

CHALLENGES OF LOCAL SELF – GOVERNMENT UNDER THAI BUREAUCRATIC POLITY

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Abstract

The advent of political instability and the resurgence of bureaucratic polity following the military coup d'état in 2014 have posed significant challenges to local self-governance in Thailand. This study sought to shed light on the exercise of local government authorities under varied circumstances and the responses of the Thai government, focusing on three municipalities from distinct provinces: Pattani Town Municipality in Pattani Province, Mae Sot City Municipality in Tak Province, and Khon Kaen City Municipality in Khon Kaen Province. These selected study areas exemplify notable characteristics, including the presence of securitization efforts and the implementation of special security laws, a strategic border area designated as one of the special economic zones, and the mobilization of funds for large-scale infrastructure projects.

A qualitative research approach was employed to gain comprehensive insights and rich data. In-depth interviews were conducted with representatives from three distinct groups: executives from the Ministry of Interior at the central level, provincial governors at the provincial level, and executives of local government organizations. Additionally, focus group discussions were conducted with residents from the study areas and individuals who had prior experience collaborating with local leaders across all three study areas.

The research findings indicated that while local self-government, in general, continues to be subject to substantial centralized control, Mae Sot and Khon Kaen municipalities possess conducive conditions that enable them to exert greater authority. Conversely, Pattani's self-governance is impeded by national security concerns. Furthermore, this study examined the implications of the localization of the Sustainable Development Goals (SDGs) policy. It revealed a mix of opportunities to leverage and constraints arising from reliance on external technical assistance. However, the potential transformation of hierarchical relations into partnerships, as envisaged by the SDGs, is a phenomenon that has yet to fully materialize.

Keywords: Local Self-Government, Decentralization, Power Relationship, Sustainable Development Goals, Bureaucratic Polity

Introduction

In the wake of the 2014 coup, the government enforced a law, which was accused of totalitarianism and centralization of total power at the Head of The National Council for Peace and Order (NCPO) under the Section 44. The Internet Law Reform Dialogue (iLaw) has followed the main issue of the country when the National Council for Peace and Order (NCPO) ran the country for four years. The Internet Law Reform Dialogue (iLaw) reports that the use of the Section 44 and Head of the National Council for Peace and Order (NCPO) in relation to local government e.g. NCPO issued Announcement No. 85/2557 to suspend the election of local council members and instead use the recruiting method. Subsequently, the Head of The NCPO Order No. 1/2014 was issued as to regulating the local council members in the Local government organization who were to vacate the office due to the expiration of their term to remain in position, to instead continue to perform their duties. The Order No. 64/2559 regarding the termination of the Governor of Bangkok and the appointment of the Governor of Bangkok and Order No. 6/2560 regarding the appointment of the Mayor of Pattaya City (Internet Law Reform Dialogue, 2015). This situation caused the decentralization to go backward to more centralized power, in which the future of local government is paradoxical, that is, first, the state establishes the conditions in accordance with the Constitution of the Kingdom of Thailand, B.E. 2560 (2017) and the 20-Year National Strategy (2017 - 2036) by setting budgets allocated to local governments to implement plans and laws. Since the fiscal year 2007, the local government organizations have been determined to have an increase in income, accounting for at least 25 percent of the government's income, and aimed to give the local government organizations a proportionate increase in income towards the net income of the government of not less than 35 percent. Second, the state aimed to use the local government organizations as a tool to respond to policies and development directions, such as the Eastern Economic Corridor (EEC), the Special economic zone, etc., which is a condition of local self-governing that will arise to meet the needs of the people and solve local problems effectively. In particular, under the Sustainable Development Goals into the community and the organizations local government (Localizing SDGs) and building development partnerships with local communities, this appears as a key driver of local SGD. The organizations local government can adopt the Sustainable Development Goals to gain more power of administration for negotiation with the central government.

Therefore, nowadays, the mechanism that drives the local government organization and its people to take part in formulating their own policies or their future has returned to the implementation of several projects that the central government has ordered through the Ministry of Interior by using the subdistrict headman and village headman mechanism to taking over the role of local leaders such as the Pracharath project, the Thai Niyom Sustainable Project etc. This makes the decentralization that has been tried to take shape since the Constitution of the Kingdom of Thailand in 1997 and in 2007 back to a weak decentralization era and still unable to

step away from the bondage of government that is a centralized state of power, therefore, it is like walking backward clockwise. Even the local leaders themselves are subject to traditional relationships that follow central and regional directives rather than meet the needs of the people they represent locally. Local leaders therefore often serve the provincial governors and the district chief rather than serving the people. This leads oneself to becoming a second-class civil servant and build a patronage system to the next level.

