautify the community (such as clean-up activities in the parks), the students

are more likely to have conventional moral values and are less likely to engage in law-breaking activities.

2. Crime Prevention Section

Crime Prevention Section engages in research toward comprehensive insights into criminal offenders, their targets, and situational factors of incident locations, aiming at contributing to effective crime prevention policies. Recent research projects include

- Effectiveness of crime prevention activities
- Examining crime hot-spots using geographic information system and spatial statistics
- Relationship between fear of crime and environmental cognition in urban setting

2.1 Crime Mapping Using Geographic Information System

Strategic crime analysis using geographic information system (GIS) provides a foundation for promoting rational and effective law enforcement policies such as "crime prevention through environmental design" and "controlling crime". We are conducting research and development shown below;

- Spatial statistical method such as kernel estimation
- Developing GIS software optimized for crime analysis
- Spatial analysis of diffusion of residential burglary and snatching
- Relationship between socio-demographic factors and crime using aggregated census data

2.2 Survey on Fear of Crime and Environmental Cognition of Urban Residents

We are conducting survey and multivariate analysis to examine the process how the increase of crime and/or disorder effect the victimization risk and fear of crime. Survey data is merged to the census data and photograph in order to reveal the interaction between the social/built environment of neighborhood and individual's fear of crime.

3. Investigation Support Section

A series of behavioral science studies have been conducted to support the police investigation on serious crimes, such as hostage-barricaded incidents, kidnapping, and / or hijacking. Other areas of the police investigation such as eyewitness testimony or linking of crimes have been also examined. Investigation techniques have been examined and developed from the psychological points of views. For instance, the technique to classify criminals' base of their behaviors or psychological characteristics has been examined based on a series of empirical studies. A certain number of studies have been done to develop a suspect-retrieval system based on Modus Operandi, which enables to link a crime to a certain person in the database of prior criminals' base of the probability calculation.

3.1 Psychological Research on Hostage-barricaded Incident

Psychological research of victims and suspects on hostage-barricaded incident, conviction and negotiation techniques, estimation of threat on victims, interaction between police action and suspect's behavior has been conducted.

3.2 Basic and Applied Research for Offender Profiling

Offender profiling applies the findings of behavioral science research, such as linking personality and daily behavioral patterns to criminal behavior. Studies have been based on an extensive database of crime case files to derive the personal and residential area characteristics of serial offenders. These information provide support for resolving ongoing criminal investigations. A series of studies on the psychological process of the criminal confession has been conducted, in which offenders were interviewed about the reason of why they denied their crimes, what facilitated/prevented the communication with police officers, the interviewing approach, and what precipitated the confessions

2.5 The Criminological Institute of Thailand (Draft)

2.5.1 Background and significance

It is imperative and it should be the hub for researches, policy development and strategies to counter world crimes. It requires well-round persons both the Thais and the internationals to attend and be it NGO which will meet situation with precise data and data center for the professionals in order to exchange the criminal information. Rationally, most state offices independently work by their own and just only few conversations. The institute should collect the multiple-interdisciplinary of criminology and fundraising for researches in Thailand in order to publicize findings and sending printed matters to members. It awarded criminological theorist and professional both members and non-members each year if possible. It sends professionals for assistance to office requested and worldwide coordination in criminology to exchange knowledge and increase competence for the professional of the institute and to improve personnel for criminology at large. The Thai institute will help organizing teaching climate, organizing conferences, criminological and criminal researches to support scientists, researchers, students and criminological training.

Objectives

1. To be the hub for researches, policy development and strategies to counter world crimes
2. To be data center for the professionals in order to exchange the criminal information
3. To collect the multiple-interdisciplinary of criminology
4. Fundraising for researches
5. To publicize findings and sending printed matters to members
6. To award criminological theorist and professional both members and non-members each year if possible
7. To send professionals for assistance to office requested and worldwide coordination in criminology to exchange knowledge and increase

competence for the professional of the institute and to improve personnel for criminology at large

8. To help organizing teaching climate, organizing conferences, criminological and criminal researches to support scientists, researchers, students and criminological training.

2.5.2 The management and affiliation

It is to manage resources to achieve goal using both arts and sciences applying experiences and cognition readjusted to meet the changing situation and environments all the time. Many theorist defined management as follows:

Henri Fayol, (1949) proposed POCCC as follows:

- Planning
- Organizing
- Commanding
- Co – ordination
- Controlling

Ernest Dale, (1973) proposed

- Planning
- Organizing
- Staffing
- Directing
- Controlling
- Initiating
- Reporting

A modern management founding 1983 by Tom Peters and Robert Waterman published a book, “in Search for Excellence” by collecting managerial concepts of leading companies worldwide and specified an 8 attributes for a successful organization

1. A Bias for Action involving in 3 things – expedite organization, experimented implementation and simplifying systems.
2. Close to Customer – emphasizing service strategies, quality creating, and accountability and hearing customers.
3. Autonomy and entrepreneurship – a distinct company decentralizes its power to build ownership awareness and think like the owner
4. Productivity through People – leading companies think human comes first and prioritize them with evident incentives which enhance effectiveness among personnel and its organization
5. Hand-on and Value Driven – good executive works with subordinates and cultivate values to meet their goals
6. Stick if the Knitting - distinct companies believe that preoccupying with core competency will lead to success but if over expansion or leap away from the peripheral business, it might affect the aged business. It is found that the distinct companies preoccupy with their core competency only.
7. Simple and Lean Staff – simple company and non-complicated with few staff with lines of goods and evidently decentralized so that the director's works are decreasing.
8. Simultaneous loose-tight properties – a successful company trust and have confidence in working as well as by more freedom, flexibility in fully work and its consequences returned more to the companies

8 attributed conation 7-S as follows

1. Structure
2. Strategy
3. Staff
4. Style
5. System
6. Share Value
7. Skill

Foundation management called “Resourced of management” (Somphong Kasemsin, 1980) explained that they contain 4 Ms as follows:

- Men
- Money
- Material
- Management

But the current environment and social changed, William T. Greenwood (1965:74-75) observed that service resources should have 7 elements, i.e. man, money, material, authority, time, will, and facility and many theorists commented about resources as follows:

- Man is referred to number of workplace, number of workers and necessary skills for running workers.
- Money is referred to fundraising and expenditures for operation
- Material is referred to equipment, tools, machine, establishment and working style
- Customer is referred to buyers or service users, who are variables affecting the growth of the company

Time is referred to what restrict the operation including time frame and period of time.

2.5.3 Organization and its formulation

It is a group of 2 humans and above to workout achieving their goals and a person cannot be successful. It is found that an organization is prevailing in every human society.

Its formulation is referred to the systematization within an organization for an office specifying [position, ways of working, scope of authority and coordination among positions. Certainly, it aims that it works are well regulated. (Jaruary Khaenwongkham, 1981:1).

Peter F. Drucker (2001) wrote in “Managing In a Time of Great Change” that in the new business, companies would be smaller. Large companies would lose their competitiveness on reasons of expedite and information-transfer. Advance communication devices became competitive advantages of cost for both the large companies and the small ones ended. Companies successful will pursue their core competence rather than outsourcing. They also started networking and expanded into larger groups. Successful companies relied on how much they can build their network.

2.5.3.1 Staffing

Human is the most important resource even having the most modern machine with countless cost and if none with well-round, such machines are useless. Staffing or personnel administration is critical to the administration. (Thongchai Santiwong. 1990:95).

Koontz (1976:45) defined a personnel administration is staffing by correctly and efficiently select persons including performance appraisal and developing human to be efficient.

Mackenzie (1969:87) defined staffing is to recruit the well-round person to meet the position using sub-activities such as selection, orientation, training and development.

2.5.3.2 Personnel Administration

Success of an organization requires well-round persons. So, staffing personnel needs (Thongchai Santiwong, 1993:350)

1. Recruiting, selecting the best workers and never be defeated by competitors and meet difficult nature of works.
2. Able to retain worker to stay as long as possible

Personnel administration involves (Piyathida and Saksit Tredej,1988:163-169)

1. Determining the Need
2. Recruitment
3. Selecting
4. Transfer and Promotion
5. Training
6. Compensation
7. Directing and Leading

In summary, staffing is to select the best fit person, training, developing, and allocating welfare and evaluation.

2.5.3.3 Budgeting

It is a formal financing set to serve a specific activity in a period of time. Budgeting is popular in planning and controlling every activity in every level. It shows expenses, income and profit as planned and it is a standard in future performance appraisal.

Budgeting objectives are:

1. Recognizing the organizational or workplace plans
2. Recognizing operational policy of an organization or a workplace
3. Recognizing the current interested jobs of organization or workplace
4. Reminding administrator, personnel and common people to understand importance of the organizational or workplace jobs.

Siriwan Serirat (2002:320) divided the organizational budget into 2 types, i.e.

1. The operational budget, which is allocating the money to the executive in order to support plans and the organizational strategies, i.e.
 - 1.1. Profit
 - 1.2. Expenses and income

2. Financing budget, cash-flows estimation in a period of time, i.e.

2.1. Cash budget showing sources of income and spending during a period

2.2. Investment spending

3. Time budgeting, workplace, materials and products shown in quantity such as work-hour, machine-hour and unit of raw materials

Budgeting needs to consider:-

1. The managerial objectives to prevent unnecessary spending and loss uselessly

2. Responsible person for budget requires coordinating and needs plans, projects, expenditure, and fund from different line of command. The management should know or prepare budget. To reach goal, the management should anticipate 1 year-3 years and 5 years plans. It is indispensable to project long-term budgeting.

Thongchai Santiwong (1988:7-6) said budgeting is key in supporting the allocation of resources to foster and to facilitate flows the organizational activities. Budget can be short and long planning including capital and interest.

Budget is referred to estimation of receiving – spending of the state or any workplaces for a period; commonly a year.

