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## Economic Community of West African States (Ecowas) and State Sovereignty in West Africa

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### Abstract

States are now recognizing the need to act to create and improve regional institutions in virtually every region of the world, including Africa, and integration even in West Africa has become fashionable over the years. ECOWAS revised treaty seeks to promote supranational tendencies giving room for state reluctance in the implementation of its policies and decision. With the Economic Community of West African States (ECOWAS) as its focal point, the study looks at the integration process in West Africa as well as how it affects state sovereignty in the subregion. Secondary data sources, namely journals and publications, are used in the study. The study finds among other things that ECOWAS uses the needs, policies and activities of state to interfere in the affairs of member states thereby limiting her sovereignty to an extent within the region. The study concludes that with national interest at heart, states knowing both the cost and benefits of integration will usually strive to accomplish their aims and objectives. It recommends that policies and initiatives should be developed to support both state autonomy and regional collaboration to aid development, stability, and economic growth among states and to also encourage both local and foreign investors, contributing to the overall development of the states in the West African Region.

### Introduction

States have started to recognize the need to establish and improve regional integration because integration has become fashionable throughout the world, especially in Africa, this is due to the influence integration commands and the need to have a common voice in the international arena. As a result, various regional organizations were established, including the Organiza-

tion of American States (OAS), the North American Free Trade Agreement (NAFTA), the European Union (EU), the African Union (AU), the Association of Southeast Asian Nations (ASEAN), and others. Practically speaking, every state participates in some form of regional cooperation organization, but not every state participates in regional integration, nor do all regional cooperation organizations evolve into regional integration.

According to Ernst Haas (1968), integration is the process through which individuals from various national contexts are convinced to change their political behavior, allegiances, and aspirations in favor of a new center, whose institutions either currently control or seek to control the national governments that currently exist.

An old political community is replaced with a new one as a result of political integration. According to the aforementioned, regional integration places restrictions on the powers exercise by member state thereby limiting its sovereignty. Sovereignty within the ECOWAS has been intergovernmental for about thirty years since its establishment but the body seek supranationality since its revised treaty as amended in the 2006 supplementary protocol (Ladan, 2016).

Okom (2016) and Ladan (2016) perceived that since the inception of the ECOWAS, there has been a note of reluctance from member states to surrender some of their rights to meet up with the tenets of the body and this has become glaring with its revised treaty. These researchers advocate that for ECOWAS to do well and function effectively, states within the region needs to upheld the revised treaty and this treaty is perceived by states as an invasion into their sovereignty due to its supranational tendencies. Idris (2022) also claimed that member nations have concerns with the amended ECOWAS treaty's move toward becoming a supranational organization. With the above concerns, this study seeks to expose how integration has infringe on state sovereignty in West African's regional body (ECOWAS) by providing answers to the following research questions:

1.How has regional integration evolved in West Africa?

2.How does integration affect state sovereignty in the West African region?

This paper seeks to provide resounding answers to the above by examining the integration

structures in West Africa using Economic Community of West African States (ECOWAS) as a focus point. The rest of the paper is divided into: Section two: literature review; Section three on Research Method; Section four on the Analysis of Research Questions; followed by the findings, recommendations and conclusion.

## Literature Review

### *The concept of integration*

The creation and expansion of regional international organizations are referred to as "regional integration". Regional international organizations should have four fundamental and necessary characteristics: state participation, organizational strength, multilateralism, and closeness. Theorists made a distinction between integration and (simple) international organization or cooperation in the early phases of regional integration theory. For example, the term "integration" was used to distinguish supranational regional organizations like the European Coal and Steel Community (ECSC) from intergovernmental organizations like the Organization for European Economic Cooperation (OEEC) or to characterize the formation of a "sense of community" among member states (Deutsch, 1957). Ernst Haas (1968) gave a better and more precise definition of integration, describing it as the process through which people in different national contexts are convinced to alter their political actions, expectations, and allegiances in favor of a new center whose institutions demand or have jurisdiction over pre-existing national states. An old political community is replaced with a new one as a result of political integration.

Regional integration was widely described by early theorists as a process intended to replace the nation-state with a federal polity (Haas, 1968). Current integration theory ignores both qualitative and teleological explanations beyond the bare minimum mentioned and views integration as an open-ended process. Instead of classifying various

types of regional integration organizations as distinct from other organizations, it employs terms like "supranational" and "intergovernmental."

According to the intergovernmentalism idea, national governments are the main players in regional integration. Governments employ regional integration within the framework of regional interdependence to fully accomplish their goals for the economy and national security. The results of intergovernmental negotiation reflect regional preferences and power structures. Governments give regional organizations authority to accomplish their bargaining goals, but they still have authority over these organizations and the integration process. (Ladan, 2005). The term "supranationalism" refers to a framework for regional integration that, in order for the regional integration body (such as ECOWAS) to be able to make decisions and pass laws that are immediately applicable in their respective regions, sovereign member states are encouraged to agree to transfer or cede to, share or jointly exercise part of their sovereignty with, these institutions (Ladan, 2016). An objective of integration is supranationality.

In the course of this study, integration is the formation of a regional (supranational) body which requires member state to surrender a measure of the sovereignty in order to make the body more effective and substantial.

### *The concept of Sovereignty*

A state's sovereignty is defined as its capacity to enact laws and control its territory in a meaningful way. A "super-State or supra-national authority with corresponding powers, capable of enforcing conformity" on its constituents is described as a supra-natural entity (Gowon, 1984, p. 2).

Political theorists that were primarily uninterested in and unconcerned with the interactions between states established the idea of sovereign states (Andrew, 2012). Furthermore, in

its most recent iterations, sovereignty came to signify not just a rejection of the notion that states could be subject to any form of legislation, but also the impossibility of having numerous states coexist in a world where survival and sustainable development are dependent upon one another. In this study, the concept of sovereignty is perceived as the possession of full control over affairs within a territory or geographical area by its government and representatives. States here, control what happens inside and within their borders and do not interfere in the happenings of other states.

### **Research Method**

The study employed a historical approach and using qualitative data.

The study makes use of secondary sources of data. As a result, the study relied on written sources such books, journals, articles, news stories, seminar papers, and working papers from institutions, think tanks, and professional organizations. Reports of the ECOWAS and other Regional groups in Africa, historical reports of news media like Aljazeera, Channels, Thisday and Voice of Africa were also useful.

In order to ensure the reliability and validity of data, evidences from informal and non-authoritative sources, were excluded from the data used in the study. The researcher used the data triangulation approach. Cross checking data from various sources helps to improve the validity of research data.

The analysis of the study's data is qualitative. Being a thematic analysis, the study uses broad concepts, ideas, and themes as analytical tools from which to make generalizations. In order to present a clear and consistent picture, the analysis will go forward by pulling themes or generalizations from the material. For a more thorough and comprehensive understanding, themes and concepts were drawn.

## Regional Integration and its Evolution in West Africa

Two institutions devoted to West African regional integration are the Economic Community of West African States and the Lake Chad Basin Commission. All of the participants in the Communauté Économique d'Afrique de l'Ouest (CEAO), including Guinea, a number of smaller Anglophone nations, and the two largest traders, Nigeria and Ghana, founded ECOWAS in 1975.

With the intention of encouraging member state political and economic cooperation (Ibok & Atayero, 2022). The occasion was the first Lomé Convention, which granted the former British and French colonies equal trading access to the European Union (EU). By establishing ECOWAS, the other countries in the area attempted to bring the region together. Nigeria and Union Economique et Monétaire Ouest Africaine (UEMOA) had comparable economic objectives; however, UEMOA sensed a political "external danger" in Nigeria, whereas Nigeria did not. ECOWAS gains a security component from ECOMOG's involvement. The ECOMOG project, which aimed to intervene and restore peace in the region, was the most obvious sign of political commitment to a regional strategy. More recently, non - UEMOA members decided to pursue monetary union, initially with each other and subsequently with UEMOA. (Anadi, 2005).

Within 15 years, ECOWAS hoped to have free trade among its member nations and a single external tariff, followed by unfettered capital and labor mobility (Idris, 2022). Every function of ECOWAS, including the appointment of the Executive Secretary, has been effectively carried out by the "Authority of Heads of Government," which is in control of the organization. Under it, the Secretariat and the specialized institutions are under the direction of the Council of Ministers, which is composed of ministers with ECOWAS-specificity instead of ministers with functional

expertise. Despite the fact that its rulings are immediately enforceable within ECOWAS and have been in effect since 1992, there is presently no clear implementation or enforcement mechanism to support this. Strong security measures are in place at the most resilient and successful regional organizations to protect against attacks from both the inside and the outside. When ECOWAS was established in 1975, its primary objectives were economic integration. Over time, the role of political and security problems on the ECOWAS agenda has increased.

The objective of ECOWAS is to promote sustainable development and collaboration among its member states across all economic domains, with the aim of improving the quality of life for the diverse populations within the region. The organization launched an economic integration program with the goal of eliminating all barriers to the free flow of capital, goods, and people throughout the region in order to promote rapid and sustainable economic progress. This is accomplished by a planned regional policy of trade liberalization and the removal of immigration restrictions. Its primary goal is to guarantee regional stability and economic expansion. However, as the ECOWAS internal market initiative is still mostly unrealized, the welfare advantages that should result from liberalization are significantly diminished (Anadi, 2005, p.112).

Through removing all barriers to the free movement of labor and other production-related inputs, as well as by harmonizing member states' national economic and budgetary policies, ECOWAS aimed to achieve economic integration. As stated in Article 41 of its Revised Treaty, the main goal of ECOWAS was to establish a free trade area by gradually eliminating all quantitative and quota restrictions, as well as other administrative barriers to trade between member states within the sub-region, as well as custom duties and other fees that had a comparable impact on

imports and exports between member states. Second, ECOWAS sought to preserve a common external tariff system in its trade with non-member countries while progressively moving toward a customs union that will eventually become a common market. All obstacles had to be taken down to enable the unfettered flow of industrial components between member nations.

By coordinating the development of infrastructure, energy, transportation and communication, industrial, and agricultural sectors, as well as by establishing shared economic and monetary policies among member nations, the organization (ECOWAS) ultimately sought to build a full economic union. This was mentioned in the ECOWAS Revised Treaty's Article 54 and the preamble of Chapter 9 (Adejuwon, 2011).

There is no gainsaying that the changing circumstances in world politics at the time had an impact on West African leaders, in addition to the fact that ECOWAS is an expression of Pan-Africanism. This occurred at a period when regional trading blocs were gaining popularity in the political sphere of the international community as a means of fostering greater economic growth and independence. As a result, there emerged several economies of member states (Adejuwon, 2011). Furthermore, the absence of a regionally coordinated investment policy only serves to exacerbate the differences in economic development among the member states, since market size and the availability of natural resources continue to affect decisions about foreign direct investment within the region. Due to member states' lackluster commitment and ineffective compliance with regional decisions, the ECOWAS internal market initiative is still mostly unfinished. Despite providing a list of rational conjoint utilities and benefits that member states would otherwise be unable to attain on their own, the regional trade liberalization policy's poor implementation makes it clear that these benefits and utilities do not align with

the rational preferences of member state actors (Anadi, 2005).

At inception, the 1975 ECOWAS treaty gave the sub-regional organization no security function, but has over time assumed security roles through the ECOWAS Standby Force, formerly Economic Community of West African States Monitoring Groups (ECOMOG), The Mediation and Security Council (MSC) and Early Warning and Response Network (ECOWARN) (Bala & Tar, 2021). Over the years, various factors have contributed to the integration effort of West Africa, as such the next sessions will examine transnational migration and insecurity.

Similarly, the Lake Chad Basin Commission has fostered regional integration in West Africa. (Abu & Ahmed, 2021). The administration of Lake Chad and its shared water resources, ecosystem preservation, and the promotion of regional integration, peace, security, and development in the Lake Chad Region are some of the commission's duties. Despite having few members from outside of West Africa, the majority of its members are from the continent. One of its operations has been to combat cross - border terrorism in the Lake Chad Basin with the Multi-national Joint Task Force (MNJTF), which is composed of Cameroon, Nigeria, Chad, and Niger (Bala & Tar, 2021; Abu, & Ahmed, 2021).

### **Integration and State Sovereignty in West Africa sub region**

Either a supranational or an intergovernmental method can be used to seek regional integration. The foundation treaty of the Economic Community of West African States (ECOWAS) was signed in 1975 with the goal of fostering economic cooperation among member states. The ECOWAS Treaty was established with an intergovernmental approach to the governance of the integration process, preserving the sovereignties of all member states. As a result, the Treaty merely

contained the general commitment that all member states would use their best judgment when formulating and implementing national policies in order to foster the accomplishment of common goals.

To speed up the integration process and effectively contribute to regional growth, the Community launched a reform agenda in response to ECOWAS's failure to meet its declared aims and objectives. The passage of the Revised ECOWAS Treaty in 1993, which signaled a shift away from the intergovernmental method of 1975 and toward supranationality, was the result of this reform program. These two principles govern the applicability and binding effect of supranationalism, ensuring that laws passed at the regional level take precedence over national laws and national interests for the benefit of the community's overall interests in those areas where the regional organization has been granted competence or power.

This assertion is supported by Articles 2 and 3 of the treaty, which define ECOWAS as a supranational organization. In accordance with Article 3 of the Revised Treaty, the Community will oversee the following in stages: the coordination of national policies; the development of joint ventures; the unification of economic, financial, social, and cultural policies; the establishment of a monetarist system; and the unification of integration projects, programs, and activities. Additionally, the Member States foster an environment that is conducive to the achievement of the Community's aims and objectives by appropriately coordinating their plans and policies and abstaining from actions that could jeopardize the integrating body. This is a clear indication of the desire of the regional body to swallow up the internal activities within the states.

According to Archik, (2015) regional organizations like the ECOWAS, EU, SADC, and

others leverage on what states desire to strip member states of their autonomy. States look for a variety of things, including political, economic, and commercial developments as well as the lowering of trade barriers and other customs. These integrating entities subsume state sovereignty using all of the aforementioned methods and more. However, some neorealist experts think that rather than at the global or regional level, the limit of sovereignty will be located at the state level. Some of the limitations of supranationality to states within West African states include loss of sovereignty, independence, and national identity; loss of national power in favor of an even larger government; increased competition leading to job losses in certain domestic industries; loss of border control increasing smuggling; uniform laws not taking cultural differences into account; and trade diversion.