Research Objectives

- 1.To explanation the power of local self – government under different circumstances.
- 2.To find out major challenges under the recent political situation.

Literature review

Several researchers studied the decentralization, such as Nakharin Mektrairat (2003) claimed that local administration should be, in the future, expanded in size and functions. And central administration and provincial administration should be smaller and only necessary departments locally. Moreover, local government should have spatial characteristics, subjecting to differences of social and culture conditions in each area. This is also in line with the finding of Charas Suwanmala (2013), which studied the phenomenon of “Hamilton Paradox” that is danger to fiscal system and destroy economic base and tax system. He disagreed with “One Policy Solve All Problems” and proposed that government should change decentralization policy to provincial self-government and develop economic and income base instead of the dependency from central administration.

Peerachat Dabpetch (2014) identified at least two impacts of the self-government province: to participated in making policy by people themselves, and to create the knowledge of decentralization to Thailand society.

Kisiel and Taebel (1994) conducted a study to investigate in a preliminary way the question of how these new local governments are operating. This study will focus on the mayor in Poland since mayors occupy pivotal positions, especially in relation to other governmental and community actors. The sample consisted of 29 participants who were mayors in the Krakow region of Poland during the last three months of 1991, more than dozen local governmental officials, and several from the city of Krakow. The research instrument used in this study were an intensive interview and a questionnaire for group-administered survey of mayors. The interview contained open-ended questions that was divided into two sections with the first asking for information about the mayors and their communities and the second asking them to rate the severity of problems in 11 different areas. As for the mayor’s relationship with the city council, the results revealed that almost half of the mayors reported either major or general problems with the committees, and only one-fifth indicate that they no problems with the committees. As for the mayor’s relationship with the governmental bureaucracy, the results

appeared that the most severe problems reported by the mayors relate to the bureaucracy, especially their ability to control the hiring process and to find competent employees. As for the mayor's relationship with the community, the results suggested that the new law rearranged the delivery of local services, and mayors rate this lack of understanding by citizens as their most important problem. Moreover, it is possible that citizen participation in and understanding of local government is of great importance, but there is some evidence to suggest that the lasting impact of communism was much greater than anticipated.