Suphap Ploywaen (1997:43) defined that budget was referred to the fiscal administration and it was prepared to seek fund for workplaces and personnel, controlling, and supervising that budget sought had correctly been spent. This needed honesty, wit, well-round and firmness.

2.5.3.4 Material

Administrating an organization requires planning to fit the existing budget for efficiency. Budget is a multi-purpose tool to best control the organizational administration. The executive or the person responsible on budget must be well-round on budgeting and material – rules and regulations. For example, they are setting budget, budgeting principles, materials and facilities of criminology. These support administration. “Material, devices and workplace” are as follows:

Thongchai Santiwong (1991:7) said materials are important and with high value like other factors. Rationally, raw materials must be procure for production process or improved all the time for best uses and worth.

Huan Phanthuphan (Somchai Kijssamphanwong, 1996:34) said scope or the materials works covers materials , stationary, lands, establishments and disposal or dissolved objects in short period because usages of stationary was things with the similar endurance for long term using.

Suchart Suphamongkol (Somchai Kijssamphanwong, 1996:39) defined that material meant belongings all tools.

Devices and workplace are meant materials and establishment used in administrating with endurance and lasting. Workplace and materials are important to help administration successful and authentic for maximum benefits and the executive should adhere to the following principles, i.e.

- Using materials fit operations
- Using material worth fully
- Economy of scales on labor, money and time
- Test first before real uses for its facilities and worth time

spending.

CHAPTER 3

RESEARCH METHODOLOGY

Feasibility Studies to Establish the Criminology Institute in Thailand contained following methods.

- 3.1 Population and Sampling
- 3.2 Methods of the Study
- 3.3 Data Collection
- 3.4 Data Analyses

3.1 Population and Sampling

This investigation was employed interview to survey opinions of persons involved in the justice administration. They are:

- 3.1.1 Ministry of Justice
- 3.1.2 Office of Public Prosecutor
- 3.1.3 Criminal Court
- 3.1.4 Child and Youth Court
- 3.1.5 The National Police Bureau, Office of the Prime Minister (OPM)
- 3.1.6 Department of Corrections
- 3.1.7 Institute of Criminological Studies of Mahidol University
- 3.1.8 Institute of Criminological Studies of Kasetsart University
- 3.1.9 Institute of Criminological Studies of Thammasart University
- 3.1.10 Institute of Criminological Studies of Chulalongkorn University
- 3.1.11 Institute of Criminological Studies of Kirk University
- 3.1.12 Lawyer Association of Thailand
- 3.1.13 Crime Reporters Association of Thailand

3.2 Method of Studies

3.2.1 Secondary Data – i.e. documentary research containing texts, books, articles as following steps

3.2.1.1 Review concepts of criminology institute in Thailand

3.2.1.2 Review concepts of feasibility for basic data for further analyses

3.2.2 Primary Data – individual interview key informants were undertaken since questionnaire formats were impossible. It was taken by the in-depth interview in a structural approach and issues to inquire were:

3.2.2.1 Opinions of instituting Criminology Institute of Thailand

3.2.2.2 Confidence and opinions related to values of the Criminology Institute of Thailand

3.2.2.3 Policy of the Criminology Institute of Thailand and criteria of members' qualification

3.2.2.4 Problems and limitations of operating the Criminology Institute of Thailand

3.2.2.5 Facilitating factors of operating the Criminology Institute of Thailand

3.2.2.6 The Criminology Institute of Thailand in future and its tendency.

3.3 Data Collection

Fieldwork for data collection followed the steps below.

3.3.1 Questionnaire had been prepared for interviewing target population. Questions were corresponded with the research objectives and approved by the experts for its content validity.

3.3.2 After the experts had reviewed questions; the researcher had made appointment key informant to pre-inform and ready for interviews.

3.3.3 Collect data s appointment and times were adequately spent and the least key informant was 30 minutes.

3.4 Data Analysis

3.4.1 After data collected, they were grouped, and categorized to ease preparations as well as the research regularly met thesis advisors and experts during data collection.

3.4.2 Data were analyzed with theories and concepts related.

3.4.3 Evaluating consequences and results were reported for its summarizations.

CHAPTER 4

RESULTS

Feasibility Studies to Establish the Criminology Institute in Thailand are to investigate possibility to institute the Criminology Institute in Thailand, its operations. Methodology was the investigation of the secondary data, i.e. documentary research containing texts, books, and articles. Individual in-depth interviews were conducted during 2005-2006 with Ministry of Justice; Office of Public Prosecutor; Criminal Court; Child and Youth Court; The National Police Bureau, Office of the Prime Minister (OPM); Department of Corrections; Institute of Criminological Studies of Mahidol University; Institute of Criminological Studies of Kasetsart University; Institute of Criminological Studies of Thammasart University; Institute of Criminological Studies of Chulalongkorn University; Institute of Criminological Studies of Kirk University; Lawyer Association of Thailand; and Crime Reporters Association of Thailand. They were related the structure, and numbers were used in description. After data collected, they were grouped, and categorized to ease preparations as well as the research regularly met thesis advisors and experts during data collection. Data were analyzed with theories and concepts related and evaluating consequences and results were reported for its summarizations. Results were as follows:

- 4.1 Responsibility of the Criminology Institute in Thailand
- 4.2 Operating the Criminology Institute in Thailand
- 4.3 Additional Suggestions

4.1 Responsibility of the Criminology Institute in Thailand

Feasibility Studies to Establish the Criminology Institute in Thailand are to investigate 6 areas i.e. criminal statistics; sociology of laws; theorization;

criminal behavior; penology and victimology. Question was, “to what extent do you agree to agree with the following responsibility of the Criminology Institute in Thailand as follows? Results were

4.1.1 Criminal Statistics

There were 3 parts the criminal statistics, i.e. collecting factual statistics; seeking new criminological research methodology; and measurement and test models and tendency of crimes. (Table 4-1)

Table 4-1: Opinion of duties and responsibility of the Thai Criminological Institute related to crime statistics

Responsibility		Agree	Disagree	No comment
1	Criminal Statistics			
	1.1 Collecting factual statistics	13	0	0
	1.2 Seeking new criminological research methodology	13	0	0
	1.3 Measurement and test models and tendency of crimes	13	0	0

All agreed with the criminal statistics related to collecting factual statistics; seeking new criminological research methodology; and measurement and test models and tendency of crimes with additional interviews as follows:

It proved that there should be unit to handle the criminal statistics or statistics of offenders in fact. Seeking new criminological research methodology and measurement and test models and tendency of crimes should match what were happening regardless the royal Police Bureau, the National Statistics and so on. There should be the centers for collecting different data in the justice administration to facilitate data searches for investigation. Also, they could be further data for criminal solutions in future. Data collection should be updated,

referable. The allocations of statistics should be by IT systems allowing the institute more precautions and ease coordination which seemed to be difficult in the Thai societies. The justice administration was likely disharmonized, short of collaborations, non-transferred important data, red-tape bureaucracy and slow information and less efficiency.

4.1.2 Sociology of Law

It was divided into 2 parts, i.e. setting foundations of law and testing driven power of amendment and social changes. (Table 4-2)

Table 4-2: Opinion of duties and responsibility of the Thai Criminological Institute related to socio-laws

Responsibility		Agree	Disagree	No comment
2	Sociology of Law)			
	2.1 Setting foundations of law	13	0	0
	2.2 Testing driven power of amendment and social changes	13	0	0

All agreed with setting foundations of law and testing driven power of amendment and social changes and additional suggestion were:

The sociology of laws should involved with setting foundation of laws and testing the driven power for amendment and social changes but it shod stress on criminal laws since they were key to control societies. This led to instituting the Royal Police Bureau for the benefits of supervision, enforcement or handling offenders such as by investigation, interrogation, arrest, charging lawsuit and legal punishment. Laws related to the above should stress oat the beginning which led to explanations of offenses. For example, the criminal laws, which was caused by individual offense believing that any offense must be repaid and it was

corresponded with the new changing societies. In addition, studies should be made with regulating special codes, interpretation of urbanization, laws were evident tools to control societies and the institute should examine matters of laws, possibility, and enforcement whether they matched the current happenings. Some laws should be terminated and some should be applied to meet the societal situation and conditions for their happiness. Some amendments should be made to meet the changing situations such as laws to protect witness, laws to protect family members of the victims. Societal impacts should be investigated and driven in the Thai societies. The Criminology Institute in Thailand should be the center to propose regulations or the national agendas for its administration with uniqueness and effectiveness.

4.1.3 Theorizations

It was divided into 2 parts, i.e. anticipating individual behavior and familiarizing with causes of crimes and their tendencies. (Table 4-3)

Table 4-3: Opinion of duties and responsibility of the Thai Criminological Institute related to theorization

Responsibility		Agree	Disagree	No comment
3	Theorization			
	3.1 Anticipating individual behavior	9	0	4
	3.2 Familiarizing with causes of crimes and their tendencies	10	0	3

Anticipating individual behavior was found that 705 agreed while 30% had no comments and familiarizing with causes of crimes and their tendencies found that 77% agreed awhile 23% had no comments. Additional suggestions were:

The institute should theorize on anticipating individual behavior and familiarizing with causes of crimes and their tendencies rather than being a teaching institute for criminology. So, its roles of theorization was not the role of teaching but supporting researches of criminology stressing causes of different offending when societies changed and different developing models of crimes. Criminals sometimes did not committed crimes alone but the organized crime with accomplices. Sometime they were cross-nationals from multination. The institute should probe such things to find their sources, concepts, conclusions, prevention and reflecting to the state to share in recognizing the criminal problems needed urgent remedy. Theorization needed brainstorming to seek measures in order to reduce crimes in societies.