This was also illustrated by neorealist theories of integration, which attempted to explain European integration from the viewpoints of global and regional systems but ran into problems following the end of the Cold War. The liberal intergovernmentalist model, which has consistently shown its significance and influence on the integration process, also takes the domestic level into account (Moravcsik, 1999). Although both the global and regional levels contribute to regional integration, the fact that integration is growing as a result of state activity is one reason sensible nations might decide to give up some of their sovereignty in favor of a supranational body. The following are the outcomes that states hope to obtain as a result of integration.

First, regional integration agreements can aid West African nations in overcoming limitations brought on by their small domestic markets and state sizes, enabling them to cooperate in international negotiations and benefit from scale economies. Regional integration agreements also make it possible to pursue appealing options like

increased domestic and foreign investment and fiercer competition (Ladan, 2016). Such advantages can boost productivity, diversify production and exports, and strengthen nations' bargaining and visibility positions.

Second, regional integration and collaboration can be advantageous given the shared and distinctive characteristics of West African nations. Rivers, borders, natural resources, agricultural products, and issues including security concerns, HIV/AIDS, and low productivity are shared by many African nations. However, they also show significant variances, especially in terms of their endowments. Some countries, in spite of their lack of resources, have powerful academic institutions, highly qualified personnel, substantial oil reserves, water resources suitable for hydroelectric generation, and the capacity to enhance research and development. Combined with their comparative advantages, integrated nations can pool resources to find common solutions and optimize utilization (Ladan, 2016).

Finally, regional integration can deepen and make changes less reversible in many West African nations, which can aid in conflict prevention and resolution. Regional integration agreements can strengthen economic ties to help guarantee adherence, offer a structure for coordinating laws and policies, and act as a collective restraint mechanism by establishing and upholding standards for resolving disputes. Despite these advantages, ECOWAS's supranational tendencies have led to its intervention in internal affairs, breaching member states' sovereignty.

Some instances that has trigger interference in state activities within the region by ECOWAS include military coup in Burkina Faso in which the president Roch Kabore was deposed after six years in power by military leader Paul Henri Damiba as a result of deteriorating security situation and failure to unite the country. With the new military leader the situation in the state had

worsened and led to even more coups within the state (Al Jazeera, 2022). Another example is the coup in Mali in 2020, which was sparked by demonstrators' anger with the government's handling of the continuous insurgency, allegations of corruption, the COVID-19 pandemic, and poor economic management. After then - president Ibrahim Boubacar Keita was forced to resign and disband the government, General Assimi Goita proclaimed himself the new leader (Dion & Sany, 2021). In a more recent example in West Africa, the Economic Community of West African States (ECOWAS) intervened in Niger's domestic affairs after the coup on July 26, 2023, during which President Mohammed Bazoum was detained by the presidential guard and General Abdourahamane Tchiani proclaimed himself the leader of the newly established military junta. The rising insecurity and lack of economic growth in the state are some of the reasons that fuel the need for the coup. The treaty among ECOWAS member states includes several sanction options for these situations, these sanctions include restriction on the freedom of movement by closing borders and canceling of flight; blocking of accounts and monetary flow in the CFA currency area; a harsher sanction is the suspension of membership from the union (Channels, 2023).

In the case of Niger, the ECOWAS summit concluded with far reaching resolutions compelling the new military leader to hand over power to President Mohammed Bazoum peacefully or forcefully. This resolution raises doubts about the legitimacy of using force without going against the UN charter's article 2(7) tenet of non-interference in domestic matters. This principle forbids members of international institutions from meddling unduly in domestic affairs and essentially defines interstate relations at the sub regional, regional, and global levels (Thisday, 2023). The case of the Community Court of Justice

of the ECOWAS (ECOWAS Court) in the Gambia criminal law is another example of ECOWAS meddling in a member state. The community court ruled that the Gambia's penal code's offenses of sedition, spreading false information, and criminal defamation breached the country's right to freedom of expression under international law. It also mandated that The Gambia alter its laws to comply with these rights. (Community court of Justice, 2018; Shuaib, 2021).

However, the degree of state sovereignty is still very high in West Africa, as the decisions of ECOWAS are not automatically binding and in some cases to the benefit of member states. Also, the regional body lack the ability to enforce resolutions and decisions on member states, as observed in the military coup de tat in Mali, Burkina Faso and Niger republic.

## Findings

I. The Economic Community of West African States (ECOWAS) and the Lake Chad Basin Commission have played crucial roles in the integration of the West African region.

II.State sovereignty still exist in West Africa to a very large extent, as the decisions of ECOWAS are not automatically binding on member states. Also, the regional body lack the ability to enforce resolutions and decisions on member states.

III.ECOWAS uses the needs, policies and activities of state to interfere in the affairs of member states thereby limiting her sovereignty to an extent within the region.

IV.Not all ECOWAS activities infringe on state sovereignty as some are peace keeping missions.

## Conclusion

States engage in integration knowing all of its benefits and drawbacks, but with the interest of the nation at heart. States will usually strive to

accomplish their aims and objectives. One tool for helping African nations progress is regional integration. The type of integration arrangement being pursued will determine the nature and extent of benefits; member states must exhibit a strong, ongoing commitment to benefiting from regional integration; regional integration arrangements may result in winners and losers; therefore, it is crucial that members assess the potential costs and benefits of regional integration in order to minimize costs and maximize gains; and regional integration must be integrated into the overall development strategy in order to be effective.

Policies should be developed to support both state autonomy and regional collaboration. Regional integration has aided development, stability, and economic growth among states and has also encouraged both local and foreign investors, contributing to the overall development of the states involved in regional integration. This is true even if integration tries to limit state sovereignty.

Each state within a regional or sub regional body should yield a certain amount of authority for the body to function, which is necessary for the body to fulfill its role in the region, in order for the body to achieve a remarkable level of success. When it comes to the demand for state authority, ECOWAS is not exempt. This authority can only come from the supranational organization's constituent parts. The notion of functional cooperation was embraced and promoted by ECOWAS as a strategy for the development of Africa. According to the functionalism ideology, a supranational authority is required to take the role of the numerous rival nation-states. States should only delegate administrative authority for specific purposes, not their formal sovereignty, when forming such a body. When compared to the United States of Africa, which Ghanaian politician Kwame Nkrumah had suggested, the

functional approach merely required delegated, conditional, and limited authority, but the proposal called for the loss of formal sovereignty. There is a limiting element on the state for any form of authority granted to a supranational organization; therefore, executive authority should be granted to the organization, providing it acting power (power to act), leaving the state exposed in some crucial areas.

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# Interfacing State Fragility and The Global Drug War: Opium in Afghanistan and Myanmar

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## Abstract

Afghanistan and Myanmar are countries in the Golden Crescent and the Golden Triangle, respectively. These two regions have been cited to be the loci of most opium production in the contemporary world. Aside from opium, these two countries also share a history of political conflict and instability. In 2021, both countries experienced yet another political upheaval when the Taliban took over the Afghan government and the Myanmar military once again staged a coup. With these, many indices have characterized the Afghan and Myanmar states to be fragile. This paper intends to draw insights from interfacing state fragility and drug policy to situate the place of opium in the larger conversation about political dynamics in Afghanistan and Myanmar. Touching on the role of the Taliban and the Tatmadaw and their place in the two countries' political history along with the policies and politics related to opium, the paper reflects on how international pressure and domestic concerns animate the enduring difficulty of dealing with opium cultivation and the persistent challenge of state fragility.

## Introduction

In 2021, amid the global pandemic, two countries underwent political upheavals. In February, Myanmar's government was taken over, yet again, by the Tatmadaw (Myanmar Armed Forces) and since then, democracy in the country is again at a backslide (Paddock, 2022). Few months later, in August, the Taliban launched an offensive and took over Afghanistan, sparking renewed debates about culpability, failures, and deepening challenges (Agarwal, 2021). Decades of conflict had animated the histories of

these countries. In many ways, the Afghan and Myanmar states had been regarded as weak—fragile—owing to the many challenges they face surfacing questions of legitimacy and efficiency.

Broadly defined, fragility figures when a state lacks the capacity to perform functions and move the country to development and what accounts for state fragility could be understood by looking at weak institutions, poverty, violence, corruption, conflicts, among others (Osaghae, 2007).

Many indices that measure state fragility have consistently characterized Afghanistan and Myanmar to be fragile. One example is the Fragile State Index that frames state fragility within four dimensions: cohesion (security related, factionalized society, etc.), political dimension (legitimacy, public service, human rights, etc); economic dimension (development related); and social aspects (external interventions, demographic matters, etc) (Fund for Peace, 2024). In this fragility index, Afghanistan is at the 6th place and Myanmar on 12th among 179 countries in terms of having high level of state fragility in 2023, placing both in the index's "high alert" list (Fund for Peace, 2024).

Aside from state fragility, another similarity runs between the two countries: the cultivation of opium. Myanmar is within what has been referred to as the Golden Triangle and Afghanistan is cradled within the Golden Crescent. These two regions have been cited as the major loci where much of illicit opium circulating across the world originates (UNODC, 2020). With the long history of conflict and instability in Myanmar and Afghanistan, observers have linked opium to the persisting challenge of finding peace in these two countries (Bodetti, 2017).

### Research questions, objectives, and argument

This paper takes into consideration the political landscape and state fragility as the larger context within which to reflect on drug policy in both Afghanistan and Myanmar. In comparing the ways in which illicit drug trade interplays with politics and state-building in these two countries, I mainly ask: how do we nuance state fragility in Afghanistan and Myanmar from a comparative lens and how do opium economies affect state-society relations?

In order to address the questions, this paper narrates the enduring notion of state fragility in Afghanistan and Myanmar especially in relation to the Taliban and the Tatmadaw as dominant political forces that have been in place in these

states' political affairs for decades. These accounts are woven within a broader contextualization of the illegal drug policies in these two countries in light of the international drug control regime (IDCR) that have birthed a global drug war. In many ways, the paper seeks to consider illegal drugs and the challenges of illegal drug policy as aspects to look at to further understand the complexity behind Afghanistan and Myanmar being framed as fragile states.

This paper broadly argues that illegal drugs and illegal drug policy—i.e. on opium—brought conditions prompting the Taliban and the Tatmadaw to navigate both international and domestic pressures. While both regimes have sought to implement prohibitionist policies throughout their rule, the continuing cultivation of opium in these two countries remain to be a major challenge to the state. This brings the need for the Taliban and Tatmadaw to handle the international pressure of ending illegal drug cultivation along with providing alternative development and also dealing and accommodating with domestic concerns. These ultimately make it difficult for Afghanistan and Myanmar to escape the state fragility conundrum.

### Conceptual framework

The comparative account presented in this paper is grounded on the concepts of the fragile state and the existence of the IDCR. In regard to state fragility, there have been many concepts that emerged attempting to capture the complexity of contemporary statehood owing to the growing challenges being experienced worldwide. From looking at states as weak to even assessing it as failed, the notion of a fragile state gained traction to describe conditions relative to the lacking capacity of a state to perform functions and move the country to development. While being widely used, the notion of state fragility remains to be contested and debated (Saeed, 2020; Carment & Samy, 2023).

The scholarship on fragile states account that the concept emerged in the 1990s with roots as far back to the Cold War when there were concerns about developing countries (Brock, Holm, Sorenen & Stohl, 2012). Since the emergence of the concept of the fragile state, there have been increasing interest in using it both in academic discourse and within development organizations as evidenced by its prevalence in comparative politics, international affairs, national security and development programs (Grimm, Lemay-Hébert, & Nay, 2014). Initially conceived to account for weakness of the state, the concept of state fragility had expanded and had been continuously nuanced.

In this paper, understanding state fragility by looking at state authority, state legitimacy and state capacity is followed. As elaborated by Grimm (2023), state authority largely refers to the condition where the state is able to effectively use physical violence within its territory and fragility figures when there is violent conflict (one-sided, intra or inter-state, or otherwise). State legitimacy pertains to the state having the capacity to get the support of the people and fragility is seen when there is gross human rights violations, suppression of press freedom, and extra-judicial persecutions of people. State capacity relates to the already mentioned characteristic of fragile state having the limited capacity to provide the basic needs of the people.

In determining state fragility, it has been noted how it is externally assessed through the use of indicators and indices (Saeed, 2020). Indeed, in many ways, the 'invention' of state fragility could be critically understood to be politically motivated as it emerged in the context of liberal ideas exerting standards upon the developing world (Grimm, Lemay-Hébert, & Nay, 2015) especially with the complication of state fragility being tied to larger conversations of security and development (Grimm, Lemay-Hébert, & Nay, 2014).

As the concept of the fragile state figured in development interventions in the last decades, so too have the emergence of the IDCR being influential in the politics and policies related to illegal drugs. The rise and development of the IDCR started in the early 20th century with the many international conferences held to discuss global policy on illegal narcotics, initially concentrated on opium (Foster, 2000; Kim, 2020; Collins, 2021). These efforts would lead to the signing of several United Nations (UN) agreements and statutes that laid the groundwork for the definition and policy recommendations related to psychoactive substances and narcotics. These conventions include the 1961 UN Single Convention on Narcotic Drugs, the 1971 Convention on Psychotropic Substances; and the 1988 UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Collins, 2021; Gootenberg, 2021). Another key player that moved the development of the international drug control regime would be the United States (US) when during the presidency of Nixon, the Americans would launch the global campaign against illegal drugs, birthing the popular term "drug war" (Gootenberg, 2021).

Building on the conversations on the fragile state (also considering the critiques) and the rise of the IDCR, the paper compares the cases of Afghanistan and Myanmar by tracing the political development of the two countries in relation to the Taliban and the Tatmadaw with attention given to opium policies. While there have been many works that dealt with the case of Afghanistan and Myanmar separately, there are few that are done comparing the cases. This paper attempts this venture and hopes to illustrate the complexity of the interplay of illegal drug policy and state fragility.

While understanding the concept of state fragility as a political invention is instructive in demonstrating the imbalance in international

affairs, it is also illustrative of the importance of considering the external pressures being wielded upon states that are being categorized as fragile. It is within this reflection that this paper anchors the need to look at the wider international context of Afghanistan and Myanmar. With understanding fragility being externally assessed, there is an importance underscored in the literature on state fragility that calls for a more nuanced account of domestic concerns especially when interventions are being carried out (Nay, 2013). The same has gone for conversations related to the translation of the goals of the IDCR in the contexts of states being deemed to be hotspots of illegal drug production, such as the case of Afghanistan and Myanmar. Critical appraisals of the IDCR have pointed out its ineffectiveness and inconsistencies (Idler, 2021; Hallam & Bewley-Taylor, 2021) which also speaks to the ways in which the international pressures would exert influence to local situations complicating conditions in already fragile states.