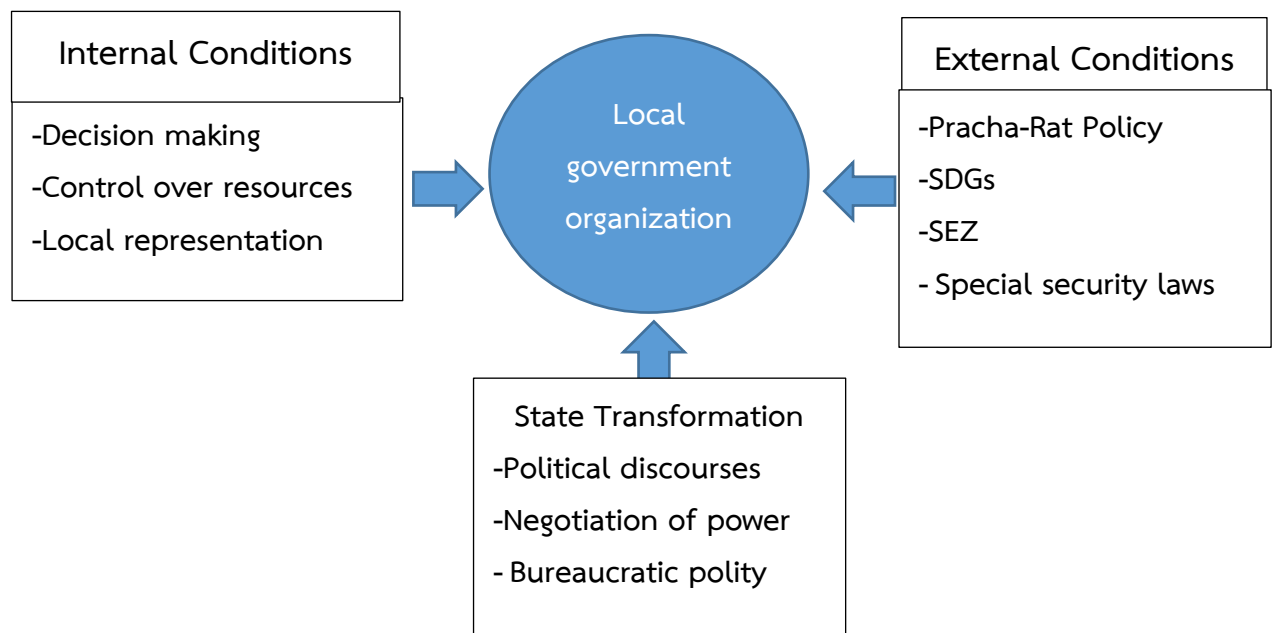


Figure 1: Conceptual Framework

Based on Figure 1, this article's primary conceptual framework posits that the achievement of self-governance by local governments is contingent upon the state's transition to a decentralized system. Consequently, the transformation of the State necessitates meticulous consideration of three fundamental elements: the construction of political discourse, the dynamics of power negotiation involving central, regional, and local entities, and the role played by bureaucratic polity. Furthermore, to comprehend the autonomy of diverse local government organizations within specific contexts, a comprehensive analysis incorporating internal and external factors becomes imperative. Internally, critical aspects entail decision-making authority, resource allocation mechanisms, and the representation of the populace. Externally, the factors encompass the implementation of the Pracha-Rat Policy, the pursuit of Sustainable Development Goals (SDGs), the establishment of Special Economic Development Zones, and the enactment of special security laws.

Research methodology

A qualitative research approach was employed, collecting data from three municipalities situated in distinct provinces: Pattani Town Municipality in Pattani Province, Mae Sot City

Municipality in Tak Province, and Khon Kaen City Municipality in Khon Kaen Province. The selection of these specific study sites was guided by their capacity to serve as representative illustrations of diverse practices employed by local governments in the exercise of their authorities across varied circumstances. Additionally, these sites were chosen to gain insights into the corresponding responses of the Thai government. Moreover, the selected study areas exemplify distinctive characteristics that hold significant academic relevance. These encompass the implementation of securitization efforts and special security laws, the designation of strategic border regions as special economic zones, and the mobilization of financial resources for large-scale infrastructure projects.

There were four methods of collecting data in the field as follows:

- 1) Collected and reviewed from secondary documents such as articles, research papers, journals, newspapers, theses, government documents, and related research studies.
- 2) In-depth interviews were conducted for 3 groups: executives of the Ministry of Interior (central), provincial governors. (provincial) and executives of local government organizations
- 3) Participatory observation during various events such as meetings dedicated to formulating local development plans, environmental campaigns aimed at eliminating wet waste, and brainstorming meetings focused on addressing pressing issues within the area.
- 4) Focus group discussion with residents and individuals who had prior experience collaborating with local leaders across all three study areas. The aim was to gather comprehensive information in three distinct domains, namely: (1) Local community conditions, (2) Satisfaction levels pertaining to the administration of local leaders, and (3) Attitudes towards the concept of self-government.

Research Results

Objective 1. When studying in each locality, it was found that there are many variations in terms of geography, resources, and culture; therefore, problems in each area are different. The “Self-government” concept is a concept that can respond to the diverse needs of the local areas in a targeted and efficient manner. The researcher is of the opinion that local self-government has fundamental qualifications as follows;

- 1) **The power to make decisions**, that is, the local government organization should be independent in making decisions related to local development planning, local direction of operation including setting public policies for the areas in which they are responsible for.
- 2) **The power to allocate resources**, that is, local government organization should be able to manage their own resources, including natural resources and the environment, local resources, and financial resources (budget administration ability).