4.1.4 Criminal Behavior System

It was divided into 2 parts, i.e. specifying nature and cause of special criminal model and studying violence, theft, crime ring, office crime, and crimes troubling public. (Table 4-4)

Table 4-4: Opinion of duties and responsibility of the Thai Criminological Institute related to criminal behavior system

Responsibility		Agree	Disagree	No comment
4	Criminal behavior system			
	4.1 Specifying nature and cause of special criminal model	13	0	0
	4.2 Studying violence, theft, crime ring, office crime, and crimes troubling public	13	0	0

All agree with specifying nature and cause of special criminal model and studying violence, theft, crime ring, office crime, and crimes troubling public. Additional suggestions were:

Opinions of the criminal behavior systems regarding specifying nature and cause of special criminal model and studying violence, theft, crime ring, office crime, and crimes troubling public should emphasize researches leading to models and causes of special crimes, which were differed from the past. For examples, there were crimes disguised with new technologies, computerized crimes, and economic crimes and so on. They were growing in the future since common people could access computerized technologies more and their prices were cheap easing uses. At the meantime, most people overlooked such crimes, not serious and careless to treat. So, it required to study the criminal behavior system of the special crimes. They were not necessary committed outside home but even in bed and all the time. Serious attention should be made to the special crimes.

4.1.5 Penology

It was divided into 2 parts, i.e. studying penological systems and criminal probations. (Table 4-5)

Table 4-5: Opinion of duties and responsibility of the Thai Criminological Institute related to penology

Responsibility		Agree	Disagree	No comment
5	Penology			
	5.1 Studying penological systems	13	0	0
	5.2 Criminal probations	13	0	0

All agreed with studying penological systems and criminal probations and additional suggestions were:

Penology was divided into 2 sides, i.e. studying penological systems and criminal probations. The institute should broaden its responsibility in the penological system, the sentencing reform, fixed imprisonment and non-fixed imprisonment. There were 2 ways of punishments which affected the operation of the Department of Corrections, which emphasized 2 things, i.e. professional imprisonment and efficient rehabilitations. Punishment systems led to imprisonment corresponded with the mission of the Department of Corrections, which would be improved to international standards under the human rights of the prisoners. The institute should investigate setting of punishment to be as data for the department. Regarding probations, it should meet 2 missions, i.e. treatment and rehabilitation. It institute should investigate the Treatment Innovation Prisoners. Current, treating prisoners were unclear because Mass Treatments were still used. All were treated the same, and no coordination and proper familiarization was yet to be met. In addition, the institution should be well-prepared to meet prisoners after discharged to societies on careers, acceptance, adjustment, and returning to families. Researches were required to justify those things.

4.1.6 Victimology

It was divided into 2 parts, i.e. studying nature and causes of victimization and assisting the criminal victims. (Table 4-6)

Table 4-6: Opinion of duties and responsibility of the Thai Criminological Institute related to victimology

Responsibility		Agree	Disagree	No comment
6	Victimology			
	6.1 Studying nature and causes of victimization	13	0	0
	6.2 Assisting the criminal victims	13	0	0

All agreed with studying nature and causes of victimization and assisting the criminal victims and additional suggestions were:

The opinions of victimology regarding studying nature and causes of victimization and assisting the criminal victims should have been leading matters in researches. Victimization in Thailand had been long ignored, uninterested and unprotected. It required helping victims. Beside those 2 areas, it required the institute to be the center to attend victims and transit to the government or private sectors who could better lead them back to their families and societies with happiness. The institute should be the middleman to protect the criminal victims and encourage them to disclose matters in order to impose lawsuits for offenders. In the Thai societies, if there were immoral violation, usually they faded out. Victims had to suffer their fate while offenders floated above laws. So, reforming victimization should gain better system with offenders would be pursued to punishment as they deserved by laws. Studies should be conducted on nature and causes of victimization to prevention and solutions precisely as well as further assisting victims meeting their needs.

4.2 Operating the Criminology Institute in Thailand

This feasibility studies had investigated only 6 areas, i.e. (1) opinions in establishing the institute; (2) ability to build level of reliability and values of the institute; (3) policy of the institute; (4) problems and limitations found in operation; (5) supporting factors of operations and (6) trends and directions of the institute in future.

4.2.1 Opinions in establishing the institute

All the 13 cases agreed in its institution because it enabled the criminology in Thailand to be equal with foreign criminology institutes.

On account of the justice administration in Thailand had separated into responsible official agencies counted, police, public prosecutors, court, corrections, probations and lawyers fulfilled their duties by assignments. Cases never always ended with offenders were punished. There might be compromising, or probations. It required a “central organization” to collect data, statistics in each part of the justice administration to set criteria in analyzing models of offenses, criminal trends, preventing damages happened to societies from crimes or remedy for future including improving the justice administration of Thailand. Besides seeking solution, it was also collaborating for serious harmony in the Ministry of Justice at the domestic and international levels. The institute should be a liberal organization without affiliated supervisors where efficient administration could be made, clear and tangible. At present there are many programs of criminology and justice administration at the master degree levels on many universities, many were graduated. Also, it is like police, court, public prosecutors corrections and lawyers were involved with the center of criminology but none becomes the center. They independently work on their own. So, it requires brainstorming and workshop as the national agenda to test votes of societies at large of their consent.

The institute should reflect does the government agree. We have the justice units and established longtime ago except problems of disunity. Ever since we cannot turn the justice administration to the same affiliation, this institute is not born since it is a repetitive office. Also, the government is operating with bureaucratic methods; it is certainly hard to push for birth. Where can the institute get funding? Will it be like the university systems or privatization? It needs no thoughts because if not being supported by the government, it is difficult to establish.

4.2.2 Ability to build levels of reliability and values of the institute

After being instituted, reliability and values are primarily hard to build as 13 key informants observed and might be unlikely high. Since people are not familiarizing with the clear roles of institute and how could it return benefits to societies and to what extents it could be liberal and non-affiliation?

Recommendations in gaining reliability and values:

1. The administrators of the institute are well-round and accepted by societies. Administrative roles are tangible, expedite, strict, good image, corruption free need not be graduated doctoral degree but with long vision, familiarized with crimes, coordinate able with every units, enable to satisfy all parties in every sectors.

2. Personnel need to be good performance, long vision, well-round, solution-oriented and graduated from diversified disciplines and not necessary from criminology. Crimes are multiple and the organization should be well-informed with different fields, passed screening and socially accepted. These would drive the institute to reach accountability and values as well as training new breeds to meet its growth.

3. Image and personnel should be able to actually solve problems with accountability, transparency, justice, auditable and personnel should prove that they are equipped with good traits, corruption free and consistent suppression being acceptable and achieve academic papers evident to public.

4. Clearly familiarizing with societies and with aggressive public relation - roles of instate should be disseminate to outsiders to know its objectives, authority and academic works to public. The board plays key role sin driving the national policy pf criminology and the national agenda. Also it allows the people to recognize its benefits gained from the institute. When people sense reliability and values, it leverages also the institute.

4.2.3 Policy of the Criminology Institute in Thailand, principles and members' qualification – it was found from the 13 interviews that:

A. Policy

1. Focus and meet the government policy on crimes and operation for better efficient and effective performance.

2. Set clear policy by overviews, visions, missions, tasks how they will be complete. What is the direction of criminology to set policy? New concept of administration is adopted. It springs the organizational learning with clear

internal roles in an organization without repetition with any units of justice administration.

3. Emphasize researches to theorizations and apply them for the benefits of the common societies.

4. Being the central organization to coordinate or to collaborate with different units from any units of the justice administration domestically and internationally tangible to tangibly improve collaboration on data with criminology-focused.

5. Return benefits for societies/people and reduce suffering and criminal problems and encouraging protection and solving criminal problems at the national level such as narcotics, crimes, illegal migrants, corruption and so on. Operation of the institute would be the center in solving problems adhering to the principles of applying criminological concepts in working or solutions.

B. Criteria for members' qualifications

1. The members' qualification should allow sub-unit to evidently handle in allocating positions, screening authority in working, allocations, and appointment for those who work in the institute. They would work in teamwork, and committee for fairness and to reduce patronage recruitments so that they could not dominate the organization in future.

2. Being well-round and expert in criminology if graduated in the field. This would accredit the institute. All different disciplinary experts should be recruited from all government sectors but never siding any units or any institutes regarding experts in sociology and laws among lecturers, police, court, public prosecutors, corrections, probations, lawyers, criminologists and common well-informed people.

3. Being acceptable to societies, honest, innocent, fair, transparent, dedicated with spirit in working, auditable and coming from different careers and not necessary to come from the government and private sectors but those dedicated to work restlessly.

4.2.4 Problems and limitations viable during operating the Criminology Institute of Thailand

Problems and limitations viably found are:

1. Management – problems and limitations are possibly found with the unclear tangible operation ; inert drive in the justice administration; and the government sectors are not interested to drive into the national agenda; corruption in organizations; coordinating units among the justice administration are ambiguous; if actually operating; what are the extent regarding roles, duties, authorities, supervisions, and coverage of the institute? It will be difficult with the management, had it been a large organization – and inadequate public relation among societies and related cycles.

2. Budget - it is possible to meet problems and limitations on where could budget be provided for its operations?

3. Personnel - it is possible to meet problems and limitations on no experts; assemblage of different units might cause diversified ideas and working styles. Some academic disciplines might disagree such as laws. People realized nothing about roles, and the significance of the institute. Outsiders do not understand the roles of the institute. Personnel to work have to be well-round and expert and it is doubtful if different ideas and working styles and whether outsiders would accept the working of the institute.

4. Equipment - it is possible to meet problems and limitations on well equipped office and its location and where would be it belong to.

4.2.5 Supporting factors in operating the Criminology Institute of Thailand – it is found from interviews that

1. Management - it is possible to meet problems and limitations on setting clear concepts, roles, and tasks. These ease coordination in solving the social problems, returns for societies, pilot project applied in the Thai societies; having useful researches to establish the institute; giving privilege for the state to establish; the government policy should support the institute in operation and its direction; there will be coordination with units related with the Ministry of Justice and performance in solving the social criminal problems.

2. Budget - it is possible to meet problems and limitations on well-equipped with budget, adequate management and support from the government.