### Outline of the paper

The paper proceeds in two main parts. The first part contextualizes Afghanistan and Myanmar. In the contextualization, the Taliban and the Tatmadaw are tackled in relation to their rise to power in the two countries. Then, a general sketch of the scale of opium cultivation in the two countries are presented in relation to the broader geographical and political context of the Golden Crescent and the Golden Triangle. This part begins the presentation of the ways in which the IDCR has shaped the ways Afghanistan and Myanmar came to be seen in relation to opium and illegal drugs contributing to markers of state fragility. This section would then lead to the second major part of the paper that deals with the politics of illegal drug policy as it intertwines with governance, and hence, state fragility.

### Opium and Political Conflict: Contextualizing Afghanistan and Myanmar

The political instability being experienced in Afghanistan and Myanmar spans a long history characterized by unrest and competing challenges posed by external and internal forces. At the forefront of conversations are the ruling regimes that have been instrumental in this long and complex story. For Afghanistan, it relates to the Taliban, a regime that rose from the ashes of the Soviet invasion and the Cold War. For Myanmar, the military force of the Tatmadaw that rose to power after the end of British colonialism and continues to remain politically significant.

The Afghan state emerged in 1921 and within a few decades of sovereign rule, the emergence of the Cold War had impacted the country. A critical point in the brewing conflict happened from 1979 to 1989 when the country, after starting to distance itself from the USSR was invaded by the Russians. The Soviet - Afghan War would be the context in which various groups, called the Muhajeedin, would engage in guerilla warfare (PBS, 2021). After the USSR left Afghanistan, the country was plunged in a civil war with various factions competing for power. In 1994 under the leadership of Mohammad Omar, a newly formed group, Taliban, rose to prominence after the group was able to pacify unrest in the region of Kandahar (Borthakur & Kotokey, 2020). In 1996, the Taliban was able to seize control of the capital, Kabul. As the origins of the Taliban was in the Islamic schools and the traditions of the Pashtun ethnolinguistic group, the Taliban policy of reorganizing political and social life in Afghanistan hinged on strict interpretation of Islamic law and nuances of Pashtun culture (Borthakur & Kotokey, 2020; Terpstra, 2020; Johnson & Mason, 2007; Marsden, 2008).

Similar to the Afghan experience, Myanmar, then in the early 20th century still known as Burma, experienced much political upheaval. Myanmar (name changed from Burma in 1989) was plunged in the Pacific War when Japan invaded the country and within this time, the Anti-Fascist People's Freedom League (AFPFL) led by Aung San was formed in 1942 and fought Japanese rule. In 1948, Burma gained independence. Amid the challenge of finally gaining independence, Aung San was assassinated in 1947 by nationalist rivals led by U Nu (BBC, 2018). Contrary to the path taken by Afghanistan, U Nu joined the Non - Aligned Movement during the Cold War. Furthermore, while Islam became a major point of struggle that united the people of the Taliban, Buddhism became the tinderbox that lighted the end of U Nu. U Nu's promotion of Buddhism as state religion was rejected by military factions leading to his ouster in 1962 led by General Ne Win (BBC, 2018). While Socialism became a flashpoint of rejection that ignited the rise of ethnic and religious groups in the Afghan civil war and the Soviet-Afghan War, socialism became part of Ne Win's campaign as he sought to usher the "Burmese way to Socialism" (BBC, 2018; Kyaw, 2020). With the military's victory came the decades long process of entrenching the Tatmadaw. Since their ascent to power, the Tatmadaw had been instrumental in important aspects of politics in the country such as in the realms of selecting candidates during elections, and in having a decisive voice in selecting other leaders in government (Maung, 2014; Steinberg, 2021).

### Opium cultivation in Afghanistan and Myanmar

Opium, like Afghanistan and Myanmar, has a long and complex history. Accounts suggest that the first use and cultivation of opium poppy date as far back to the second millennium BCE in the Mediterranean. Research inquiries have noted

opium as an article of trade as early as this time appearing in Egypt and Cyprus. When the Europeans came into contact with Asia, opium also figured in the burgeoning global trade. Opium had shifted to becoming a major trading commodity when colonial powers such as Britain imposed trade monopolies. By the turn of twentieth century, however, colonial empires began shifting in trajectory and the emergence of the IDCR began (Kim, 2020; Collins, 2021).

Despite the existence of the IDCR, the continued circulation of illegal narcotics, including opium, persisted as a global dilemma. In 2021, amid the global pandemic, the UNODC World Drug Report had noted that 7,930 tons of opium were processed globally (UNODC 2022). Much of illicit opium have been identified to still come from two regions in the world: the Golden Crescent and the Golden Triangle. The two wider regions have had significant impact to the global illicit drug market, but have also in turn been shaped by larger global dynamics. The Golden Triangle, for example, had been underscored to have illustrated the challenge posed by illicit traffic of drugs and its corrosive impact to the social stability and economic development complicates the politics in the region (Chalk, 2000). The same discourses and political developments also animate the history of the Golden Crescent. Kreutzmann (2007) had mentioned that the conditions in the Golden Crescent are also influenced by international drug syndicates and in turn, opium from the Golden Crescent affects the regional power dynamics.

Discussing the ways in which illegal drug policy and opium cultivation interplays with state fragility in Afghanistan and Myanmar necessitates looking at the scale of opium cultivation in these two countries. The UNODC had consistently flagged these two countries as the major sources of opium circulating in the world, the number one source of which alternating between

the two. In 2023, Myanmar overtook Afghanistan as the top source of Opium (UNODC 2023). This largely owes to sharp decline in opium production in Afghanistan after the policy of the Taliban to decisively ban opium production in the country (UNODC 2023). As for Myanmar, data from the latest country survey of the UNODC shows that since the military takeover in 2021, opium production had increased 33% (UNODC 2022).

### **The Global Drug War and the context of Fragile States: Opium and governance in Afghanistan and Myanmar**

As noted, the scale of opium cultivation in Afghanistan and Myanmar within the context of the Golden Crescent and the Golden Triangle grew throughout the decades since the independence of the two countries. But the opium situation did not exist in a vacuum, isolated from the political conflicts experienced in the two countries.

Afghanistan and the Golden Crescent came at the forefront of opium production beginning in the 1970s and this was also attributed to the growing conflicts experienced by the countries in the Golden Triangle (Robins, 2021). Myanmar during this period underwent political struggles after the power grab in the 1960s and the Tatmadaw was consolidating political legitimacy. After the coup, the military created the Burma Socialist Programme Party in 1962 beginning the decades rule of the Tatmadaw (McCarthy, 2010). Within these efforts, the military-led government enacted a New Narcotics and Dangerous Drugs Law in 1974 after some interventions from the UN for the government to have policies to tackle the opium situation. Within these efforts, the government adopted a work plan with the UN to curb the cultivation and circulation of opium (Sassaroli, 2022). However, this particular effort eventually grew ineffective especially with the corruption and growing unrest in rural country sides

(Kramer, 2015). The local context of having insurgent groups in opium cultivating areas also brought complicated responses from the Tatmadaw (Meehan, 2015).

While the Tatmadaw tried to respond to international pressure, the context of the Soviet-Afghan war and poverty in Afghanistan in the 1970s had significant impact on the ways local Afghan farmers began to turn to opium as a source of income. This happened in a gradual pace. In the 1930s and 1940s, opium production in Afghanistan was allowed by the government through licensing (Mansfield, 2016). When the IDCR unfolded and the US began its war on drugs, there became a growing concern regarding opium cultivation in Afghanistan. The international community began censuring Afghanistan in relation to opium (Mansfield, 2016; Robins, 2021). However, the eruption of the war with the USSR exacerbated the disarray in the government and the continuing war effort opened the opportunities and need for opium. In the 1990s, when the Taliban took hold of the government, there was a continued increase in opium cultivation attributed to the complicity of some Taliban leaders benefiting from corruption. In many ways, the opium trade became consolidated under Taliban rule since “in some cases the local Taliban leadership simply tolerated drug production and trade, being unwilling to challenge powerful local interests. In others, Taliban commanders were, or became, more actively involved in trading opiates and taxing production, processing and transport” (Mansfield 2016, 108) .

We can surmise that the largescale opium cultivation in the Golden Crescent and the Golden Triangle (consequently in Afghanistan and Myanmar) was taken as a serious concern once the IDCR developed and UN conventions arose. As the Global Drug War unfolded, there have been insinuations of the ways in which the US through the Central Intelligence Agency had used the

pretext of the drug war to intervene and at times become complicit to the opium and heroin trade (McCoy, 2000). This presents the complexity of the IDCR and the continuing debates surrounding it. As seen in the ways the Taliban and the Tatmadaw had to contend with the challenge, the ways in which this complicated international context intersects with the domestic concerns also leads to the further importance of unpacking state fragility considering its persistence and link to illegal drug policy.

Looking at the development of the political situation in Afghanistan and Myanmar with the rise of the Taliban and the Tatmadaw, we see tensions in the ways the illegal drug situation would also figure in the policies of the governments given that the IDCR had also emerged. Thus, understanding the interplay of international and domestic contexts surfaces the impact of the IDCR and the notion of state fragility. Here, there is wisdom in the insights and grounding from the scholarship that looks at states in relational terms and underscoring the state-in-society perspective. Jessop (2008) makes a compelling theoretical elaboration on state in relational terms when he argued for the importance (if not necessity) of understanding the state in relation to other actors in society such as other social institutions, the economy, civil society, and even international organizations. Furthermore, Migdal (2001) in developing a “state—in—society” approach had reminded scholars to understand the complex relationship between state and society. We could therefore understand the state not as a fixed entity but an amalgam of the ongoing and intersecting struggles among the elements of the state and the various sectors in society. This struggle is mediated by a multitude of factors as well.

In tackling the ways in which the Taliban and Tatmadaw enacted policies regarding opium cultivation in Afghanistan and Myanmar, it is important to underscore how the broad IDCR

had exerted expectations for countries to curb illegal drug cultivation, production, and circulation. The IDCR as exemplified by UN conventions had in fact been taken up by the governments in Afghanistan and Myanmar. Both countries are signatories to the 1961, 1971, and 1988 conventions (UN 1961, 1971, and 1988). Despite this context, opium cultivation remains prevalent in the two countries. This is further complicated by the continuing political conflicts as seen in the resurgence of the Taliban and the Tatmadaw in 2021. Thus, in many ways, we can look at opium as a prism through which we can demonstrate the complexity of the politics in Afghanistan and Myanmar under the Taliban and the Tatmadaw. Opium, as mentioned, is in fact among the first psychoactive substance to be a topic of global conversations toward prohibition (Richards 2002; Kim 2020; Collins 2021). It is thus not entirely surprising that in the pursuit of Taliban and Tatmadaw to legitimize their regimes, they also sought to have prohibitionist policies despite accounts that they also in some respect benefitted from the income generated from the opium market. This unfolded amid the developing notion of state fragility in policy and academic circles since the successful curtailment of drug trades also became interpreted as manifestations of state strength and legitimacy (Mansfield, 2016).

### **Myanmar and the intersecting issues of the global drug war, democratization, and state legitimacy**

Amid the global drug war, one way of situating the conversation in the case of Myanmar is by considering the ways in which the democratization efforts and ethnic conflicts (See Walton and Thein, 2023) created conditions of state fragility and their links to illegal drug policy. While the Tatmadaw held a strong grip on power, they are not without any challenges. Well into the decades of military rule, the Tatmadaw would face a series

of protests in 1988 amid the growing economic hardships experienced by the people. The military regime faced the protests with an iron fist (Egreteau 2009). From the struggles of the 1980s emerged the opposition leader Aung San Suu Kyi and the newly formed National League for Democracy (NLD) that sought to demand change in government. Even though the NLD won the elections, the Tatmadaw staged a military junta that lasted until well into the 2000s (Steinberg, 2021). The Tatmadaw would slightly open for democratic reforms leading to a new constitution in 2008. However, the constitution mandated that the military would have assured parliamentary seats signaling how in many ways the NLD had limited successes in consolidating democratic transitions (Swe, 2021). In 2015, Aung San Suu Kyi would become the *de facto* leader of the country as state counsellor. It appeared that Myanmar was on the road to democratization, but waves of controversy erupted with the Rohingya crisis (Selth, 2018) to which Suu Kyi was cited to have remained mum (Lee, 2014). In 2020, the NLD would again win in a landslide victory, cementing Suu Kyi's position, albeit her tarnished reputation owing to the Rohingya crisis. In 2021, after raising allegations of electoral fraud, the military staged a coup and took power once again (Paddock, 2022). It was thus in 2021 that once again Myanmar earned the attention and concern of the world.

As the Tatmadaw's and even the democratically elected leader's legitimacy was continually challenged against the backdrop of democratic values, the ways in which economic challenges brought poverty also heightened ethnic conflicts. It has been noted by scholars (e.g. Meehan, 2011) that the cultivation of opium in agricultural areas of Myanmar has also impacted ethnic politics and instability owing to the rise of armed groups that challenged the state. Especially in the aftermath of the 1988 uprisings and the coup that reestablished strong military rule, the tense context led

to the rise of insurgent groups that also utilized opium cultivation and the income being generated by the drug trade. The government in Myanmar, being highly fragile in the 1980s to 1990s, paved the way for shifting strategies to accommodate the complexity of drug trade and find military solutions to ethnic opposition forces. Drug trade figured in rent and patronage politics as it became tools to buy loyalties and fracture possible alliances between insurgent groups and pro-democracy movements. In a sense, the insurgent groups as proxy state actors also aided in providing legitimacy to the Tatmadaw in using force. Within this context, the ways the government in Myanmar seems to vacillate in dealing with the opium trade in the country and the Golden Triangle since they also found themselves benefiting from it through political concessions (Meehan, 2011).