3) The power to represent the people, that is, a local government organization has the capacity to represent people in the elected area to preserve their rights and interests. It is therefore necessary to respect the voices of the people. It is seen that since the Constitution of the Kingdom of Thailand B.E. 2540 (1997) was adopted, the concept of self-government has been carried out until today. However, the continuity fluctuated according to the government that took over the country between 1997 to 2000, with a focus on self-government from 2002 to 2006 using a centralized administration model. After 2006 the local self-government concept was not pushed seriously due to political instability. During 2011 and 2014, the self-government concept was driven by networks and people in several provinces such as Chiang Mai, Phuket and Amnat Charoen, etc., but after the coup, the self-government concept was not promoted. It shows that the policies of the government of each era have a great influence on the path to the development of self-government. Therefore, it is a challenge for local capacity to self-govern that which way Thailand be able to manage themselves in this situation, reflecting on these three case studies in local government organization.

Pattani Town Municipality is a local government organization whose geography is located in the midst of problems and unrest in the Southern border provinces of Thailand. It found that, on decision-making level, in determining the direction of development of the area, economic and social matters, the self-government ability of Pattani Town Municipality has an administrative power, such as in fisheries, dropped rubber prices. Pattani Town Municipality has campaigned and organized tourism promotion activities monthly to boost the economy, generate income for the people in the community, etc., On the other hand, if it is a matter of security and order, the decision on such matters are subjected to the approval of the Internal Security Operations Command (ISOC), Region 4 e.g. the Sub-district Peace Council by the Provincial ISOC holds a meeting monthly and the city protection volunteer project, etc. Regarding the resource allocation, such as budget management by the study from the taxation, local leaders said, *“There is very little taxation in the Southern border provinces compared to municipalities in other areas, because investors do not dare to buy land to do business. It is a challenge that municipalities have to look after a large population like other municipalities, but the revenue from the collection is very little. What extra budget or activities can be provided in order to be independent in exercising budget for the development of the area? Therefore, there must be a tourism promotion activity in line with local multiculturalism.”* The representation of the people in the local leader level, activities were organized i.e. “Morning tea, municipalities meet people” in the community monthly to be in the area and to listen to problems and urgently resolve them. Among the community leaders, the Line application is used for receiving the reports of problems of the people in the community in order to notify the municipality to resolve the problem quickly. This reduces the process instead of writing a request form that must be submitted by the chain of command.

Mae Sot City Municipality is a special economic zone and area next to the border checkpoint as a permanent border crossing point connecting to Myawaddy City, Myanmar. Mae Sot border transportation is the gateway of Thailand that connects to India and China. It was found that the self-governing power of Mae Sot City Municipality, in the decision-making aspect, there are several development projects have been initiated in the area due to the needs and distress of the people e.g. the solid waste management and small power generation project; using community waste as fuel through the cooperation with various local government organization; the mass rapid transit project, etc. In the resource allocation aspect, the budget from local revenue and government allocated budget for Mae Sot City Municipality together support in the building structure in the area. In the people's representation aspect, the local leaders organized an activity named “municipality meets people” in the community area to listen to the needs and problems of the people in order to urgently resolve them including offering some electrical appliance repair service and consultation service of any questions relating to municipalities.

Khon Kaen City Municipality is a smart city development area based on opportunities from the Pracharath policy. It was found that the self-government ability of Khon Kaen City Municipality in the area of Decision-making there are some developing projects in areas such as light rail projects. Regarding resource allocation, Khon Kaen City Municipality has created a four alliance, which is a management of human resource, academic and budget elements to jointly develop the local area. For the representation of the people, the local leaders in community areas listen to the needs and problems of the people for urgent solutions. For the community leader level, there is a system named “Tor Lek” and “Tor Yai”, indicating small municipalities in the large municipalities. Part of the municipality listens to the community's problems and urges them to resolve. If they are not possible to resolve, they will refer the issue to the municipality to take an action.

Pattani	Mae Sot	Khon Kaen
a. Aspiration for safety and the unspoken (except for the Greater Pattani autonomy model- Pattani Mahanakorn) b. History of violence and state securitization c. SBPAC-southern border provinces administrative center (the Avatar) d. INSOC-internal security operation center regulates	a. Aspiration for special local government (similar to Pattaya) b. Strategic location c. Central government investment plan (the Avatar-incarnation of the central government) d. Regional apparatus and central government ownership (policy board)	a. Aspiration for a smart city b. History of non-state driving force (private, CSO, Univ, Municipality) c. Infrastructure project exceeding the normal budget d. Seeking greater channel for fund mobilization (can local gov)