3. Personnel - it is possible to meet problems and limitations on the government sectors with the Prime Minister graduated with criminology – accepted by societies, well-round and expertise; theorists have supported the institution, equipped with personnel to drive the institute to effectively be operated. Cooperation of different offices either the government or the private sectors play key roles in planning efficient administration to tangibly meet the needs of societies by proposing useful ideas to societies.

4. Equipment - it is possible to meet problems and limitations on well prepared establishment and its locations.

4.2.6 Trends and directions of the Criminology Institute of Thailand

It was found from interviews that :

Could the Criminology Institute of Thailand be established? It is depended on (1) political change effects; (2) Economic change effects; (3) social change effects and (4) It change effects.

If established (1) it would be a distinct research institute, collecting criminal statistics from the past till present, designing a master plan in counter crimes ready with data for the benefits of different units who need data. The institute should be the center in preventing and solving criminal problems in future. Comparative studies will be conducted between deistic and international to collect findings to be applied with societies in preventing and solving criminal problems. Primarily, it will begin with the Asian countries and later expand to the international level. (2) Clear direction in researches and to be the liberal center in collecting the criminal statistics from different offices and to collect concepts, and theories since the past till present because the justice administration in Thailand is independently work in each office and unlikely coordinate and collaborate and each collect data by itself. (3) Comparative studies will be conducted in the regional and the national levels to be as guide for applying with societies in further prevention

and solving the criminal problems. (4) Being the institute distinct in academics in both theories and practices and solutions or counter crimes and (5) being the prototype in further prevention and solution to criminal problems for the justice administration.



CHAPTER 5

DISCUSSIONS

Feasibility Studies to Establish the Criminology Institute in Thailand are to investigate possibility to institute the Criminology Institute in Thailand, its operations. Methodology was the investigation of the secondary data, i.e. documentary research containing texts, books, and articles. Individual in-depth interviews were conducted during 2005-2006 with Ministry of Justice; Office of Public Prosecutor; Criminal Court; Child and Youth Court; The National Police Bureau, Office of the Prime Minister (OPM); Department of Corrections; Institute of Criminological Studies of Mahidol University; Institute of Criminological Studies of Kasetsart University; Institute of Criminological Studies of Thammasart University; Institute of Criminological Studies of Chulalongkorn University; Institute of Criminological Studies of Kirk University; Lawyer Association of Thailand; and Crime Reporters Association of Thailand. They were related the structure, and numbers were used in description. Data collected were grouped, and categorized to ease preparations as well as the research regularly met thesis advisors and experts during data collection. Data were analyzed with theories and concepts related and evaluating consequences and results were reported for its summarizations. Results were as follows:

- 5.1 Responsibility of the Criminology Institute in Thailand
- 5.2 Operating the Criminology Institute in Thailand
- 5.3 Additional Suggestions

5.1 Responsibility of the Criminology Institute in Thailand

Feasibility Studies to Establish the Criminology Institute in Thailand are to survey interview 6 areas, i.e. criminal statistics, sociology of laws, theorization,

criminal behavior system, penology and victimology. Question was, “to what extent do you agree to agree with the following responsibility of the Criminology Institute in Thailand as follows? Results were:

5.1.1 Criminal statistics

There are 5 methods of researches **1. Survey Research** - It measures attitudes, belief, values, personality and behavior. The pros and cons of surveys as information gathering is one of the most popular method because it save costs to arrange the large habitual group. But it is not the best method since it just measure and has many limitations because the content can change all the time. Moreover, surveys are often criticized by its positive hypothesis. Most emphasize precision of the question contents but it is difficult to prevent lies form respondents or respond with uncertainty and give wrong answer. Surveying offense or crimes is often under suspicion because it needs to trust the satisfaction of respondents who know not whether to disclose their privacy. Other limitations are interactions among individuals and groups or surveying topic of unable to respond or can decide alone. Even with limitations, the attitude survey is still popular on data collection.

2. Cohort Research of Longitudinal Research is using samples with similar property all the time. Being the difficult method and costly with time consuming to pursue all respondents; a new method is proposed to summarize behavior of offenders by tracing their past behavior such as checking educational background, family, police, hospital records and so on. Such questionnaire is called retrospective cohort study (David Farrington, Lloyd Ohlin, and James Q. Wilson, 1986:11-18).

3. Aggregate Data Research- Such research tells the social tendency and models of crimes. Criminologists use the state agencies and data from the research institutions from different foundations such as the office of demography, Office of labor, department of corrections and other sources. Important data are gained from the UCR (Uniform Crime Report). The FBI office (1998)

4. Experimental Research a real experiment contains 3 factors, i.e. (1) sampling; (2) control group and compared group, and (3) the experiment condition. It is a time-series design collecting data year round. This approach is rarely found since it was troublesome and costly as well as affecting daily life of the samples and

caused traffic halts and ethics as well as time-consuming. However, it gives important data for criminology. **5. *Observational and Interview Research*** - Sometimes, researchers are interested in some samples and used the in-depth interviews or observations to fulfill the vacancy from the survey. For example a study of Claire Sterck – Elifson (1996:63-76) William Whyte (1955) and. (Herman Swchendinger and Julia Swchendinger, 1985)... This is popular among investigations of the aggressive behavior such as watching TV with violent movies with behavioral controls and conducted in an experimental laboratory (L. Rowell Huesmann, and Neil Malamuth, 1986:31-53).

It proved that there should be unit to handle the criminal statistics or statistics of offenders in fact.(See Table 4-1) Seeking new criminological research methodology and measurement and test models and tendency of crimes should match what were happening regardless the royal Police Bureau, the National Statistics and so on. There should be the centers for collecting different data in the justice administration to facilitate data searches for investigation. Also, they could be further data for criminal solutions in future. Data collection should be updated, referable. The allocations of statistics should be by IT systems allowing the institute more precautions and ease coordination which seemed to be difficult in the Thai societies. The justice administration was likely disharmonized, short of collaborations, non-transferred important data, red-tape bureaucracy and slow information and less efficiency as interview below:

No.3:

“There should be office to collect criminal statistics or of offenders such as the Royal Police Bureau, the national statistics and so on to be as center in collecting data from different office in the justice administration as a center, It facilitates searches data, and is useful in researches as well as prevention and counter criminal problems in future”

No.9:

“There should be some offices to take responsibility or the center to collect the data of criminology such as statistics of offenders and cases and so on. Data should be updated referable and in allocation, it requires IT systems for collections for better precautions.”

5.1.2 Sociology Law

This area involved the roles of social dynamism sharing part in drafting the social and the criminal laws to improve societies. Criminologists will reviews legal history to understand crime such as theft, rape, and homicide which cycle in many forms. **1. Origin of Law** - Some folkways turned into cultural heritage and into laws officially. (Rene Wormser,1962; Jackdon Spielvogel, 1991; Eugen Weber, 1971; James Heath, 1963; David Jones, 1986; Fred Inbau, James Thomson and Jame Zagel, 1974; Wayne LaFave, and Austin Scott, 1986; Sanford Kadish and Monrad Paulsen, 1975). Concepts of crimes began with the Babylonians, the Hebrews and improved by the Romans. King Dungi of Summer Civilization (now in Iraq) first code law 2000 BC as known and improved by Hammurabi (1792-1750BC) the 6th king of Babylonian Civilization. It is called the Code of Hammurabi engraved in basalt coded crimes and their punishment:” an eye for an eye and a tooth for a tooth” (lex talionis). Weight of punishment was depended on social class. For example, assaults by a slave were subject to execution while the common might lose an organ for compensation. An ancient laws still used today is from Mosaic laws during 1200BC. Traditionally, Jehovah promised with the Israelites if they follow laws (613 Articles in the Old Testaments and the Ten Commandments). God conferred to the Israelites through Moses and He protected them. The Mosaic laws were not just the foundation of the Jeudio-Christian principles but key to justice principles in USA to forbade homicide, theft, perjury and adultery. It is unbelievable that such ancient laws are still found in the justice administration of USA. The Twelve Tablet of the Romans (451BC) by 10 senators to draft laws for enforcement among the plebeians. It is believed that this non-scripted empowered the patricians boundlessly. Written laws were lost during the Dark Age where they were used for over thousand years since the Romans

(500-1100 CE). The thoughts of this era were dominated by superstition, fear witchcraft and black magic of Satan. Early feudalism, many attempted to define and set punishment with crimes the left-over was the compensation for damages to punish criminals. In 14th century, by a record of a Norman that a former disobeying or stealing encountered serious punishment from it lords. Some were taken their teeth, some pierced by lance on the eye, hand cut, pressing ankles with hot charcoal, burning alive or hot lead pouring into mouth (Weber, 1971). Even vagabond or roamers were countered endangering and met brutal punishment

2. Origin of Common Laws Caused by loss of laws during the Dark Age in Europe, concepts of law and crimes during 500 CE (500-1000CE) were anarchist. Most exploited paganism. In 1066, Normans improved the Common Laws to standardize laws and justice before the Normans seized England. Some minor miscellaneous cases were taken the hundred gemots. The violent and critical cases were handled by the shire-gemot or the hali gemot. The holy-mates or ecclesiastics handled spirituality. Even laws were more standardized but differences were still fund among different counties and villages.

3. Compensations of Crime-Other countless laws even theft and violence required compensations for victims such as murder must be charge with wergild for the victims' family except poisoning or accomplice of assaults which will be subject with execution. Paying system is still found in criminal case, and property confiscation in punishment of business crimes or crime ring as well as experimenting that confiscation is varied by rate of income of employees. In 1219, jury was appointed to examine the criminal cases. At first, they work as witness for charge in court which was called 'assize'... (Marvin Zelman and Larry Siegel 1991).