For prohibitionist policies, there have been attempts by both insurgent groups and the state led by the Tatmadaw to contribute to ending or at least limiting opium cultivation. However, the complexity of politics in Myanmar also brings forward a variegated way of implementing opium bans. As noted by Meehan (2015), the policy of banning opium could be seen as both fortifying or further fragmenting the state due to the variations and differing levels of government interventions related to the opium trade. With this, the state in Myanmar leverages the opium trade in order to pacify conflicts in the Shan region (Meehan, 2011 and 2015). It has been noted that the "Tatmadaw's policy of prioritizing security over drug-related concerns has allowed criminal groups and drug syndicates to operate relatively freely in a situation rife with ethnic tensions and conflict, weak governance, and conflicting international geo-political interests" (Kramer, 2015, p. 3). Furthermore, there needs to be a consideration of the lives and livelihoods of the farmers involved in the opium cultivation and trade (Luong, 2020). The case of Myanmar's prohibitionist policies

highlights the value of looking at the domestic context and the ways the global affects the local.

### **Afghanistan and the intersecting issues of the global drug war and the global war on terror**

In the case of Afghanistan, the impact of the opium traffic in the Golden Crescent was seen to cause a “retreat of the state” (Pandit and Basu, 2012) especially during the period of the US-led efforts of democratizing the country during their political and military intervention. As in the case of Myanmar where non-state actors such as insurgent groups exacerbated the challenge posed by the opium trade, the presence of armed militia groups, drug cartels, and terrorist cells also challenged the ways the Afghan state navigated its opium policy. The intense economic globalization that also heightened illicit drug trade emanating from the Golden Crescent had undermined efforts to curtail the traffic and the corruption of some Afghan officials also fueled the tolerance, if not encouragement for the trade to persist (Pandit and Basu, 2012). In many ways, opium had, in the description of Mansfield (2016), undermined Afghanistan throughout its history.

After a few years of control, the Taliban-led Afghan state would be engaged in another major conflict when in 2001, the September 11 attacks ignited the US Global War on Terror. As Afghanistan was reported to collude with Al Qaeda, the country became a target of intense military intervention (Terpstra, 2020). The US started importing its democratic ideals to Afghanistan while also engaging in a war with them. Thus, the ethnic ties that fueled the early Mujahedin were reactivated, and the chaos continued. After decades of intervention, the US would withdraw from Afghanistan and finally in 2021, the final troops pulled out. Shortly after, the Taliban once again seized Kabul. The new Taliban however,

promised reforms (Ameyaw-Brobbe, 2023), but it remains to be major point of contention as the new takeover reignited concerns about security and instability (Sakhi, 2022).

In terms of opium prohibition, the Taliban had two episodes of strong policies that sought to end cultivation in the region. These policies were carried out amid the overlapping pressures of the global drug war and the global war on terror. The first was in 2000 and the next when they reclaimed Kabul in 2021 (UNODC, 2023). In the 2000 ban, religious reasons were cited when the Taliban leader denounced opium as anti-Islamic (Robins, 2021). Amid the sanctions placed on Afghanistan due to the implication of the regime coddling terrorist cells and leaders, Mansfield (2016, 123) notes that “the Taliban’s decision to ban opium production during the 2000/1 growing season has to be considered within the context of the regime’s isolation at the time and its broader efforts to improve its political and economic position, both regionally and internationally.” Taliban implemented their policy of banning opium through violence and harsh measures including public punishments, exercising coercion and threats, and forced destruction of poppy fields (Farrell & Thorne, 2005). While showcasing the strength of the state in imposing a policy, the ban had also impacted the lives of the farmers and the communities that built their livelihoods around opium. As mentioned by the UNODC (2023), many of the farmers indeed acceded to the policy and planted other crops, but the shock of the shift and decline in income brought issues of alternative development and livable sources of income to be flashpoints of contention (UNODC, 2023). It is thus not surprising that many scholars had raised the point that extreme measures could be successful in the run up, but counterproductive in the long term as such could also drive up the prices of opium in the market making it seductive to circle back to its cultivation (Chouvy, 2010). In the case of Afghanistan, the complex domestic

issues built around economic challenges (brought also by sanctions from other countries), political conflict, and lack of comprehensive alternative livelihood programs make it difficult to have meaningful and long-lasting policy to address the widescale opium cultivation in the country (Felbab-Brown, 2017).

### After 2021: Opium and politics in Afghanistan and Myanmar

The 2021 political events in both Afghanistan and Myanmar had garnered international attention for several reasons. One prominent concern relates to the persisting prevalence of state fragility in these two countries. As the literature on state fragility notes, both international and domestic conditions animate the ways in which we can make sense of a state being fragile. As political conflict continues to figure in both countries, state legitimacy pose as a major challenge for the regimes. As the Fragile State Index (Fund for Peace, 2024) shows, Afghanistan had a spike in its score for the period of 2021-2023. From a score of 102.1 points in 2021, it soared to 105.9 in 2022, then to 106.6 in 2023. In 2024, Afghanistan showed an improvement with a score of 103.9. Meanwhile for Myanmar, 2021 posed a score of 93.8 which significantly rose to 100 points in 2022. In 2023 to 2024, the score seemed to have remained in plateau with 100.2 in 2023 and 100 for 2024.

The sudden increase from 2021 to 2022 scores for both countries is expected given the tensions that happened after the 2021 takeovers of the Taliban and the Tatmadaw. The drop in the points for Afghanistan for 2024 poses an interesting research question worthy of future exploration. Perhaps we can find clues to the ways the Taliban had dealt with opium upon their resurgence to power and after taking over the government. The UNODC (2023) had noted that in 2023,

opium production in Afghanistan had significantly decreased after the Taliban announced their policy of banning opium in 2022. The decrease is significant, posing a 95% drop. While the UNODC report detailed the policies of the de-facto administration led by the Taliban in relation to banning illegal drugs, the international body remained cautious in inferring and outright mentioning whether the policy would be effective in the long run. The 2023 Afghanistan Opium Survey further notes that the ban had posed important challenges to opium farming communities. As the literature on opium policies have noted, the need to find alternative sources of livelihood is paramount.

In relation to the decrease of opium cultivation and circulation in Afghanistan, and to an extent the Golden Crescent, the UNODC in its 2023 Southeast Asia Opium Survey had noted that there is a steady growth in the production of opium in the Golden Triangle, and thus also in Myanmar. Several reasons could explain this steady increase. One of which is the decline of production in Afghanistan which may have inadvertently created a higher demand. While the earlier decades showed that the decrease in opium cultivation in the Golden Triangle provided the impetus for the rise of production in the Golden Crescent, the reverse trend is being seen in the period following the 2022 Taliban policy. The increase in opium cultivation in Myanmar is also inferred by the UNODC to have been undergirded by the continuing economic problems that the country experience. The Tatmadaw's efficiency and actual commitment to handle the opium cultivation situation remains to be a research endeavor worthy of pursuing. However, as the country's history had shown, the policy of the military regime is important to consider especially given that they have had policies in the past that pursued prohibition. Furthermore, the continuing problems faced by the Tatmadaw in relation to insurgent groups with the shadow economies ties to opium and its

attendant issues of corruption, clientelism and violence needs more updated research and reflection to cover the aftermath of the 2021 coup. What we can infer from trends in state fragility and opium cultivation for 2021-2023/2024, however, lends credence to the main objective of this paper which posits the value of interfacing state fragility and the drug policy influenced by the global drug war and the international drug control regime.

## Conclusion

In comparing the case of Afghanistan and Myanmar, this paper sought to reflect on the notion of the fragile state in relation to illegal drug policy as it discussed how the regimes in the two countries, led by Taliban for the former and the Tatmadaw for the latter, navigated the complexity of handling opium cultivation. Looking at opium in the context of state fragility in Afghanistan and Myanmar was premised on two reasons: one, the countries are located in the Golden Triangle (in the case of Myanmar) and the Golden Crescent (in the case of Afghanistan), regarded as the regions where most opium in the global illicit drug market originate; and two, considering opium places the discussion into a nuanced understanding of how the IDCR provides another metric for assessing state fragility.

Characterizing Afghanistan and Myanmar as fragile states contends with the emergence of the concept of state fragility and the ways in which countries are assessed against certain indicators. One way of looking at state fragility is by considering state authority, state legitimacy, and state capacity. As mentioned, fragility is sensed against these categories when authority is undermined by instability and violent conflict; legitimacy when statehood is contested; and capacity when there the state fails to provide the basic public goods to the people. Throughout Afghanistan's and Myanmar's long and complex

history, there have been episodes when such figures of fragility were seen. From persisting insurgent and violent conflicts, questions to the legitimacy and policies that underpin the regime, to the pervasive poverty. This poverty and all other modes of fragility, in one way or another, come together in the politics of opium cultivation and the responses of the Taliban and the Tatmadaw.

Since the character of being fragile is assessed from outside the domestic context of the state, to understand state fragility and illegal drug policy would also benefit from looking at the interplay of international forces (as seen in the various international norms, the IDCR as well as intervention efforts) and the domestic contexts. While the history of Afghanistan and Myanmar along with the rise and resurgence of the Taliban and the Tatmadaw had points of similarities, they also had several divergences. The same goes for the illegal drug policy. While both countries are nestled in the regions of highest opium production and faced with the similar international pressure, the local contexts of the two countries also bring nuanced differences in the ways prohibitionist policies played out. This only goes to show how the notion of state fragility and drug policy remains to be tenuous and contested as local conditions would always bring unique conditions and outcomes.

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# The Evolutionary Logic of Grassroots Governance Specialization: A Case Study of Social Work Practice in Yunnan Province, China

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## Abstract

Since the implementation of reform and opening-up policies, professional social work in China has rapidly developed and has been institutionally recognized for its effectiveness in grassroots governance. This study examines the evolution of professional social work in Yunnan's grassroots governance, applying structure-action theory to explore the rationale behind professionalization and optimize these practices. Using qualitative methods, including secondary data analysis, stakeholder interviews, and observations, the findings highlight four aspects of social work evolution: 1) Development path: from professional education to service; 2) Resource provision: from folk reliance to system compatibility; 3) Role transition: from social experimentation to policy implementation; and 4) Organizational structure: from embeddedness to authentication. The study concludes that social work in grassroots governance in Yunnan is a dynamic specialization, professionalism, and service practice process. Community-based governance responds to social issues through an integrated system. National governance is characterized by policy and government leadership, while local innovation is encouraged. Due to its strategic location, the specialization of grassroots governance supports stable border development, national unity, and international cooperative governance.

## Introduction

Structure-action theory sees action and structure as two integral aspects of human social practice. In other words, structure is both the condition for human beings to engage in social practice and the product of human social practice (Yang, 2004). Social work has a practical character (Bogo, 2018; He, Chen, Ku, & Ye, 2022). The use of the "structure-action" perspective can better

reflect the positive, collective, and constructive characteristics of "social work action" (He, 2019).

The recovery and rapid development of professional social work in China was spurred by reform and opening-up policy. In December 1978, China began implementing reform policies, which, internally, established a socialist market economic system, stimulating both the market and society. Externally, opening up facilitated

China's integration into the global development landscape, enhancing opportunities for exchanges, mutual learning, communication, and cooperation with other countries in politics, economy, culture, technology, and other fields.

In 1987, the Beijing Madian Conference was held, confirming the professional status of social work and initiating professional social work education in New China. In 1992, the China Association of Social Workers (established in 1989) joined the International Federation of Social Workers. The rapid development of higher education and membership in the International Federation of Social Workers not only clarified the professional legitimacy of social work but also established its legal status in foreign cultural exchanges.

As a significant historical background, the reform and opening-up policy promoted China's rapid economic development. However, it also exposed social problems and deficiencies in people's welfare. To address these social issues, professional social work has been continuously embedded in social governance through practical learning, experimental research, employment, etc., and has kept pace with traditional administrative, social work, interweaving with each other to deal with grassroots livelihood issues jointly.

The 19th CPC National Congress proposed strengthening the construction of a community governance system, pushing the focus of social governance to the grassroots level, fully utilizing the role of social organizations, and realizing the positive interaction between government governance, social mediation, and residents' self-governance (Xi, 2017). Professional social workers have not only responded to these calls but also achieved remarkable results in community services and community governance. These achievements have gained social legitimacy, entered the central discourse and top-level design, established its institutional identity, and made the stakeholders proud of their contributions.

In short, the reform and opening-up policy has provided a relaxed policy environment, abundant resources and diversified social experimental fields for the development of social work in New China. The development of professional social work in Yunnan also emerged and formed an evolutionary trajectory under the policy background of reform and opening-up.

Against this backdrop, this research addresses the question of how the participation of professional social workers in grassroots governance practices developed in the broader Chinese institutional context and the specific local context of Yunnan. Therefore, this study examines the evolution of professional social work in Yunnan's grassroots governance, applying structure-action theory to explore the rationale behind professionalization and optimize these practices.

## Review of Literature

The debate over the binary opposition of social ontology, a fundamental question in sociology, has been shaped by the perspective of key figures such as Durkheim, Levi-Strauss, and Parsons. These scholars have debated which is more fundamental to social ontology and better explains the social order of human groups: structure (or system) or action (or individual actors) (Zhang, 2000). Durkheim (1893) divided the social structure into mechanical and organic solidarity, signifying society's transition from tradition to modernity. Levi-Strauss argued that social structure reflects the universal psychological mechanism of human beings and is manifested in different forms across different cultures (cited in Swartz, 1997). Parsons (1951) emphasized that structure has a function.

The most prominent theory regarding "action" is Max Weber's social action theory. Weber (1922) pointed out that social actions have meanings and can be divided into instrumental rational actions, value rational actions, emotional actions, and traditional actions. Habermas (1985)

divided social actions into purposive actions and communicative actions. Purposive actions are instrumental or strategic, following technical rules based on empirical knowledge. Communicative actions emphasize mutual understanding and coordinate behavior between subjects through language.

In short, the structural paradigm has the characteristics of objectivism, emphasizing the determinism of structure and the macroscopic nature of analysis. The action paradigm has the attributes of constructivism, emphasizing individuals' initiatives and the microscopic nature of analysis.

The masters of the structure-action paradigm are Anthony Giddens and Pierre Bourdieu. They stated that structure (field) and action (habitus) are mutually generated relationships based on practice. Giddens (1984) posited that the subject of action and social structure based on practice are mutually constructed. Social structural characteristics exist as "memory traces" in the "practical consciousness" of actors. Social structure is the system or rules governing social elements. There are three types of rules: expressive rules are symbolic systems and discourse methods; normative rules are codified legal systems; and dominant rules are economic systems formed by allocative resources or political systems formed by authoritative resources.