Pattani	Mae Sot	Khon Kaen
distribution of resources, and social activism e. Emerging civil society but lack unity f. Economic boost project (Halal industry) not in progress (cannot supersede state securitization) g. Unclear visibility in peace process	e. Mutual exploitation between the local and the center f. Trading off SEZ with local sacrifice g. Special authority exercised: by article 44 for city planning, increase of budget for infrastructure project but the local authority not expand	i. Testing the rule of municipality network ii. Pracha-Rat channel (the Avatar-incarnation of central government) iii. Joint venture local company (relative local autonomy) e. Exercise bargaining power

Table 1: Local Government Features under different circumstances

Pattani Town Municipality represents the aspiration for safety and the unspoken. Many of you may know that history of violence and state securitization and southern border provinces administrative centre is an incarnation of the central government.

In contrast, Mae Sot City Municipality represents the aspiration for special local government, strategic location has Trilateral Highway Project ((India-Myanmar-Thailand) and central government investment plan. Looking at Khon Kaen City Municipality, it represents the aspiration for a smart city, history of non-state driving force cooperate with private, CSO, university, municipality and infrastructure project exceeding the normal budget.

It could be said that Pattani Town Municipality is controlled by internal security operation center regulates distribution of resources and social activism, remark for emerging civil society but lack unity and economic boost project (Halal industry) not in progress (cannot supersede state securitization), and unclear visibility in peace process which is create peace spaces among of children and youth.

While Mae Sot City Municipality has regional apparatus and central government ownership (policy board), mutual exploitation between the local and the center, trading off SEZ with local sacrifice and the special authority is exercised by article 44 for city planning including increase of budget for infrastructure project but the local authority not expand.

Looking back to the Northeast region, Khon Kaen City Municipality has seeking greater channel for fund mobilization; testing the rule of municipality network, Pracha-Rat channel that is the Avatar-incarnation of central government, joint venture local company. Thus, Khon Kaen City Municipality is the best example exercise bargaining power in local self-government.

In short, an economic interest drives a more dynamic relationship between central and local government seen in both Mae Sot and Khon Kaen. So, there are rooms for maneuvering resources from both sides. In any case, the central government is still present as the avatar in the local governance structure. This can be either positive or negative effect on self-government quality resting on the how the local sees any opportunity.

Objective 2. The sustainable human and social development is an important goal both at the national and local levels according to the Sustainable Development Goals (SDGs). This is a participation that included people in the development process. The sustainable development process must provide opportunities for all stakeholders to joined together to discuss and debate equally. The development issues must not be dominated by higher power and capital than other stakeholders. Therefore, in driving SDGs at the local level, having "information" leads to questioning and debate. Because the data and data analysis are the base for measuring and indicating that who is left behind, how much, and where. The provincial integrated data will make strategic decisions more based on local facts (Institute of Peace Studies Prince of Songkla University, 2019).



Figure 2: Localization of SDGs and the implications of self-government

Figure 2 provides a visual representation of the opportunities and constraints associated with the localization of Sustainable Development Goals (SDGs) and the implications arising from the implementation of self-government. The analysis revealed that Khon Kaen City Municipality exhibited a greater number of opportunities in terms of localizing SDGs and embracing self-government compared to Mae Sot City Municipality and Pattani Town Municipality. However, it was observed that the localization efforts in Mae Sot City Municipality and Pattani Town Municipality were characterized by a blend of both opportunities and constraints. Consequently, the transition towards the implementation of SDGs holds the potential to effectively address local challenges while concurrently aligning with the principles of local self-government.

Discussions

What are the challenges that hinder the attainment of greater self-governance? The potential for enhanced self-governance could have been realized under a democratic governance framework, as evidenced in Scenario 1, where there exists an opportunity for political and social movements to advocate for the enactment of legislation supporting provincial self-government. However, in Scenario 2, the reality differs significantly due to the entrenched bureaucratic polity. The narratives from the three distinct municipality areas highlight the influence of unique circumstances, such as the presence of a special economic zone and the implementation of large-scale local infrastructure projects. These circumstances may present opportunities for resource negotiation and shared decision-making. Conversely, areas subject to securitization face reduced opportunities for self-governance. These findings underscore the complex interplay between contextual factors and the prospects for achieving greater self-governance. Democratic governance scenarios provide a more favorable environment for advocating for self-government, whereas the persistence of bureaucratic polity poses challenges.