The sociology of laws should involved with setting foundation of laws and testing the driven power for amendment and social changes but it shod stress on criminal laws since they were key to control societies (Table 4-2). This led to instituting the Royal Police Bureau for the benefits of supervision, enforcement or handling offenders such as by investigation, interrogation, arrest, charging lawsuit and legal punishment. Laws related to the above should stress oat the beginning which led to explanations of offenses. For example, the criminal laws, which was

caused by individual offense believing that any offense must be repaid and it was corresponded with the new changing societies. In addition, studies should be made with regulating special codes, interpretation of urbanization, laws were evident tools to control societies and the institute should examine matters of laws, possibility, and enforcement whether they matched the current happenings. Some laws should be terminated and some should be applied to meet the societal situation and conditions for their happiness. Some amendments should be made to meet the changing situations such as laws to protect witness, laws to protect family members of the victims. Societal impacts should be investigated and driven in the Thai societies. The Criminology Institute in Thailand should be the center to propose regulations or the national agendas for its administration with uniqueness and effectiveness as interviews below.

No. 4:

“The institute should examine matters of laws, their possibility, enforcement and regulations whether they are appropriate. Some laws should be terminated and some should be adopted to meet situation such as laws to protect witness, and laws to protect family members of victims and so on. “

No.9:

“Laws related to these matters should be their origin leading to explanations of the causes in offending for individuals such as the criminal laws, procedural criminal laws and so on. They are committed against individuals. When there are offenses here must be compensation and corresponded with the changing societies. It also needs to study laws in terms of laws, i.e. a special obligations coded and urbanization. So, laws are best important tools to control societies.”

5.1.3 Theorization

Knowing real causes of crimes still created endless difficulties. Criminologists were uncertain when with the same condition some selected to commit crimes as solution while others were pleased to follow the social norms and understood rate and criminal tendencies. For example, why are criminal rate up and

down? Why did some localities have more crimes than the other? Why do some groups tend to commit crimes more? Such questions led to theorizations for solving crimes. Theorizations related to crimes were as follows: 1. Choice Theory; 2. Trait Theory; 3. Social Structure Theory; 4. Social Process Theory; 5. Conflict Theory and 6. Integrated Theory.

(1) **Choice theory** assumes that criminals carefully choose whether to commit crime as above. People are influenced by their fear of the criminal penalties associated with being caught and convicted for law breaking. More severe, certain and swift punishment the more it is to control crime; the choice approach is rooted in the classical criminology of Cesare Beccaria (1738-1794) and Jeremy Bentham (1748-1833). Both social philosopher proposed punishment should be certain, swift and severe enough to deter crime. Deterrence Theory holds that if criminals are indeed rational an inverse relationship should exist between punishment and crime. But, a number of factors confound the relationship. Specific deterrence theory holds that the crime rate can be reduced if known offenders are punished so severely that they never commit crimes again. Incapacitation theory maintains that if deterrence does not work, the best course of action is to incarcerate known offenders for long periods so that they lack criminal opportunity. (2) **Trait Theory** Cesare Lombroso, these early researchers believed some people manifested primitive traits that made them born criminals. Today their research is debunked because of poor methodology, testing, and logic. Biological views fell out of favor in the early twentieth century. In the 1970s, spurred by the publication of Edmund O. Wilson's *Sociobiology*, several criminologists again turned to study of the biological basis of criminality. For the most part, the effort has focused on the cause of violent crime. Interest has centered on several areas: (1) biochemical factors, such as diet, allergies, hormonal imbalances, and environmental contaminants (like lead): (2) neurophysiologic factors, such as brain disorders, EEG abnormalities, tumors, and head injuries: and (3) genetic factors, such as the XYY syndrome and inherited traits. An evolutionary branch holds that changes in the human condition, which has taken millions of years to evolve, may help explain crime rate differences. Psychological attempts to explain criminal

behavior have historical roots in Maudsley's concept that all criminals are insane or mentally damaged. This position is no longer accepted. Today there are three main psychological perspectives: the psychodynamic view, the cognitive view, and the social learning perspective. The psychodynamic view, created by Sigmund Freud, links aggressive behavior to personality conflicts developed in childhood. According to some psychoanalysts, psychotics are aggressive, unstable people who can easily become involved in crime. (3) *Social structure theories* suggest that people's places in the socioeconomic structure influence their chances of becoming a criminal. It has three schools of thought: social disorganization, strain, and cultural deviance theories. Social disorganization theory suggests that slum dwellers violate the law because they live in areas in which social control has broken down. The origin of social disorganization theory can be traced to the work of Clifford R. Shaw and Henry D. McKay (1920). Shaw and McKay concluded that disorganized areas marked by divergent values and transitional populations produce criminality. Modern social ecology theory looks at such issues as community fear, unemployment, siege mentality, and deterioration. Strain theories view crime as resulting from the anger people experience over their inability to achieve legitimate social and economic success. Strain theories hold that most people share common values and beliefs, but the ability to achieve them is differentiated throughout the social structure. The best-known strain theory is Robert Merton's theory of anomie (1968:95-217), which describes what happens when people have inadequate means to satisfy their goals. Cultural deviance theories hold that a unique value system develops in lower-class areas. Lower-class values approve of behaviors such as being tough, never showing fear, and defying authority. People perceiving strain will bond together in their own groups or subcultures for support and recognition. Albert Cohen links the formation of subcultures to the failure of lower-class citizens to achieve recognition from middle-class decision makers, such as teachers, employers, and police officers. Richard Cloward and Lloyd Ohlin (1960:210/157) have argued that crime results from lower-class people's perception that their opportunity for success is limited. Consequently, youths in low-income areas may join criminal, conflict, or retreatist gangs. (4) *Social process theories* view criminality as a function of people's

interaction with various organizations, institutions, and processes in society. People in all walks of life have the potential to become criminals if they maintain destructive social relationships. Social process theory has three main branches: social learning theory stresses that people learn how to commit crimes; social control theory analyzes the failure of society to control criminal tendencies; and labeling theory maintains that negative labels produce criminal careers. The social learning branch of social process theory suggests that people learn criminal behaviors much as they learn conventional behavior. Differential association theory, formulated by Edwin Sutherland, holds that criminality is a result of a person's perceiving an excess of definitions in favor of crime over definitions that uphold conventional values. Ronald Akers has reformulated Sutherland's work using psychological learning theory; he calls his approach differential reinforcement theory. Sykes and Matza's theory of neutralization stresses that youths learn behavior rationalizations that enable them to overcome societal values and norms and break the law. Control theory is the second branch of the social process approach. Control theories maintain that all people have the potential to become criminals, but their bonds to conventional society prevent them from violating the law. Walter Reckless's containment theory suggests that a person's self-concept aids his or her commitment to conventional action. Travis Hirschi describes the social bond as containing elements of belief, commitment, attachment, and involvement. Weakened bonds allow youths to behave antisocially. Social reaction or labeling theory holds that criminality is promoted by becoming negatively labeled by significant others. Such labels as "criminal," "ex-con," and "junkie" isolate people from society and lock them into lives of crime. Labels create expectations that the labeled person will act in a certain way; labeled people are always watched and suspected. Eventually these people begin to accept their labels as personal identities, locking them further into lives of crime and deviance. Edwin Lemert (1951) has said that people who accept labels are involved in secondary deviance. Unfortunately, research on labeling has not supported its major premises. Consequently, critics have charged that it lacks credibility as a description of crime causation. (5) *Social conflict theorists* view crime as a function of the conflict that exists in society. Social conflict theory is

based on the works of Karl Marx as interpreted by Willem Bonger, Ralf Dahrendorf, and George Vold. Conflict theorists suggest that crime in any society is caused by class conflict. Laws are created by those in power to protect their rights and interests. All criminal acts have political undertones; Richard Quinney has called this concept “the social reality of crime.” Unfortunately, research efforts to validate the conflict approach have not produced significant findings. One of conflict theory’s most important premises is that the justice system is biased and designed to protect the wealthy, Research has not been unanimous in supporting this point. Marxist criminology views the competitive nature of the capitalist system as a major cause of crime. The poor commit crimes because of their frustration, anger, and need. The wealthy engage in illegal acts because they are used to competition and because they must do so to keep their positions in society. Marxist scholars such as Quinney, Platt, and Krisberg have attempted to show that the law is designed to protect the wealthy and powerful and to control the poor, have-not members of society. Branches of radical theory include instrumental Marxism and structural Marxism. Research on Marxist theory focuses on how the system of justice was designed and how it operates to further class interests. Often this research uses historical analysis to show how the capitalist classes have exerted their control over the police, courts, and correctional agencies. Both Marxist and conflict criminology have been heavily criticized by consensus criminologists. Jackson Toby sees Marxists as sentimental and unwilling to face reality. Carl Klockars suggests Marxists make fundamental errors in their concepts of ownership and class interest. During the 1990s new forms of conflict theory emerged. Feminist writers draw attention to the influence of patriarchal society on crime; left realism takes a centrist position on crime by showing its rational, destructive nature; peacemaking criminology calls for humanism in criminology; and deconstructionism looks at the symbolic meaning of law and culture. (6) *Latent trait theories* hold that some underlying condition present at birth or soon after controls behavior. Suspect traits include low IQ. Impulsivity and personality structure. This underlying trait explains the continuity of offending because once present; it remains with a person throughout his or her life. The latent trait theories developed by Gottfredson and Hirschi and Wilson and Herrnstein

both integrate choice theory concepts; people with latent traits choose crime over noncrime. The opportunity for crime mediates their choice. Developmental theories look at multiple factors derived from a number of different structural and process theories. Examples of this include the social development model and Elliott's integrated theory, which holds that social position controls life events. The SDM finds that living in a disorganized area helps weaken social bonds; Elliott's theory holds that strain leads to weakened bonds. Both theories find that weakened bonds lead to the development of deviant peer group associations. Life-course theories argue that events that take place over the life course influence criminal choices. The cause of crime constantly changes as people mature. At first, the nuclear family influences behavior; during adolescence, the peer group dominates; in adulthood, marriage and career are critical. There are a variety of pathways to crime: some kids are sneaky, others hostile, and still others defiant. Crime may be part of a variety of social problems, including health, physical, and interpersonal troubles. Important life-course theories have been formulated by Terence Thornberry, David Farrington, and John Laub and Robert Sampson.