Due to the limitations of actors' cognitive and practical abilities, purposeful actions will have unexpected consequences, and many recurring unexpected consequences will form social systems. Giddens (1984) identified three types of "actor subjectivity." The first was "discursive consciousness," the "intentionality" of actors, which can theoretically explain their actions in the form of discourse. The second was the "unconscious," similar to Freud's explanation. The third was "practical consciousness" – the fundamental characteristic of structuration theory.

It was the consciousness of actors knowing how to act without verbal expression or the "mutual knowledge" of actors.

Bourdieu was committed to constructing a practice-oriented social totality science, which was reflected in a research path of "generative structuralism" and effectively integrated the micro-analysis of individual actions with the macro-analysis of structures. Bourdieu realized the mutual construction of "structure-action" by constructing concepts such as "field" and "habitus" (cited in Swartz, 1997).

The application of "structure-action" theory to research on Chinese social work reflects on both the practical development and theoretical construction of social work in China. The core theme was to explore the path of "indigenization" of social work since the reform and opening-up and propose the current shift of social work to social governance (Wang, 2015; Xu, 2023; Hu, Wu & Fei, 2018). This marked the beginning of a new journey of professional practice development guided by Chinese-style modernization in the future (Wang, 2023a).

The discussion on the structure focuses on the national top-level design and the implementation of relevant policies, such as the establishment of the Social Work Department, CCCPC (Xu, 2023; Wang, 2023b), the construction of social work stations (Zhang, 2022; Xu, 2021), and the implementation of the government purchase service policy (Meng & Gray, 2024; Xiang & Zhang, 2023; Kan & Ku, 2023). However, academic research tends to focus on the action power of social work professionals. Representative viewpoints include reflections on the advancement of Chinese social work education (Zheng, 2020; Li, Han & Huang, 2012), reshaping knowledge and value (Tong & Zhou, 2022; Xu, Li & Cui, 2022), and emphasizing action research to refine practical wisdom to form knowledge (He et al., 2022).

Cultural awareness and diversity are essential for social workers (Xu et al., 2023; Lin, 2022). The service objects are not only the disadvantaged groups but also focus on “the old and the young” (Zhou, 2024; Howell, Fisher & Shang, 2020). Of course, the most influential is the “embedded theory” (Wang & Yuen-Tsang, 2009; Wang, 2011). Wang (2011) pointed out that professional social work is embedded in the original social service field to seek development. Different from the single perspective of system or action, He (2019) stated that the use of the “structure-action” perspective can better reflect the positive, collective, and constructive characteristics of “social work action.” Xu and Qin (2023) argued that government institutional empowerment and professional self-construction of social work are the two core driving forces for the rapid development of Chinese social work since its restoration and reconstruction.

In short, the structure - action paradigm combines social transformation with professional action to conduct a holistic historical examination of the development of grassroots governance professionalization.

## Research Method

This study adopts a qualitative research method. It focuses on the social work profession after the reform and opening - up, which is embedded in China's traditional administrative service system. Social workers continuously participate in the grassroots governance space with autonomous action, eventually gaining recognition at the top level of national design. This top-down promotion enables the social work profession to intervene more deeply in grassroots governance, shaping a new path of specialization with Chinese characteristics.

This study examines the generation mechanisms of the historical evolution logic of social work participation in grassroots governance. This

exploratory, inductive study was conducted through qualitative research methods. As Chen (2000) pointed out, qualitative research uses the researcher as a tool, employs various data collection methods in a natural context to explore social phenomena holistically, uses induction to analyze data and form theories, and interacts with the research subject to understand behavior and meaning construction.

Specifically, this study achieves its research purpose by using a secondary data survey and an in-depth interview method. The secondary data survey method is divided into two parts. The first part involves collecting academic research results, policies and regulations, and authoritative public statistical data on social work participation in grassroots governance. This helps to comprehensively understand the general data of the research topic and establish the structural background and universal common sense of the research. The second part involves collecting data on the development and changes of social work institutions, social workstations, colleges and universities, and representative work reports to form a unique and rich case data set.

The in - depth interview method is a key component of this study, and it is used to investigate relevant stakeholders. Qualitative research emphasizes the appropriateness of the sample size (Mead, 1953) and whether the sample can answer the researcher's research questions completely and accurately (Chen, 2000). Therefore, the interviewees are government staff, community committee staff, social organization managers, and experts (scholars, university teachers) engaged in social work education and research. The content of the interview includes historical oral personal life stories of participating in social work and cognition of the development of social work in Yunnan. It focuses on the description and evaluation of research topics and important events. These relatively free and vivid in-depth interview

transcripts are an essential data source for this study.

Through qualitative research methods, the case of social work participating in grassroots governance in Yunnan is vividly presented and deeply analyzed to achieve the research purpose of enhancing the governance wisdom and theoretical development of a frontier province.

## Results and Discussion

### *1.1 Development path: from professional education to professional service*

The development path of professional social work participating in grassroots governance follows a path from education to service. The professional practices of universities at different levels complement each other, systematically promoting the transformation of social work from professional construction to professionalization and eventually to community services. This process further advances the development of social work and the professionalization of grassroots governance.

Specifically, high-level universities collaborate with overseas institutions to spread professional knowledge nationwide and cultivate social work elites. Local key universities, acting as regional leaders, explore local models of education, employment practices, research, and social services. Other types of universities in the region use application-oriented positioning to promote social work education to meet local needs pragmatically.

Professional social work took root in Yunnan and started with "education". The essential results of the initial stage were the dissemination of Western social work ideas and the training of social workers. In 1992, Yunnan University opened a social work major with the approval of the Ministry of Education, becoming one of the first ten universities in the country to establish such a program. University teachers became the first batch of professional social workers in Yunnan. Still, their educational background was not social

work but philosophy, sociology, anthropology, ethnology, history, and other social science disciplines. Teachers who can speak English and have received international education, have the natural advantage of introducing and communicating overseas social work resources and have become the messengers of social work knowledge dissemination of Western learning.

The professional construction of social work education in China has developed rapidly: there are 70 technical colleges offering social work majors, 333 undergraduate colleges, 183 social work master's degree authorization points, 22 doctoral programs in social work and social policy independently established by colleges and universities, and 17 universities have established doctoral research directions in social work based on first-level doctoral programs such as sociology (Wu, 2023). In the early stages of social work education development in Yunnan, universities offering these programs were concentrated in Kunming, the provincial capital, and later gradually expanded throughout the province. Currently, there are 13 universities in the province offering social work education. University professors have been working diligently to teach and create opportunities for professional intervention in grassroots governance, as Professor A said:

"In addition to classroom teaching, university teachers have also turned their attention to grassroots communities, taking students to carry out learning and research in community professional services, disseminating professional social work concepts, methods, and techniques, and further opening up social work positions for graduates to find employment." (University Professor A, 2023)

The university cultivates talents at different levels of undergraduate, master's, and doctoral degrees on campus. It also cooperates with the government to carry out non-formal education, mainly providing professional training for grassroots government staff, mass organization staff, and community workers.

Professional social workers indirectly participate in grassroots community governance by cultivating talents. Moreover, since 2005, Yunnan college teachers have been boldly trying to establish social work institutions to intervene in community governance. In 2009, the Ministry of Civil Affairs, PRC issued the "Notice on Promoting the Development of Private Social Work Institutions," proposing "encouraging social work teachers to establish private social work institutions based on professional resources" (Yi, 2022), which started the historical process of institutional design to encourage social work teachers to establish non-governmental organizations and directly participate in grassroots governance.

"Our institution was established in 2005. It has become a professional social work service institution in our province and one of the earliest social work institutions established by the domestic university." (Social Organization Manager A, 2023)

Regarding the participation of Yunnan social work in grassroots community governance, the distinctive characteristic is the process of the establishment of the social work major at Kunming University (KMU). It established the major "Community Work Management and Service" in 2002 and is one of the earliest universities in Yunnan to establish a social work major. The creation of this major is to respond to the complexity of community management work in Yunnan Province and the need for professional training of community cadres under the background of the transformation from "unit system" to "block system" and then to "community system." The talent training goal is precisely positioned as social work professionals for grassroots community governance.

In 2001, most of the existing community management cadres did not have specialized knowledge of community work and had low academic qualifications, working ability, and

superficial thinking. The goal of running a school is to cultivate senior social work talents who have professional social work spirits, clear service awareness, practical knowledge, operational skills, and work on community service and community management (University Professor B, 2023)

"When I graduated in 2007, a street was recruiting community workers. After I signed up, I successfully entered the community with the highest score in the written test and worked there for five years. At that time, community cadres were all retired and laid-off workers. As a young college graduate with professional knowledge, I had a significant advantage. The street leaders also appreciated me. In my third year, I was transferred to another community and became the deputy secretary of the community neighborhood committee." (Community Neighborhood Committee Staff, 2023)

The employment situation of KMU graduates also demonstrates the advantages of social work students in grassroots community governance. It is worth mentioning that the founder of KMU's social work major is from Shanghai. Besides considering local grassroots governance, the establishment of the major was also inspired by the development of Shanghai's social work programs.

"In 2004, the General Office of the Ministry of Labor and Social Security of China issued the "National Occupational Standards for Social Workers" and first piloted it in Shanghai. Therefore, after returning from the Shanghai inspection in 2005, we actively promoted the Yunnan Provincial Department of Labor and Social Security to carry out the first batch of social workers' professional qualification certification work. This work included theoretical knowledge, written examinations, and on-site practical skills assessment. Before the state first implemented professional certification in 2008, the Yunnan Provincial Department of Labor and Social Security

had certified social work graduates in the three years from 2005 to 2007. Qualification certification provides a legal status for social work professionals to intervene in grassroots governance. Later, our teaching team went deep into towns, communities, and villages, introduced professional service advantages through familiar relationships, and recommended social work graduates to grassroots units. These graduates who obtained social work qualification certificates were generally recognized." (University Professor B, 2023)

Based on vision and courage, supported by professional ambitions and the belief in serving the people, the series of social work explorations carried out by social work professional educators are admirable today. The continuous actions of these educators have gradually enabled social work to gain discourse power, enter the policy framework, and obtain institutional identity. In short, the above development context not only presents the training process of social work professional teachers but also reflects the motivation of professional social workers to shift from education to service. They enter the administrative system in an embedded way to participate in grassroots governance and promote policy formulation and the expansion of institutional resources, which is manifested as "service-oriented governance (Wang, 2015)" for professional development.

### *1.2 Resource provision: from folk dependence to system compatibility*

Social work in China's grassroots community governance has shifted from relying on private sector resources to institutional ones aligned with party policies. Initially, professional social work was cautious about utilizing market resources and seldom considered seeking government funding for projects.

"At that time, we were mainly criticized for blindly pursuing economic growth. For example, "scientific and technological poverty alleviation"

was externally planned for community development, which led to negative consequences such as resource plunder and individual poverty. Therefore, social workers intervened in grassroots governance to avoid using business models to obtain resources and funds." (Social Organization Manager D, 2023)

The government's poverty alleviation efforts, characterized by the provision of materials and "top-down" passive funding, led to a "wait, rely, and ask" mentality among the poverty alleviation targets (Social Organization Manager C, 2023). In the past, when faced with individuals or families who suddenly encountered difficulties due to accidents, social workers sometimes relied on personal donations to provide help. However, this approach also seems "unprofessional." Community projects rely on the resources of foundations or social groups to provide support to those affected. (Social Organization Manager B, 2023)

The milestone event in the shift of social work resource provision in Yunnan was the 6.5-magnitude earthquake in Ludian, Yunnan, in August 2014. On September 5, the Ministry of Civil Affairs, PRC (2014) launched the "Ludian Earthquake Disaster Area Social Work Service Support Plan." The development of social work in Yunnan has shifted from a fragmented resource utilization model to a systematic overall resource investment model arranged by the system. Later, with the modernization of the country's governance capacity and governance system, the institutional resources formed by the top-level design have become increasingly abundant, and social work actors have also shifted to strive for as many policy resources as possible.

Our findings indicate that as we reach deeper into grassroots communities, the demand increases. For example, the various needs of the various needs to three affected groups (left-behind children, women, and older adults) in border villages are very prominent. Although the

government has provided basic services, such as poverty alleviation and food and clothing, professionals still needed to offer refined services to address the needs of those noteworthy groups. On the other hand, the country also recognizes the needs at the grassroots level, especially the inequality of public services. The state guides from top to bottom through the formulation of policies and many government projects at the grassroots level. Therefore, policies also drive us to the grassroots. (Social Organization Manager A, 2023)

Social work organizations have taken root in the grassroots through government purchases and other projects. These organizations based their efforts on discoveries made through grassroots service experience, the needs of grassroots communities, and national governance system arrangements and policy guidance. The bottom-up initiatives of social work are highly consistent with the country's top-down policy arrangements, making government resources the main support for social work organizations.

This shows that social work organizations resource provision has shifted from private dependence to government provision. This is an important manifestation of professional social work gradually gaining institutional identity and position within the system. However, it also brings challenges related to sustainable resource support and the healthy growth of institutions. Particularly during the three-year epidemic, delays in government funding disrupted services and normal operations of some institutions that relied entirely on government funds and support.

Today's social work actors are constantly innovating to achieve multiple funding channels and diversified institutional resource structures. Market-oriented models such as community social enterprises are also beginning to be carefully explored.

### *1.3 Primary role: from social experiment to policy performer*

In its initial development, professional social work had a distinct "social experiment" flavor. The role of "social experimenter" has the following characteristics:

First, establishing experimental sites, internship sites, or pilot projects. The development of professional social work in China did not start with a comprehensive rollout but rather selected pilot projects to carry out social services, scientific research, and education and training. "Learning by doing" is the most essential characteristic of the development of professional social workers. At the same time, social work in China focuses on developing Yunnan characteristics, mainly rural community development, ethnic minorities, girls' education, women's reproductive health, and ecological protection.

Second, social workers possess professional knowledge primarily generated in the West. This "experimental stage" tests the applicability of Western social work knowledge in China. In the initial development stage, social workers are familiar with the conceptual models such as "empowerment" and the three primary methods of casework, group work, and community work. Intellectuals and grassroots social workers trained in professional social work apply some of the world's fashionable ideas, concepts, techniques, and methods to China. These include the participatory rural appraisal (PRA) method to understand the needs of community residents, fair trade, and Grameen Bank Microfinance to carry out social work projects. They also establish community development funds and various community organizations, such as girls' education funds, senior citizen associations, women's organizations, and planting cooperatives.