Nevertheless, it is important to note that the avatar of the central government is still evident in all cases, albeit in different forms. However, local governments have the potential to exercise greater power, particularly in resource mobilization, if there is alignment and reconciliation of interests with the central government. The special status granted to local governments appears to be contingent upon the presence of an avatar representing the central government and the exchange of resources between the two levels of governance. In this context, local actors, including non-state actors and municipal entities, play a crucial role in enhancing the possibility of achieving greater self-governance. However, it should be acknowledged that not all areas are able to find a common ground or successfully navigate these dynamics.

In addition, this study also investigated the conditions resulting from the localization of the Sustainable Development Goals (SDGs) policy. The localization process presents both opportunities and constraints, particularly when it comes to reliance on external technical assistance. Nevertheless, there is an anticipation that the pursuit of these goals may gradually transform the hierarchical relationship between different levels of governance into a more equitable partnership, although the extent and nature of this transformation are yet to be observed and understood.

This research endeavors to generate a locally appropriate model of self-government that effectively addresses the various local issues that may arise, thereby yielding anticipated benefits.

Conclusion

The findings of the study indicate that Khon Kaen City Municipality demonstrates a higher potential for local self-government compared to Mae Sot City Municipality and Pattani Town Municipality. Khon Kaen City Municipality showcases proactive decision-making processes that exhibit a strong sense of initiative and ownership. Additionally, the municipality exhibits a greater

degree of control over resources, enabling effective management of public funds mobilization. Moreover, Khon Kaen City Municipality demonstrates a notable capacity to represent non-state actors, thereby enhancing local representation within the governance framework. The localization of Sustainable Development Goals (SDGs) and its implications for self-government present both opportunities and constraints. Khon Kaen City Municipality offers more opportunities for SDG localization and self-government, while Mae Sot City Municipality and Pattani Town Municipality face a mixed scenario with both opportunities and constraints in their respective SDG localization and implications for self-government. Embracing the transition towards SDG implementation holds promise for addressing local challenges and aligning with the principles of local self-government.

Policy recommendations

The prospects for sustained growth and advancement of self-governance within Thai local governments are deemed significant, underpinned by the current trajectory of democracy and the increasing influence of the liberal mass power movement. These factors are anticipated to gather further momentum in the foreseeable future, thereby augmenting the potential for ongoing progress and development in the realm of local self-governance. Considering these observations, the following policy recommendations are put forth:

1) Small-scale local government organizations should consider merging or consolidating to form larger entities, thereby enhancing their potential in terms of budgetary allocation, resource availability, and personnel capacity. This strategic approach enables the pooling of resources and expertise, fostering greater efficiency and effectiveness in delivering services and fulfilling local governance responsibilities.

2) Encourage and foster active citizen engagement in decision-making processes, while simultaneously fostering the principles of local democracy. Establish open forums for public hearings and referendums as essential mechanisms to facilitate citizen engagement. These platforms serve to oversee and incentivize local development aligned with the aspirations of the collective voice.

3) Facilitate the establishment of specialized forms of local government organizations to effectively address complex and multifaceted problems. In specific contexts, such as the southern border provinces with their significant influence from martial and security laws, the establishment of a Special Administrative Region (SAR) could be a viable solution. Furthermore, it is important to acknowledge that various alternative models of local government exist, which can be aligned with the specific characteristics of diverse areas and cities. For instance, the establishment of autonomous provinces, featuring the direct election of a governor. This model is typically implemented in provinces that have demonstrated preparedness to assume greater autonomy from the central government and exercise local self-governance more independently.

4) Restructuring the Department of Local Administration to assume a role of supporting academic matters, as well as revising legislation pertaining to local responsibilities. This shift aims to transform the department from a centralized authority exercising command and control over local entities into an institution that provides assistance, guidance, and supervision to promote effective governance at the local level.

Ultimately, the extent of progress achievable by Thai local government remains an open question. It presents opportunities that closely parallel those observed in other developed nations. However, the outcome will be contingent on whether local government can transcend the dominance of bureaucratic state structures and the influence of politicians. The power of the people and their democratic agency will ultimately determine the trajectory of Thai local government and its ability to achieve meaningful advancements in governance and self-governance.

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