The institute should theorize on anticipating individual behavior and familiarizing with causes of crimes and their tendencies rather than being a teaching institute for criminology (Table 4-3). So, its roles of theorization was not the role of teaching but supporting researches of criminology stressing causes of different offending when societies changed and different developing models of crimes. Criminals sometimes did not committed crimes alone but the organized crime with accomplices. Sometime they were cross-nationals from multination. The institute should probe such things to find their sources, concepts, conclusions, prevention and reflecting to the state to share in recognizing the criminal problems needed urgent remedy. Theorization needed brainstorming to seek measures in order to reduce crimes in societies as interviews below.

No.1:

“The national criminology institute holds duties to theorize but not a teaching institute. So, roles in theorization is not the teaching roles for criminology

but an institute emphasizes support the criminological researches and emphasizes researches to investigate causes of different models of offenses along the changing societies. They were improved and some cannot commit alone but organized crime with accomplices. Some are cross-national crimes cooperated with many countries. Such models should be investigated to find their sources, concepts, summary, and prevention in order to reflect for the government sectors to recognize the criminal problems and need urgent treatment. Theories should emphasize brainstorming to find measures in order to reduce crimes in societies.”

5.1.4 Criminal Behavior System

Marvin Wolfgang's famous 1958 study, *Patterns in Criminal Homicide*, is considered a landmark analysis of the nature of homicide and the relationship between victim and offender. [Marvin Wolfgang, *Patterns in Criminal Homicide* (Philadelphia: University of Pennsylvania Press, 1958)]. Edwin Sutherland's analysis of business-related offenses helped coin a new phrase – white –collar crime – to describe economic crime activities. The study of criminal behavior also researches the links between different types of crime and criminals. This is known as crime typology. (1) **Violent Crime**- There is many types of interpersonal violent crime. Robbery involves theft by force, usually in a public place. Types of offenders include professional, opportunist, addict, and alcoholic rovers. Robbery is considered a violent crime because it can and often does involve violence. Political violence is another serious problem throughout the world. Many terrorist groups exist at both the national and international levels. Hundreds of terrorist acts are reported each year in the United States alone. Terrorists may be motivated by criminal gain, psychosis, grievance against the state, or ideology. (Larry Siegel 2000: *Criminology: USA: Wadsworth: 355*) (2) **Property Crime**- Economic crimes are designed to financially reward the offender. Opportunistic amateurs commit the majority of economic crimes. However, economic crime has also attracted professional criminals. Professionals earn most of their income from crime, view themselves as criminals, and possess skills that aid them in their law-breaking behavior. Edwin Sutherland's classic book *The Professional Thief* is perhaps the most famous portrayal of professional crime. According to Sutherland and his

informant; Chic Conwell, professionals live by their wits and never resort to violence. Common theft offenses include larceny, embezzlement, fraud, and burglary. Arson is another serious property crime. Although most arsonists are teenage vandals, there are professional arsonists who specialize in burning commercial buildings for profit. (3) *White – Collar and Organized Crime* - White-collar and organized criminals are similar because the both use ongoing illegal business enterprises to make personal profits. There are various types of white-collar crime. Stings and swindles involve the use of deception to bring people out of their money. Chiseling customers, businesses, or the government regularly is a second common type of white-collar crime. Surprisingly, many professionals engage in chiseling offenses. Other white-collar criminals use their positions in business and the marketplace to commit economic crimes. Their crimes include exploitation of position in a company or the government to secure illegal payments; embezzlement and employee pilferage and fraud; client fraud; and influence peddling and bribery. Corporate officers sometimes violate the law to improve the position and profitability of their businesses. Their crimes include price-fixing, false advertising and environmental offenses. Although criminal gangs have existed since the early nineteenth century, their power and size were spurred by the Volstead Act and Prohibition in the 1920s. Organized crime supplies alcohol, gambling, drugs, prostitutes, pornography to the public and narcotics.

Opinions of the criminal behavior systems regarding specifying nature and cause of special criminal model and studying violence, theft, crime ring, office crime, and crimes troubling public should emphasize researches leading to models and causes of special crimes, which were differed from the past (Table 4-4). For examples, there were crimes disguised with new technologies, computerized crimes, and economic crimes and so on. They were growing in the future since common people could access computerized technologies more and their prices were cheap easing uses. At the meantime, most people overlooked such crimes, not serious and careless to treat. So, it required to study the criminal behavior system of the special crimes. They were not necessary committed outside home but even

in bed and all the time. Serious attention should be made to the special crimes as interview below

No.1:

“The criminal behavior system should be examined and focused to find models and causes of special crimes, which are different from the past, such as crimes disguised with new technology, computer crimes, and economic crimes. They are growing in the future because all can access technology through computers more than before and it is cheaper and eased to use. At the meantime, such crimes have been ignored and rejected serious treatment. So, the institute should investigate the criminal behavior systems in terms of special crimes more. Crimes needs not be committed outside home but even in bed and all the time but requires more attention to the special crimes to be committed.”

5.1.5 Penology

Penology related to punishment, rehabilitation deterrence criminal offenders. Punishment methods changed through time in the history. Aft first, it was fine to compensate victims or their relatives. Finally, it was execution. Economic system and the colony development n foreign countries required labors, so, slavery and forced labor began to replace punishment. During the end of 18th century; execution revived again. Reformists attempted to push changes of punishment for more severe. So, prison was the choice to rehabilitate offenders. However, the early prisons were harsh where there was only silence, punishments, hardworking, and warehousing of prisoners. Before new century, reformists proposed educating and counseling to prisoners. At present, imprisonment is divided into 5 types: community-based, correction, jail, prison, and parole programs. The parole project by experimenting spending life in communities but under tight supervision till terms of sentence but still there is no certain evidence its viability of the control or the parole for enforcement. Many prisoners were recidivate.

Penology was divided into 2 sides, i.e. studying penological systems and criminal probations. The institute should broaden its responsibility in the penological system, the sentencing reform, fixed imprisonment and non-fixed imprisonment (Table 4-5). There were 2 ways of punishments which affected the operation of the Department of Corrections, which emphasized 2 things, i.e. professional imprisonment and efficient rehabilitations. Punishment systems led to imprisonment corresponded with the mission of the Department of Corrections, which would be improved to international standards under the human rights of the prisoners. The institute should investigate setting of punishment to be as data for the department. Regarding probations, it should meet 2 missions, i.e. treatment and rehabilitation. The institute should investigate the Treatment Innovation Prisoners. Current, treating prisoners were unclear because Mass Treatments were still used. All were treated the same, and no coordination and proper familiarization was yet to be met. In addition, the institution should be well-prepared to meet prisoners after discharged to societies on careers, acceptance, adjustment, and returning to families. Researches were required to justify those things as interview below.

No. 4:

“The institute should consider additional responsibility over crimes. Besides, the developed system should be investigated on the details of punishment – fixed imprisonment, and non-fixed imprisonment. Both punishment systems affect directions of the department of Corrections. Probations over criminals are corresponded with the Department of Corrections related to treatment and rehabilitations of prisoners and the institute should study its system and methods in treating prisoners, which at present systems and treating prisoners are ambiguous.”

5.1.6 Victimology

Victimologists are particularly interested in the following areas:

- Using victim surveys to measure the nature and extent of criminal behavior, calculating the actual costs of crime to victims
- Creating probabilities of victimization risk

- Studying victim culpability or precipitation of crime
- Designing services for crime victims, such as counseling and compensation programs

Victimology has taken on greater importance as more criminologists focus attention on the victim's role in the criminal event. There are a number of theories of victimization. One view, called victim precipitation, is that victims provoke criminals. More common are lifestyle theories that suggest that victims put themselves in danger by engaging in high-risk activities, such as going out late at night, living in a high-crime area, and association with high-risk peers. The routine activities theory maintains that a pool of motivated offenders exists and that these offenders will take advantage of unguarded, suitable targets. (Larry Siegel 2000 : 106. Criminology, 7th ed. USA : Wadsworth.)

The opinions of victimology regarding studying nature and causes of victimization and assisting the criminal victims should have been leading matters in researches (Table 4-6). Victimization in Thailand had been long ignored, uninterested and unprotected. It required helping victims. Beside those 2 areas, it required the institute to be the center to attend victims and transit to the government or private sectors who could better lead them back to their families and societies with happiness. The institute should be the middleman to protect the criminal victims and encourage them to disclose matters in order to impose lawsuits for offenders. In the Thai societies, if there were immoral violation, usually they faded out. Victims had to suffer their fate while offenders floated above laws. So, reforming victimization should gain better system with offenders would be pursued to punishment as they deserved by laws. Studies should be conducted on nature and causes of victimization to prevention and solutions precisely as well as further assisting victims meeting their needs as interview below.

No. 9:

“There should be studies the nature and causes of victimization to find ways of their prevention and solution as well as assistance or provisions of welfare for those victims to meet their needs”

5.2 Operating the Criminology Institute in Thailand

This feasibility studies had investigated only 6 areas, i.e. (1) opinions in establishing the institute; (2) ability to build level of reliability and values of the institute; (3) policy of the institute; (4) problems and limitations found in operation; (5) supporting factors of operations and (6) trends and directions of the institute in future.

5.2.1 Opinions in establishing the institute

All the 13 cases agreed in its institution because it enabled the criminology in Thailand to be equal with foreign criminology institutes.