Third, social workers become critical reflectors of professional practice who “cross the river by feeling the stones.” Western social work practices, when tested in Chinese contexts, revealed both confirmations and contradictions. For example, the conflict between professional knowledge and the local culture has led to difficulties in adapting to the local environment, which is a frequently discussed phenomenon among social work experimenters. This means that social workers in Yunnan Province emphasize an iterative, experiential, and context-sensitive approach, continually adapting professional knowledge to fit local conditions and reflecting on their experiences to improve their practice.

These paradoxical professional practices continuously inspire social workers to examine and critically reflect on Western social work’s value and knowledge system, leading them to constantly revise and adjust their actions to respond to cultural context and situational needs. The localization of social work has become a core issue that “social experimenters” must inevitably address.

As social experimenters, social workers constantly learn, test, and revise Western social work knowledge. However, they later tend to focus more on Chinese party and government knowledge, policies, and regulations, including social welfare policies, serving as policy propagandists, implementers, and connectors. Given the varying abilities of different groups to access policy information, social workers take the initiative to link welfare policies to those in need, particularly vulnerable groups such as older persons and children, to help them solve practical problems, build sustainable development capabilities, and promote social fairness, justice, and well-being. Consequently, media reports often describe the works of social workers as “opening up the last meter of serving the people,” “opening up the last mile of serving the people,” and “optimizing

the last centimeter of public services.” This exemplifies the social workers’ crucial role in ensuring that public services reach every individual, particularly those in need. Overall, it underscores the meticulous and far-reaching efforts of social workers to ensure that public services are accessible, equitable, and effective for all members of society, especially the most vulnerable.

It is worth mentioning why social work, introduced from the West, is considered superior to China’s traditional grassroots government service governance model. In practice, it has achieved the “localization” of social work, thus becoming an executive force for party policies. The reason for this is that, since 2006, social work has become a national discourse and was incorporated into the national governance framework. Social workers play an essential role in reflecting the people’s demands from the bottom up, and their participation in policy advocacy, formulation, and improvement has become increasingly in-depth, exerting significant influence. Additionally, with the use of technologies such as big data, national governance technology has become increasingly sophisticated, and Chinese policies are sensitive in reflecting public opinion and demands. In other words, social workers can further understand national development and social public needs in policy learning and achieve professional service goals in the process of promoting, linking, and delivering policy benefits to the public, especially vulnerable groups.

#### *1.4 Organizational structure: from embeddedness to authentication*

Education has played a central role in the development of social work in China. Establishing social work majors in universities integrates the Western discipline system into the Chinese education system. Subsequently, university professors establish practical research communities

social work institutions, enabling professional subjects to enter China's grassroots to carry out governance in an embedded manner.

The organizational structure of social work is characterized by a professional independence subject which differs from China's administrative organizational structure. This "embedding" has gradually shifted from an initial comparison and interaction of differences and advantages to a tendency to "please" the government to gain recognition, resources, status, etc., to aid its development. Moreover, the governance effectiveness demonstrated by the professional theories and techniques of professional social work has attracted the interest of traditional administrative social work departments. These departments have actively absorbed and learned the beneficial aspects, leading to the specialization of administrative social work.

The central bodies of social work professionals engaged in grassroots governance are government-run social organizations, government-run mass organizations, and local social organizations. From the existing organizational structure, after entering the national discourse and national governance arrangements, "non-governmental organizations" seem to no longer exist. Instead, they increasingly exhibit the characteristics of "social organizations," with authentication characteristics nurtured by the party and government system.

Firstly, these social organizations have a political nature. As an essential carrier of professional social work actions, social organizations have increased along with China's reform, opening-up, and social transformation. The Communist Party of China has abandoned the tradition of achieving social control by returning to the period before reform and opening-up by compressing the development space of social organizations. Instead, they chose a political integration method

that combines organizational embedding and political absorption, striving to shape social organizations into an essential link for the party to maintain close contact with the masses and serve the people wholeheartedly. Since the 20th century, the party-building work of politically integrated social organizations has continued to advance (Zhang, 2023). With the establishment of the party's social work system, social workforces will be led by the Communist Party of China (Wang, 2023b).

Secondly, these social organizations have an administrative nature. In the early stages of development, the relationship between social work organizations and their members was very close, shaping the organization or team into an emotional community. Social workers also maintained a close relationship with their clients, emphasizing care values and ethics throughout the development of employees within the organization and in the professional services provided to the service recipients.

These institution founders have unique personal charm, certain economic capital, and social capital. Team members trust them and work hard for institutional goals or social ideals (Social Organization Manager D, 2023).

As professional social workers became embedded in the administrative system, their numbers grew significantly. In particular, under the institutional backdrop of increasing the centralized constraints of the state on border governance, the growth of national financial resources, and the extensive implementation of the government procurement services policy, the organizational form of social work institutions has undergone a bureaucratic transformation. The institutions operate through impersonal responsibilities, regulations, and guidelines, with fixed hierarchical positions and job authorities. Employees are appointed based on professional

qualifications and compensated according to performance.

“The identities of the heads of social work institutions are more diverse, and their professional influence varies.” (Government Official, 2023) “Some institutions create positions specifically to better obtain government projects, while some social work stations provide only superficial services.” (Social Worker A) and “We have always been troubled by the contradiction between bureaucracy's inhumane characteristics and the pursuit of social care values.” (Social Worker B)

Thirdly, these social organizations have an official nature. Initially, in addition to the government's bottom-line assistance for weak areas and vulnerable groups in Yunnan, much spiritual and capacity-building work were undertaken by non-governmental organizations. From the 1990s to the early 21st century, Kunming, the capital of Yunnan Province, attracted a large number of international NGOs and private-public welfare workers, and Kunming was even once called the “NGO capital.” With strong support from national financial resources and the achievement of border governance goals, social institutions have increasingly become government-run.

In accordance with policy requirements, every town (street) has a social workstation. Yunnan took the lead in completing this initiative in 2021, opening a new stage where official social workers participate in grassroots governance. Currently, with government support, influential social work institutions have transformed from providing social services to vulnerable groups in specific fields to cultivating social service talents and grassroots social service institutions. The government has established specialized incubation centers or bases for social organizations within different administrative regions, inviting

various social organizations to settle in for free. Additionally, the government provides free office space, conference facilities, and other support, along with regular and irregular consultation and guidance.

In 2023, the establishment of the Social Work Department, CCCPC was considered by scholars to be an example of “large social work” (Wang, 2023b), “large governance concept,” and “large social governance” (Xu, 2023). This fully demonstrates that social work has not only entered the national top-level design but has also taken root through the establishment of national governance organizations. This development opens a new stage in which official professional social workers participate in governance at different levels of the country and localities. It is reflected in the form of Party committee leadership, government responsibility, and collaborative governance.

## Conclusion and Recommendation

Yunnan was among the first provinces in China to resume professional social work education and engage in grassroots governance post-reform.. It has rich practical experience and is unique due to its regional characteristics such as frontier ethnic minorities and the forefront of opening up to the outside world. However, the existing research, first, lacks a holistic perspective on the unique development of social work in Yunnan; second, there are few research results that combine practical exploration with policy research and conduct in-depth theoretical dialogues; third, the research perspective is relatively single, lacking a research perspective that combines top-down government governance with bottom-up social work actions. Therefore, this study can compensate for existing academic knowledge's shortcomings.

From the perspective of structure - action theory, this research examines the development and evolution of social work participation in grassroots governance, illustrating the dynamic evolution of the actors' action power and the results of structural construction within the context of institutional structure and resources. The evolution of social work professional action is reflected in four aspects: 1) Development path: from professional education to professional service; 2) Resource provision: from folk dependence to system compatibility; 3) Role transition: from social experiment to policy performer; and 4) organizational structure: from embeddedness to authentication.

The development of social work in Yunnan's grassroots governance reflects the differing characteristics of Chinese and Western social work as follows:

(1) Professional social work in China is rooted in grassroots efforts, responding to social development issues through integrated response rather than merely refining professional techniques. Guided by the developmental social policy approach (Midgley, 1995, it integrates the efforts of families, communities, non-governmental organizations, market forces (i.e., for-profit organizations), and the state into a new institutional framework that jointly promotes social welfare. This coordination of social policies with economic development positively contributes to improving the sustainable livelihoods of the people.

(2) Prioritizing education has gradually promoted professional development, and ultimately achieved complementary development between education and profession, benefiting community governance. Successful community governance practice, in turn, promotes high-quality social work education and professionalization. This reflects a process of complementary construction and

development of specialization, professionalization, and service practice.

(3) State-led characteristics are distinct in the recovery and development of social work, driven by national policies. Both national and local policies, regulations, and government actions play a leading role.

(4) Unified policies and local proactive exploration and innovation are equally important. Policy promulgation and local projects coexist, with social work action subjects developing distinct characteristics and complementing each other. The next step for social work in guiding the healthy development of grassroots specialization depends on the extent of opportunities, freedom, and support provided by the government and the continuous collaboration and learning between the government and professional entities such as social work organizations.

(5) Yunnan social work participation in grassroots governance is unique. It meets the inherent requirements of stable border governance and the development of the Chinese nation while also reflecting international governance trends due to its strategic location at the forefront of international opening in South Asia and Southeast Asia. However, research in this area is not yet comprehensive and warrants further exploration in the future. To enhance social work's effectiveness in grassroots governance, policymakers should consider fostering stronger partnerships between government entities and social work organizations. This can be achieved by providing consistent funding, creating supportive policies, and encouraging the sharing of best practices. Additionally, promoting professional development and continuous education for social workers is crucial. Investing in training programs focusing on the theoretical and practical aspects of social work can help ensure practitioners are well-equipped to address the complex social issues

they encounter. Furthermore, it is essential to maintain a balance between government oversight and the autonomy of social work organizations. While government support is vital for stability and resource provision, allowing social work organizations the flexibility to innovate and adapt to local needs will enhance their effectiveness. Encouraging local pilot projects and fostering a culture of proactive exploration and innovation can lead to the development of tailored solutions that better address the unique challenges faced by different communities. By adopting these strategies, policymakers can help create a more dynamic and responsive social work system that effectively contributes to social welfare and sustainable development.

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# Policy recommendations for sustainable urban development of Khon Kaen Municipality, Thailand

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## Abstract

The aim of this research is to provide policy recommendations for the sustainable urban development of Khon Kaen Municipality. The research methodology employs a qualitative approach utilizing a selective sampling method, which includes interviewees from four diverse sectors: government agencies, civil society, educational institutions, and the industry/ private sector. A total of eight informants participated in the study. The research focuses on three key components; smart city initiatives, network partnerships, and administration—as variables contributing to sustainable urbanization. The result from a study identified three key dimensions crucial for the sustainability of cities: firstly, building Sustainable Urbanization by Becoming a Smart City. Leveraging smart technologies is essential for improving residents' quality of life. This involves enhancing public services and urban infrastructure through digital solutions, such as optimizing transportation systems, energy consumption, and waste management. Secondly, building Sustainable Urbanization with Network Partnership. Fostering community engagement is vital for social cohesion and economic resilience. This includes supporting local businesses, creating innovation hubs, and organizing activities that bring residents together. Building strong community networks enhances social ties and economic opportunities. Lastly, Building a Sustainable City through Administration. Effective management of natural and economic resources is crucial for long—term sustainability. Administrative strategies should promote awareness about environmental conservation, optimize resource usage, and implement policies that ensure sustainable urban development. While, Administrations should focus on the optimal allocation and utilization of resources to create a harmonious and responsible urban society. Furthermore, organizing educational activities to raise awareness about natural resource management and promoting social and community events to strengthen relationships are key for preparing the urban population for future challenges. This structured approach aligns with existing research on sustainable urban development, emphasizing the integration of smart city technologies, community engagement through network partnerships, and efficient administration as pillars for building sustainable cities.

## Introduction

Building smart cities improves the quality of life of the population, with better public services, improved health care and increased transport routes. It contributes to the vitalization of the local economy and promotes economic growth as well. The growth of smart city-related businesses also boosts local economic vitality. Today's urban development tends to focus on creating new political and cultural spaces, such as creative cities, democratic cities, smart cities, green cities, and walkable cities. And it has a direct impact on the public, both positively and negatively. The development of smart cities encounters several problems and challenges, such as high investment in infrastructure. Technological gaps, environmental impact Non-discrimination and public participation Khon Kaen City is an example of smart city development with the link between technology, people, city and environment.

As a result, Khon Kaen City has realized that the city is growing by leaps and bounds, causing the city to face various problems. It's no different from a large city. Pollution problems and environmental pollution. In addition, the growth of the city may be directionless and may eventually not be able to control the growth of the city. Therefore, the local administration has joined hands with the private sector on behalf of Khon Kaen Urban Development Company Limited or KKTT, which is a gathering of young businessmen of Khon Kaen who have inherited their businesses from their predecessors. Together with the public sector and universities in Khon Kaen province, we have established guidelines for urban development with a common approach to develop Khon Kaen as a smart city. However, even though smart cities, which cooperate with network partners and administration can meet the needs of citizens in the economic, social and environmental field. But it will affect sustainable

urbanization by contributing to improving the quality of life. How to balance technology, cities, humans, society and the environment? The researcher therefore studied the relationship structure of smart cities, decentralized management networks, and sustainable urbanization of Khon Kaen Municipality. For this reason, the researcher is interested in studying the factors that correlate and positively influence the sustainable urbanization of Khon Kaen Municipality. This is to use the results of the study as academic information and make policy recommendations.

## Research objective

To provide policy recommendations for sustainable urban development of Khon Kaen Municipality.

## Literature Review

Research on Policy recommendations for sustainable urban development of Khon Kaen Municipality, Thailand. Researchers conducted various literature reviews and researched relevant research papers. To be a conceptual framework and to be used as a guide for education. Theories and related research on the following topics:

### 1. Smart City concept

The concept of a smart city has been explored and defined by various scholars, each highlighting different aspects of technology integration, urban planning, and the goal of improving quality of life. Below is a synthesis of key definitions:

Sameua Nimngern (2020) Defines a smart city as the application of technology or information and communication systems to enhance the efficiency and quality of community services. This approach aims to reduce costs and resource consumption while improving the quality of life for residents.

Ekachai Sumali and Chaiwut Tanchai (2019) Describe smart cities as those emerging from the combination of information and communication technology (ICT) with urban planning and design. Their goal is to enhance bureaucratic efficiency and foster innovation in solving complex urban problems, ultimately creating livable and sustainable cities.

Atchaphon Dusitnanon (2019) Emphasizes the creation of urban innovations aimed at improving residents' quality of life. This involves applying technology alongside designing residential structures to meet the specific needs of different areas, acknowledging the unique occupations and lifestyles of each community. For effective smart city development, cities must have unique characteristics and clear, locally aligned directions.

Ahvenniemi et al. (2017) Explain the smart city concept through two main perspectives: which are Physical and Social Factors. A former dimension includes infrastructure such as public transportation systems, internet connectivity, public utilities, and spatial allocation for urban use. A latter aspect encompasses the social aspects and human elements that contribute to the city's overall functioning.

From these definitions, it can be concluded that a smart city integrates data and digital technology into its infrastructure and services to address collective problems, making the urban environment more livable, sustainable, and productive.

## **2. Cooperation and Network Partnership concept**

The concept of cooperation encompasses various terms such as cooperation, coordination, and collaboration. This research focuses on the concept of organizational cooperation to achieve collaborative goals, solve problems, and develop tasks in response to policies, politics, or societal

expectations. In a dynamic and global environment, both developed and developing countries encourage private sector investment in public projects, particularly large-scale infrastructure and public service projects. Therefore, cooperation networks extend beyond public-private partnerships to include other stakeholder groups. The following definitions from various studies illustrate the concept of network partnerships:

Mitchell (1968) Defined a network as a direct or indirect relationship between an individual and the people around them.

Kanjana Kaewthep (1995) Described a network as a form of coordination among several individuals, groups, or organizations, each with their own resources, goals, working methods, and target audiences. Even without regular joint activities, these organizations can seek assistance or cooperation from other groups through network connections. Networking allows these organizations to remain independent while participating in collaborative efforts.

Seri Pongpit (2005) Discussed the rise of the network concept since the 1970s, attributing its popularity to three main factors: New Competition, Advances in Information Technology and Academic Advances.

Based on these definitions, the researchers define the concept of network partnerships for sustainable urbanization in Khon Kaen province as involving cooperation among the private sector, civil society, government sector, and other stakeholders, such as educational institutions.

## **3. Concept of the Administration**

Understanding the concept of administration is essential for grasping its role in managing urban sustainability. Several foundational definitions provide a comprehensive view:

Thompson (1967) Defined administration as managing uncertainty and coordinating activities, emphasizing the importance of adaptability and organization.

Barnard (1938) Viewed administration as the function of an executive to maintain a system of cooperative effort, highlighting the roles of communication and informal organization.

Simon (1947) Described administration as the activities of groups cooperating to accomplish common goals, focusing on decision-making processes within administrative organizations.

Building on these foundational ideas, Duangjai Panichcherienkit (2019) explained that administration involves principles of management such as leadership, participation, policies/plans, and work integration, all formulated in accordance with government policies and adapted to the local

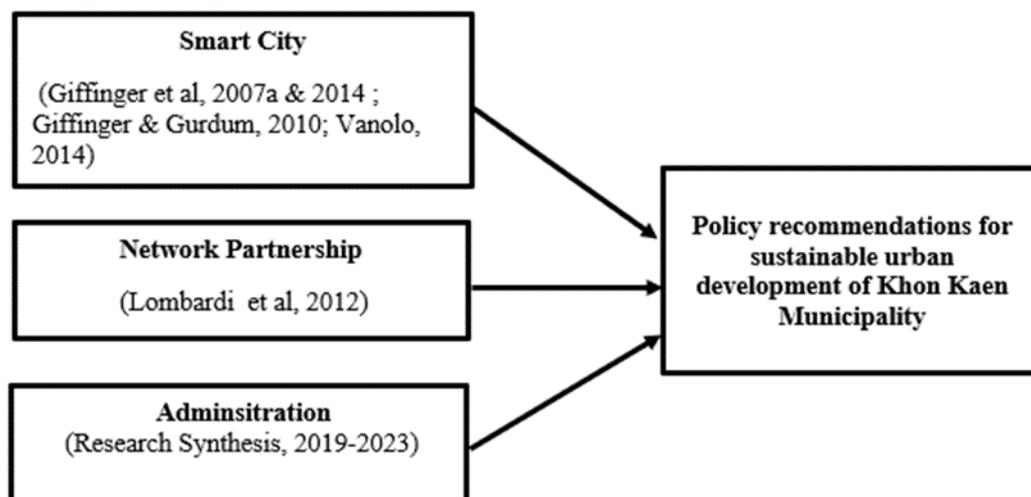
context. These principles are critical for achieving local success.

Beyond these definitions, administration can be summarized as a set of continuous processes and goals aligned with policies and missions. Effective administration enables networks to adapt appropriately to their environments, leveraging decentralized management processes to achieve success.

An extensive review of relevant research demonstrates a significant relationship between effective administration practices and sustainable urbanization. The synthesis of pertinent literature indicates that sound administrative strategies positively influence the achievement of sustainable urbanization goals (Malandrino et al., 2019; Patrose, 2023; Pongsak et al., 2021; Duangjai, 2019; Voraprot, 2016; Athit, 2023).

**Figure 1**

*Conceptual Framework of the study*



## Research Methods

The research on Policy recommendations for sustainable urban development of Khon Kaen Municipality, Thailand is a qualitative research in which the researcher uses a nonprobability sampling method. The sample consisted of 3 groups of key informants representing the

government agencies, educational institutions, civil society and industry/private sectors, with 4 representatives from the government, 2 civil society and 2 industry sectors, totaling 8 persons. They have knowledge and experience as stakeholders in the implementation of smart cities of Khon Kaen Municipality by working and living in Khon Kaen Municipality which has seen

changes in Khon Kaen City. The key informants using the purposive sampling method, who have knowledge and experience, are stakeholders involved in the smart city implementation

of Khon Kaen Municipality by working and living in Khon Kaen Municipality who have seen changes in Khon Kaen including:

**Table 1**

*The number of key informants*

<b>Partners</b>	<b>Interviewees</b>	<b>Informants (person)</b>
<b>Government Agencies</b>	- Local executive representative, Khon Kaen Province - Representative of the civil servant under Public Works and Town Planning, Khon Kaen Province	2
<b>Educational Institutions</b>	- Representative of the lecturer of the College of Local Administration (COLA), Khon Kaen University - Representative lecturer at Faculty of Architecture, Khon Kaen University	2
<b>Civil Society</b>	- Community Chairman Representative - Representatives of the general public	2
<b>Industry/ Private Sector</b>	- Representative of the President of Khon Kaen Industry - Representative of Khon Kaen Tourism Association	2
<b>Total</b>	<b>8</b>	

Qualitative data analysis is applied content analysis by analyzing content based on a given topic as an interview theme. With regard to smart cities, network partnership, administration and recommendations that will be useful for providing policy recommendations to guide the city in a sustainable urbanization and livable future. Then, take questionnaire data, data from the target demographic. and interview data from informants from data collection. Perform analysis, synthesis, and organization of data and organize data content, as well as data classification to link data together both quantitative and qualitative data, and then present the data as an essay.

## Results

Results from the use of interviews on driving towards sustainable cities: An analysis of the role of smart cities, network partners, and management of Khon Kaen Municipality is presented in 3 parts: Smart City, Network Partnership and Administration as follows:

1. The study identifies key aspects of the smart city dimension that are essential for creating sustainable urbanization in Khon Kaen Municipality. The findings emphasize the following elements: efficiency of people participation in city management and policies Emphasized for people's benefit that are as follows:

"I think that if we want to develop something in Khon Kaen area, we have to have people at the heart of our cooperation. People must participate in helping development, cooperate as one, and our city will develop quickly and clearly. Then cooperation between states must be obtained. Private or non-profit organizations to effectively implement sustainable initiatives and achieve sustainability goals." (1st Interviewee: Male, 45 years old, informant from Government sector)

"I see smart cities as an opportunity for us to better address the challenges that arise in cities, such as managing tourism, tackling pollution, traffic congestion and lack of decent housing, by using data and technology to help solve urban problems and create new opportunities for the city's economic development to become a more sustainable city." (8th Interviewee: Female, 40 years old, informant from industry/private sector)

"I think that urban development is the people, no matter how well the government comes up with policies. If the public disagrees, it will be of no use. This is before the government issues a policy. Public hearings are one of the key factors in building smart cities that contribute to the sustainability of the public sector. Khon Kaen will be a truly smart city that can lead to sustainability." (3rd interviewee: Male, 34 years old, informant from EDU. sector)

"As I've been working in the community, I've always been a community worker. I think that sustainable urban development must start with government policies that encourage people to eat well and receive equal welfare from the government." (4th interviewee: Male, 70 years old, informant from civil society sector)

The study highlights some key aspects of network partnerships that are essential for fostering sustainable urbanization in Khon Kaen Municipality. The findings emphasize that support for

local government and promoting a culture of collaboration and shared responsibility are key to successful urban development. Purposive samplings are as follows:

"It's the main thing. The government will be responsible for formulating policies and laws that support the sustainable development of cities. Then the network partners must be aware and come to help create shared value to strengthen the community. To build this foundation too." (2nd Interviewee: Male, 64 years old, informant from Government sector)

"I think unity is at the heart of the network, and the network partners, whether it is people in the community, the state, the private sector, shopping malls, shops, if they cooperate with the community, can greatly strengthen the sustainable city of our community because everyone has a different role to play in helping to build trust and good relationships in the community. It also stimulates economic, social and environmental development." (5th interviewee: male, 70 years old, informant from civil society sector)

"I, whom represented the education sector perceive that our organization is being another organization that plays a role in educating and understanding the importance of natural resource conservation, environmental management, and sustainable development to enhance knowledge and create engagement with the community. (4th interviewee: Male, 48 years old, informant from government sector)

"I think that having a strong network of partners and a good vision leads to a good life, well-being, reducing inequality, access to fast services, to develop and support projects related to sustainable development of the city." (7th interviewee: Male, 53 years old, informant from industry/ private sector)

The study identifies key administrative strategies that are crucial for creating sustainable cities in Khon Kaen Municipality. The findings emphasize the following elements: strengthening local ideas and building strong communities re vital for the sustainable administration of Khon Kaen Municipality. By emphasizing these elements, policies can help create a resilient and sustainable urban environment that meets the long-term needs of its residents. Purposive samplings are as follows:

"Actually, building a strong base for sustainable development of communities and people in the long term comes from the government. If you talk about the administration of results, let's talk about it closely. In the municipality, leaders of all organizations must be good role models for their subordinates to set an example for the development of their own organizations. It will gradually grow and contribute to sustainable development." (2nd interviewee: Male, 64 years old, informant from government sector)

"Before any activities in the community can take place, there must be a referendum on everyone's opinion first, because every citizen in the community is important to participate in decision-making on policies and projects that affect the community, and leaders of all organizations must be good role models for their subordinates to set an example for further development." (5th interviewee: Male, 70 years old, informant from civil society sector)

"I think we need to build community partnerships by supporting projects related to sustainable development so that people in the community can be aware of the development together and act together by collaborating with local organizations, businesses or those who share the same interests to have sustainable results and long-term success." (6th interviewee: Male, 50 years old, informant from EDU. sector)

"If we collaborate with the government and the public sector to develop policies that promote sustainable urbanization, sustainable use of resources and production, and long-term impact on the local economy. Create understanding with all sectors of society to affect urban development in a sustainable direction." (7th interviewee: Male, 53 years old, informant from industry/ private sector)

## Conclusion and Discussion

In term of the smart city that will create sustainable urbanization, it was concluded that smart cities can be sustainable. It must increase the efficiency of city management and create the future sustainability of the city effectively. Focus on the use of technology for the benefit of the people and increase the quality of life of residents. Provide people with comprehensive, fast and equitable access to health information, as well as provide comprehensive health services for people of all ages. The city plan is designed to develop a modern environment and provide people with electricity and water supply systems to provide services thoroughly in accordance with the times and have better results. Government agencies must be involved in formulating smart city development policies with cooperation from the civil society and private sectors. This is to determine the approach that affects the physical transformation model to achieve different operational objectives. This includes the success of smart city development and is a fundamental factor that supports the growth of smart cities internationally in the future. The results of the study are consistent with the research of Samita et al. (2020) and Phanupong Muadkhunthod. (2022).

Within the network partnership, it emphasizes links between communities and opportunities for information exchange and cooperation to help build trust and relationships in the community. Supporting local businesses to grow and connect

with global markets Create an environment that fosters innovation and learning. Promote the strength of growing communities and create urbanizations that can adapt to the situation and meet the needs of the people in the long term to create sustainable cities, that is, harmonious, brainstorming ideas and creating shared responsibility with the goal of urban development, taking the common good as the location to prevent development failure. Try to create dialogue, create dialogue, work together, and build trust with collaborators. Strengthening society and strengthening relationships between communities is also important to build social strength and strengthen confidence in sustainable living. Good and sustainable management should focus on building a sustainable society. By supporting innovation and positive changes to society and the economy, as well as setting strategies as role models for organizational development. Efficient use of resources leads to sustainability. The results of the study are consistent with the research of Han & Kim (2021).