On account of the justice administration in Thailand had separated into responsible official agencies counted, police, public prosecutors, court, corrections, probations and lawyers fulfilled their duties by assignments. Cases never always ended with offenders were punished. There might be compromising, or probations. It required a “central organization” to collect data, statistics in each part of the justice administration to set criteria in analyzing models of offenses, criminal trends, preventing damages happened to societies from crimes or remedy for future including improving the justice administration of Thailand. Besides seeking solution, it was also collaborating for serious harmony in the Ministry of Justice at the domestic and international levels. The institute should be a liberal organization without affiliated supervisors where efficient administration could be made, clear and tangible. At present there are many programs of criminology and justice administration at the master degree levels in many universities, many were graduated. Also, it is like police, court, public prosecutors corrections and lawyers

were involved with the center of criminology but none becomes the center. They independently work on their own. So, it requires brainstorming and workshop as the national agenda to test votes of societies at large of their consent.

The institute should reflect does the government agree. We have the justice units and established longtime ago except problems of disunity. Ever since we cannot turn the justice administration to the same affiliation, this institute is not born since it is a repetitive office. Also, the government is operating with bureaucratic methods; it is certainly hard to push for birth. Where can the institute get funding? Will it be like the university systems or privatization? It needs no thoughts because if not being supported by the government, it is difficult to establish as following interviews:

No.2:

“It is agreed to establish the “Criminology institute of Thailand” because the justice administration of Thailand is separated by their responsibility counted form police, public prosecutor, court, corrections and probation. All independently fulfill each assignment. The case occurred will not end at imprisonment or punishment against offenders in all cases. There might be compromising or probation depended on nature of offense. It requires a ‘central organization” to collect data, and statistics in each part of the justice administration to readjust offense to be norms in order to analyze their tendency and to further protecting societies.”

No. 5:

“It is agreed because the justice administration in our country is separated to each office by responsibility such as police, public prosecutor and lawyer who fulfill each assignment especially the cases are not ended in punishment in every case but there might be compromising by nature of offense. So, there must be a central organization to collect data and statistics in each office of the justice administration as norms to analyze tendencies of crimes and to prevent and solve the future criminal problems.”

5.2.2 Ability to build levels of reliability and values of the institute

After being instituted, reliability and values are primarily hard to build as 13 key informants observed and might be unlikely high. Since people are not familiarizing with the clear roles of institute and how could it return benefits to societies and to what extents it could be liberal and non-affiliation?

Recommendations in gaining reliability and values

1. The administrators of the institute are well-round and accepted by societies. Administrative roles are tangible, expedite, strict, good image, corruption free need not be graduated doctoral degree but with long vision, familiarized with crimes, coordinateable with every units, enable to satisfy all parties in every sectors.

2. Personnel need to be good performance, long vision, well-round, solution-oriented and graduated from diversified disciplines and not necessary from criminology. Crimes are multiple and the organization should be well-informed with different fields, passed screening and socially accepted. These would drive the institute to reach accountability and values as well as training new breeds to meet its growth.

3. Image and personnel should be able to actually solve problems with accountability, transparency, justice, auditable and personnel should prove that they are equipped with good traits, corruption free and consistent suppression being acceptable and achieve academic papers evident to public.

4. Clearly familiarizing with societies and with aggressive public relation - roles of instate should be disseminate to outsiders to know its objectives, authority and academic works to public. The board plays key role sin driving the national policy pf criminology and the national agenda. Also it allows the people to recognize its benefits gained from the institute. When people sense reliability and values, it leverages also the institute as interviews below.

No. 1:

“After instituted, it would have been difficult to make it accountable and worthwhile. To acquire reliability requires..

1. the administration is equipped with knowledge, ability accepted by societies. It requires tangible administration, expedite, strict, good image, corruption free need not be graduated doctoral degree but with long vision, familiarized with crimes, coordinateable with every units, enable to satisfy all parties in every sectors.

2. Personnel need to be good performance, long vision, well-round, solution-oriented and graduated from diversified disciplines and not necessary from criminology.

3. Image and personnel should be able to actually solve problems with accountability, transparency, justice, auditable and personnel should prove that they are equipped with good traits, corruption free and consistent suppression being acceptable

No.7:

“After instituted, it would have been difficult to make it accountable and worthwhile. To acquire reliability requires..

1. the administration is equipped with knowledge, ability accepted by societies with long vision and familiarized with crimes.

2. Personnel need to be good performance, well-round, solution-oriented and graduated from diversified disciplines because crimes come from any causes. So the institute requires well-round persons of various disciplines.

3. Image and personnel should be, transparent, justice, auditable and accountable and people see it with tangibility and system with good image.

5.2.3 Policy of the Criminology Institute in Thailand, principles and members' qualification

It was found from the 13 interviews that:

A. Policy of the institute is 1. Focus and meet the government policy on crimes and operation for better efficient and effective performance. 2. Set clear policy by overviews, visions, missions, tasks how they will be complete. What is the direction of criminology to set policy? New concept of administration is

adopted. It springs the organizational learning with clear internal roles in an organization without repetition with any units of justice administration. 3. Emphasize researches to theorizations and apply them for the benefits of the common societies. 4. Being the central organization to coordinate or to collaborate with different units from any units of the justice administration domestically and internationally tangible to tangibly improve collaboration on data with criminology-focused. 5. Return benefits for societies/people and reduce suffering and criminal problems and encouraging protection and solving criminal problems at the national level such as narcotics, crimes, illegal migrants, corruption and so on. Operation of the institute would be the center in solving problems adhering to the principles of applying criminological concepts in working or solutions.

B. Criteria for members' qualifications: 1. The members' qualification should allow sub-unit to evidently handle in allocating positions, screening authority in working, allocations, and appointment for those who work in the institute. They would work in teamwork, and committee for fairness and to reduce patronage recruitments so that they could not dominate the organization in future. 2. Being well-round and expert in criminology if graduated in the field. This would accredit the institute. All different disciplinary experts should be recruited from all government sectors but never siding any units or any institutes regarding experts in sociology and laws among lecturers, police, court, public prosecutors, corrections, probations, lawyers, criminologists and common well-informed people. 3. Being acceptable to societies, honest, innocent, fair, transparent, dedicated with spirit in working, auditable and coming from different careers and not necessary to come from the government and private sectors but those dedicated to work restlessly as interview below:

No. 3:

Policy –it emphasizes researches to develop justice administration to advance and theorizations and applies them for the benefits of the common societies. In addition, it should be the central organization to coordinate or to

collaborate with different units from any units of the justice administration to tangibly improve collaboration.

Criteria - persons of well-round, ability and expert in criminology, sociology and laws, acceptable to societies, honest, innocent, fair, transparent, dedicated with spirit in working,

No. 5:

Policy

1. Emphasize researches to theorizations and apply them for the benefits of the common societies.

2. Establish a central organization or NGO focused specially on criminology

Criteria - persons of well-round, ability and expert in criminology, sociology and laws, acceptable to societies, honest, innocent, fair, transparent, dedicated with spirit in working,

5.2.4 Problems and limitations viable during operating the Criminology Institute of Thailand

Problems and limitations viably found are:

1. Management – problems and limitations are possibly found with the unclear tangible operation ; inert drive in the justice administration; and the government sectors are not interested to drive into the national agenda; corruption in organizations; coordinating units among the justice administration are ambiguous; if actually operating; what are the extent regarding roles, duties, authorities, supervisions, and coverage of the institute? It will be difficult with the management, had it been a large organization – and inadequate public relation among societies and related cycles.

2. Budget - it is possible to meet problems and limitations on where could budget be provided for its operations?

3. Personnel - it is possible to meet problems and limitations on no experts; assemblage of different units might cause diversified ideas and working styles. Some academic disciplines might disagree such as laws. People realized

nothing about roles, and the significance of the institute. Outsiders do not understand the roles of the institute. Personnel to work have to be well-round and expert and it is doubtful if different ideas and working styles and whether outsiders would accept the working of the institute.

4. Equipment - it is possible to meet problems and limitations on well equipped office and its location and where would be it belong to as interview below:

No. 1:

- *Style of working is intangibly ambiguous*
- *Lack of drive for authenticity in the justice administration*
- *Corruption in an organization*
- *Unclear coordination within the justice administration units*
- *The government is uninterested and no drive to be the national agenda*
- *Inadequate personnel of this line*
- *If realistic, roles, duties, power are doubtful and who will supervise?*
- *Difficult management if being large organization*
- *Some filed may disagree such as lawyer*
- *Doubtful with dominion*
- *Budget for operation*
- *People do not know roles and its importance*
- *Inadequate public relation in societies and related cycle*

No. 2:

- *Assembly of members are form many units with different concepts and working style.*
- *Source of budget to establish the institute and it operation*
- *Unfamiliar with the roles of the institute form outsiders.*

5.2.5 Supporting factors in operating the Criminology Institute of Thailand

It is found from interviews that :

1. Management - it is possible to meet problems and limitations on setting clear concepts, roles, and tasks. These ease coordination in solving the social problems, returns for societies, pilot project applied in the Thai societies; having useful researches to establish the institute; giving privilege for the state to establish; the government policy should support the institute in operation and its direction; there will be coordination with units related with the Ministry of Justice and performance in solving the social criminal problems.

2. Budget - it is possible to meet problems and limitations on well-equipped with budget, adequate management and support from the government.

3. Personnel - it is possible to meet problems and limitations on the government sectors with the Prime Minister graduated with criminology – accepted by societies, well-round and expertise; theorists have supported the institution, equipped with personnel to drive the institute to effectively be operated. Cooperation of different offices either the government or the private sectors play key roles in planning efficient administration to tangibly meet the needs of societies by proposing useful ideas to societies.

4. Equipment - it is possible to meet problems and limitations on well prepared establishment and its locations as interview below:

No.1:

- *The government has Prime Minister graduated from criminology*
- *Clear conceptualize, roles and task*
- *Easing coordination with other units*
- *Adequate budget for management*
- *Social-acceptable personnel*
- *Good performance in solving crimes for societies*
- *Supported by academicians*
- *Benefits received by social*
- *A pilot project to be applied in the Thai societies*
- *Having useful researches to verify the establishment of the institute*
- *Opportunity from government to institute*

No. 2:

- *Personnel to drive the institutional work to run effectively*
- *The government policy support the operation of the institute*
- *Adequate budget*

5.2.6 Trends and directions of the Criminology Institute of Thailand

It was found from interviews that :

Could the Criminology Institute of Thailand be established? It is depended on (1) political change effects; (2) Economic change effects; (3) social change effects and (4) It change effects.

● If established (1) it would be a distinct research institute, collecting criminal statistics from the past till present, designing a master plan in counter crimes ready with data for the benefits of different units who need data. The institute should be the center in preventing and solving criminal problems in future. Comparative studies will be conducted between deistic and international to collect findings to be applied with societies in preventing and solving criminal problems. Primarily, it will begin with the Asian countries and later expand to the international level. (2) Clear direction in researches and to be the liberal center in collecting the criminal statistics from different offices and to collect concepts, and theories since the past till present because the justice administration in Thailand is independently work in each office and unlikely coordinate and collaborate and each collect data by itself. (3) Comparative studies will be conducted in the regional and the national levels to be as guide for applying with societies in further prevention and solving the criminal problems. (4) Being the institute distinct in academics in both theories and practices and solutions or counter crimes and (5) being the prototype in further prevention and solution to criminal problems for the justice administration as review below:

No.4:

The Criminology Institute of Thailand should have direction in prevention and solution of criminal problems because it happens in daily living for common people in societies, So, the institute should be key to propose constructive ways in prevention and solution of criminal problems systematically. Also, it should be the center for contact and coordination with different office both domestically and internationally for cooperation in seriously solving criminal problems at the national level.

No.5:

It should emphasize prevention and solution of criminal problems occurred in societies since at present they are critical at the national level and hard to solve in association with the model of crimes is more complicated. So the institute should focus on constructive prevention and solution of criminal problems.

No.6:

Being distinct with academics in theory and practices; all the concepts of solution that the institute should be the center to collect concepts, theories since the past till present. There must be collection of the criminal statistics data for readjustment to be used in our societies properly as well as being the prototype in prevention and solution of criminal problems for the units of justice administration.

CHAPTER 6

CONCLUSIONS AND RECOMMENDATIONS

A research on Feasibility Studies to Establish the Criminology Institute in Thailand was concluded and recommended as below.

6.1 Research Objectives

6.1.1 To conduct a feasibility study in establishing a criminal institute of Thailand

6.1.2 To study the operation of the criminal institute of Thailand

6.2 Research Methodology

Methodology was the investigation of the secondary data, i.e. documentary research containing texts, books, and articles. Individual in-depth interviews were conducted during 2005-2006 with Ministry of Justice; Office of Public Prosecutor; Criminal Court; Child and Youth Court; The National Police Bureau, Office of the Prime Minister (OPM); Department of Corrections; Institute of Criminological Studies of Mahidol University; Institute of Criminological Studies of Kasetsart University; Institute of Criminological Studies of Thammasart University; Institute of Criminological Studies of Chulalongkorn University; Institute of Criminological Studies of Kirk University; Lawyer Association of Thailand; and Crime Reporters Association of Thailand. They were related the structure, and numbers were used in description. Data collected were grouped, and categorized to ease preparations as well as the research regularly met thesis

advisors and experts during data collection. Data were analyzed with theories and concepts related and evaluating consequences and results were reported for its summarizations. Results were as follows:

6.3 Conclusions

The conclusion was based on the research objectives that were the feasibility to establish the Criminology Institute in Thailand and its ways to operate the institute. It was found that it was highly viable and was strongly recommended for its establishment by proposing the following principles.

6.3.1 Responsibility of the Criminology Institute in Thailand

6.3.1.1 With Criminal Statistics – the institute is responsible for the criminal statistics, collecting real criminal data, seeking new research methodologies, test and measurement models of crimes and criminal trends.

6.3.1.2 With sociology of Law – the institute should take responsibility of the socio-law related to setting foundations of law and testing the dynamism that drives to amendment and social changes.

6.3.1.3 With theorization - the institute has responsibility in forming theories relating the anticipation of the human behavior and familiarizing causes of crimes and their trends.

6.3.1.4 With Criminal Behavior System – the institute has to be responsible for the criminal behavior system related to setting traits and causes of the special crimes and studying violence, theft, crime ring, office crimes and crimes troubling public.

6.3.1.5 Penology – the institute has duties to be responsible for 2 corrections – penological systems and probation of criminals.

6.3.1.6 Victimology – the institute is responsible for victimology and there are 2 parts for surveys – nature and causes of victimization and victim assistances.

6.3.2 Operating the Criminology Institute in Thailand

Interviews were conducted among 6 areas as follows:

6.3.2.1 Opinions on establishing the Criminology Institute of Thailand were that all agreed with its institution because it enabled to improve the criminology of Thailand to level with the foreign criminology institutes.

6.3.2.2 Ability to build reliability and values of the Criminology Institute of Thailand was likely difficult primarily and unlikely high because people did not yet understand the clear roles of the institute how could it return benefits to people and would it be a central organization or an NGO without any affiliation.

6.3.2.3 The policy of the Criminology Institute of Thailand, its principles and its members' qualification had to be corresponded with the crime policy of the government for workability with effectiveness and efficiency. It required setting clear visions and missions without being repetition of any units in the justice administration. I should emphasize researches for the usefulness for societies at large. Criteria of the members' qualifications required a team to examine positions, screened power and authorities, allocation, well-round, expert in criminology, and /or sociology and/or laws and being socially accepted, honest, trustworthy, fair, transparent, totally dedication in working.

6.3.2.4 Problems and limitations viable during operating the Criminology Institute of Thailand should have been management, budget, personnel, equipments and readiness of establishment and its locations.

6.3.2.5 Factors facilitating its operation are the government supports on management, budget, personnel, equipments and readiness of establishment and its locations.

6.3.2.6 Its trends and direction were depended on (1) political change impacts; (2) economic change impacts, (3) social change impacts and (4) IT change impacts.

6.4 Recommendations from Studies

6.4.1 building levels of reliability of the institute when established which should make it accountable and worth primarily and it needed aggressively

familiarize people on its roles and clear duties what it enabled to return societies; either the central organization or an NGO with liberty.

6.4.2 Problems and limitations should be evaluated for remedy in what the institute would encounter with management, budget, personnel and equipment.

6.4.3 Had it been instituted the existing factors and facilitators to its operations were the government supports on management, budget, personnel, equipments and readiness of establishment and its locations till it could stand on its own.

6.4.4 The future Criminology Institute of Thailand should be free from changes of politics, economic, social and IT.

6.5 Recommendations for Further Studies

6.5.1 Foreign criminology institute should be investigated to be as guide in its institution in Thailand.

6.5.2 Researches and theory collection worldwide on criminology should be conducted as well as accommodate the criminological reports in Thailand as database for future.

6.5.3 Methods of controls and crime solutions worldwide should be studied as further database and their prototype of solution for the justice administration.

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Faculty of Social Sciences and Humanities
Mahidol University

July 2004

Subject: Request considerations

To:

I, Pol.Capt. Pattanachai Pamornphibul, a graduate student in the Program of Criminology and Criminal Justice am conducting Feasibility Studies to Establish the Criminology Institute in Thailand and intending to seek in-depth interviews to support a qualitative research.


For your information and approval, I remain,

Sincerely yours,

Pol.Capt. Pattanachai Pamornphibul

Responsibility		Agree	Disagree	No comment
5	Penology			
	5.1 Studying penological systems			
	5.2 Criminal probations			

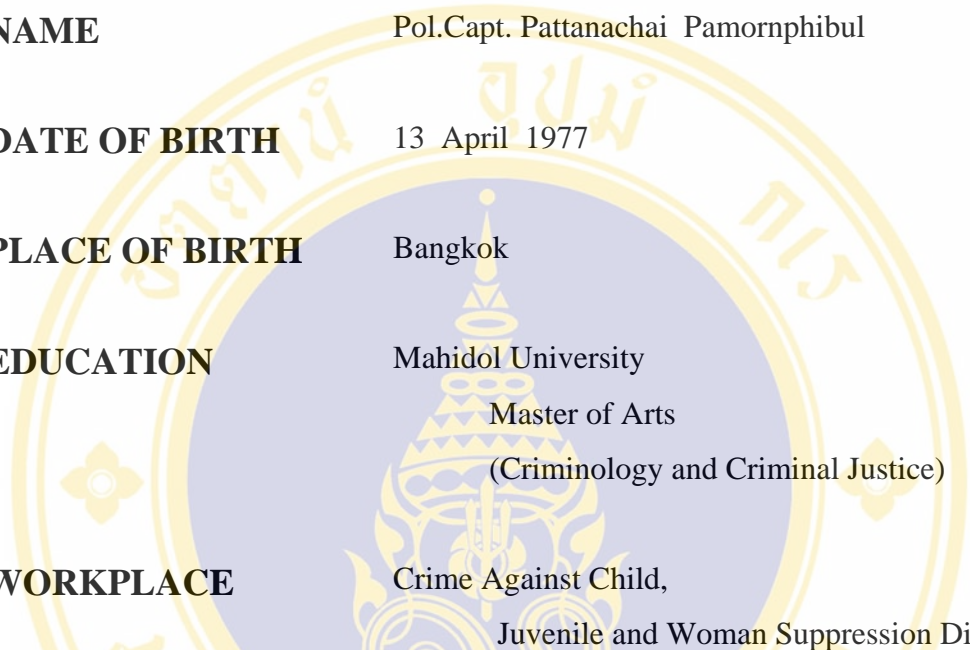
Additional suggestions



A large, faint watermark of the Mahidol University logo is centered on the page. The logo features a central emblem with a tiered umbrella and a crown, surrounded by Thai script. The background of the watermark is a light purple circle.

Below the 'Additional suggestions' header, there are 20 horizontal dotted lines for writing.

BIOGRAPHY



NAME	Pol.Capt. Pattanachai Pamornphibul
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