Enclosed by the administration to build a sustainable urbanization, it should focus on sustainable development by focusing on the efficient use of available resources. This includes water management for sustainable sustainability of energy systems, as well as environmental protection. Sustainable good management also requires strengthening the fundamentals. The municipality aims to be citizen-centered, or it can

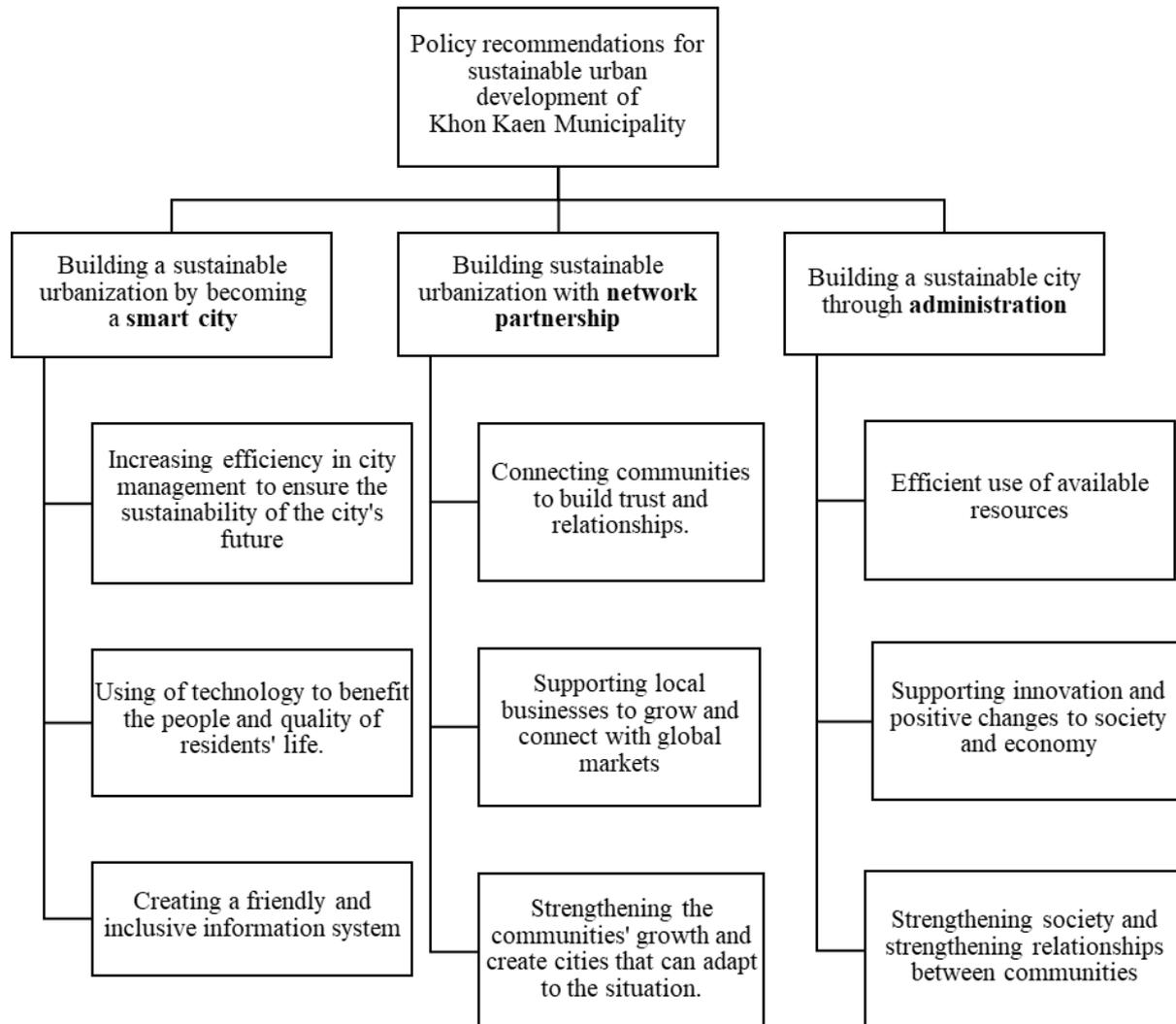
be said that a local government organization should respond to the needs of the people. The results of the study are consistent with the research of Pongsak et. al, (2021).

### Practical recommendations

To create a sustainable and balanced city in terms of economy, society, and environment. The preferable environment for living and business is essential to be able to achieve sustainability in urban development. The policies created should focus on building communities and networks that connect citizens and the private sector. To have participation in the decision-making process and planning of urban development. Creating connecting spaces and public facilities to promote citizen walking and create a healthy and sustainable society. It should also support local businesses and innovations that create jobs and income for communities, while promoting environmentally friendly projects such as waste management, tree planting, and the use of renewable energy. Creating policies to promote local linkages and collaboration between the public and private sectors in developing local projects that create sustainable impacts on communities and creating a transparent management system. This is to ensure that the development of the city is sustainable and in the right direction. The researcher had synthesized the results of a study that showed three (3) elements that contribute to sustainable urbanization as shown below.

Figure 2

Policy recommendations for sustainable urban development of Khon Kaen Municipality



### Suggestion for Future research

1. Future Research Directions: Further research should explore the relationships among smart cities, network partnerships, administration, and sustainable urbanization. This research should also involve a comparative analysis of current findings with historical data to assess changes and trends over time.

2. Business Promotion and Development: Future studies should investigate strategies for promoting and developing businesses in sustainable urban areas. This includes supporting creative industries and small enterprises, as well as

encouraging the integration of technology in business practices to enhance community benefits.

3. Educational Initiatives: Educational programs should be developed to foster the creation of a connected and cohesive society. This involves supporting social and community activities that strengthen relationships and promote a sense of unity within the city.

4. Additional Research Factors: Further research should examine other factors, such as the role of network partnerships in contributing to the development of livable cities. Additionally, identifying success factors that facilitate the establishment of learning cities should be explored.

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# The Challenge of Senior Economic Officials' Meeting in ASEAN Dispute Settlement Mechanism

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## Abstract

This study examined the challenge of Senior Economic Officials' Meeting (SEOM) under the Protocol on Enhanced Dispute Settlement Mechanism 2019 (ASEAN DSM 2019) in the Association of Southeast Asian Nations (ASEAN). In ASEAN; SEOM assists the ASEAN Economic Ministers handling with all ASEAN economic matters. The SEOM also supervises dispute settlement mechanism for ASEAN economic agreements. Under the ASEAN DSM 2019, SEOM plays a significant role. The SEOM establishes panels. It adopts reports of a panel and the Appellate Body. The SEOM also enforces decisions of the panel and the Appellate Body. This research aims to study role of SEOM under the ASEAN DSM 2019. The findings revealed that judicial adjudication under the ASEAN DSM 2019 is not independent body. The SEOM controls whole dispute resolution procedures under the ASEAN DSM 2019. However, members of SEOM are representative of all ASEAN countries including the parties to the dispute. Arguable, adjudication proceedings under the ASEAN DSM 2019 is not impartiality. This paper suggested that ASEAN should establish a dispute resolution body for dispute settlement in ASEAN separately from SEOM.

## Introduction

The Association of Southeast Asian Nations (ASEAN) has reviewed its dispute settlement mechanism two times first in 2004 and second in 2019. However, the whole system of dispute resolution is still controlled by Senior Economic Officials Meeting (SEOM). In principle, the Dispute Settlement in ASEAN (ASEAN DSM 2019) is a quasi-judicial body (Davidson, 2004). It deals with

economic disputes which may arise among ASEAN member states (Davidson, 2004). Unfortunately, since 1996, the ASEAN dispute settlement has never been used by any ASEAN countries. (Sim, 2020). However, it does not mean there is no trade dispute among ASEAN member states. In fact, some trade disputes were resolved intra ASEAN through diplomatic dispute resolution by consultation and negotiation (Tan, 2004), while other trade disputes were resolved through the

WTO dispute settlement, for example trade dispute between Singapore and Malaysia in 1995 (WT/DS1, 1995) and a dispute between Thailand and the Philippines in 2008 (WT/DS371, 2022).

Technically, regarding the ASEAN DSM 2019, SEOM plays important role as a dispute settlement body. The SEOM is an administrative body for dispute settlement (Secretariat, 2019). The SEOM establishes panels. It adopts both reports of a panel and the Appellate Body. It also enforces decisions of the panel and the Appellate Body (Secretariat, 2019). In other words, under ASEAN economic cooperation, SEOM has tasks to implement all economic agreements (Beckman, 2016). The SEOM was assigned to work side by side with the ASEAN Economic Ministers (AEM) to coordinate and monitor the implementation of all economic agreements in ASEAN (Beckman, 2016). All of these tasks are not easy since the capacity of SEOM is limited in term of human resource and procedures. In practice, SEOM mainly depends on the Secretariat of ASEAN (Secretariat) for its assistance (Keosnaidi et al., June 2014). Nevertheless, in some point, the Secretariat lacks human recourses. The Secretariat has to assist and facilitate all ASEAN institutions (Keosnaidi et al., June 2014). Interestingly, under ASEAN, there is no detail working procedures for SEOM both to handle economic matters in ASEAN and to supervise the ASEAN DSM 2019 (Beckman, 2016). Most importantly, the ASEAN DSM 2019 allows members of SEOM whose governments are the parties to the dispute taking part in decision making process (Secretariat, 2019). Notably, SEOM is a diplomatic meeting which all members of SEOM are representatives of all ASEAN member states (Chow et al., 2018). Considering, under the ASEAN dispute settlement, adjudicative body is not independent body, so it might lead to impartial adjudication proceedings.

Certainly, the institutional issues under the ASEAN DSM 2019 lead to impasse adjudication process. Arguably, ASEAN lacks an effect of dispute resolution, so investor should have no confidence in ASEAN (Sim, 2020). ASEAN will be more attractive if ASEAN improves the structure of institution (SEOM) under the ASEAN DSM 2019. An effective dispute settlement mechanism would enhance confidence of investors in the ASEAN Economic Community (Soeparna, 2021). In other words, a problem has been happening under the WTO makes ASEAN member states and other regional free trade agreement have to consider seriously strengthening and increasing credibility its dispute settlement mechanisms as a tool to solve trade disputes in the region (Foo, 2022).

This study aims to examine of a legal problem of dispute settlement in ASEAN. Under the ASEAN DSM 2019, SEOM plays a significant role as an administrative body to dispute resolution. However, SEOM is not independent organ in ASEAN. Members of SEOM are representatives of all ASEAN countries including the parties to the dispute. Arguably, judicial adjudicators under the ASEAN DSM 2019 would have problems in dispute resolution proceedings. Therefore, adjudication proceedings under the ASEAN DSM 2019 will become more impartiality if ASEAN establishes a dispute settlement body for the ASEAN DSM 2019 separated from SEOM.

## Research Methods

This research paper analyses legal issue of SEOM in ASEAN. This paper reviews and examines the role and function of SEOM under ASEAN economic agreements including the ASEAN Charter and the ASEAN Protocol on Enhanced Dispute Settlement Mechanism 2019

(ASEAN DSM 2019). Notably, under other ASEAN economic agreements, SEOM has task to handles with all ASEAN economic matters. In other words, according to dispute settlement in ASEAN, SEOM supervises the ASEAN dispute settlement mechanism under the ASEAN DSM 2019. To explore legal issues, this research reviews certain literatures related to ASEAN dispute settlement and SEOM.

This paper applies concept of legalisation to analyze legal issue of the dispute resolution in ASEAN. According to this concept, it is not easy that adjudicative body in ASEAN would operate its function impartially because dispute resolution procedures are controlled by SEOM. However, members of SEOM are representation of all ASEAN countries including parties to the dispute. The issue of legalisation in dispute settlement is the main issue dealing with in this paper.

### Literature review

General speaking, there are several literatures discussing about dispute settlement in ASEAN for example Kaplan (1996). The author examined the WTO and NAFTA Chapter 20 dispute settlement mechanism and proposed a comprehensive dispute resolution settlement for ASEAN Free Trade Area (AFTA) (Kaplan, 1996). Since ASEAN established the AFTA in 1992, there was not a dispute settlement mechanism for resolving trade disputes arisen under the AFTA. The author argued that to create the AFTA, ASEAN confronted the tension between need of AFTA for legal harmonization and persistent uneasiness of the Association over the institutionalization such requires of harmonization (Kaplan, 1996). However, ASEAN risked handicapping its efforts to realize primary objectives of AFTA: to draw foreign investment to the region and to increase intra-ASEAN trade by reducing tariff

and non-tariff barriers, all these by failing to pay adequate attention to the legal infrastructure of trade (Kaplan, 1996). The author also suggested that unquestionably a dispute settlement mechanism under AFTA must fit comfortably into informal consultative style in ASEAN whereas it reflects some useful, effective elements of the WTO and NAFTA dispute settlement system. The AFTA had to incorporate its own unique mechanism on character with ASEAN's more consensus-based decision making (Kaplan, 1996). More importantly, to create an acceptable yet workable AFTA dispute settlement mechanism remained feasible. Any proposed dispute settlement mechanism had to be both political acceptable to ASEAN. It also had to be supportive of the private sector-led growth which AFTA was designed to bolster (Kaplan, 1996).

While, Kiriyaama (1998) did a comparative study concerning institutional evolution in economic integration (Kiriyaama, 1998). The author compared ASEAN dispute resolution mechanism with other dispute settlements such the WTO, the EU and NAFTA (Chapter 19 and Chapter 20). The author found that according to the ASEAN DSM 1996, ASEAN provided a panel system. Under this dispute settlement, a panel would be established by a party to a dispute upon request (Kiriyaama, 1998). For the adjudication, the author argued that the adjudication over greater limited on discretion of member states in dispute resolution which were shown by consultation. For the Appellate review, the author found that under the ASEAN DSM 1996, the ASEAN's appellate review appeared to be a little different. It was an inter-governmental body. It had ASEAN Economic Minister, who conducted an appeal review. Panel procedures were not provided (Kiriyaama, 1998). Furthermore, in term of political

intervention, the author found that the procedures under the ASEAN DSM 1996 were possible that political intervention existed. The author mentioned that the final ruling of the panels had to be approved by an inter-governmental body-SEOM. By nature, this approach was more political than judicial (Kiryama, 1998). The author further explained that the procedures under the ASEAN DSM 1996 were different from the NAFTA dispute settlement. Reports of the panel were not directly addressed by parties to the dispute themselves. The SEAN DSM 1996 was also differed from the WTO dispute settlement. The ASEAN DSM 1996 took used majority approach. This still allowed disputants gathering to get support from other members (Kiryama, 1998). The author expressed that before any further measures might be taken, a final decision under the ASEAN DSM 1996 procedure, automatically binding shall be provided. Or alternatively, the procedures must be accepted by the parties to the dispute (Kiryama, 1998). The author also concluded that the ASEAN DSM 1996 marked ASEAN as a type of cooperation forum with adjudication. The author recommended that ASEAN should improve the roles of the institutions of ASEAN and its legislative role such as role of the ASEAN Economic Ministers, SEOM and the Secretariat of ASEAN as institutions involving trade dispute resolutions (Kiryama, 1998).

In other words, Leviter (2010) examined the ASEAN Charter. The author found that the ASEAN Charter has failed due to the 'ASEN Way' deeply seated norms, encapsulated (Leviter, 2010). For over a decade which ASEAN countries do not want to formalize its dispute resolution mechanism since adopted a provision under the Common Effective Preferential Tariff scheme for ASEAN Free Trade Area in 1992 (Leviter, 2010).

The ASEAN countries crafted its dispute settlement in 2004. This demonstrated that the ASEAN gradually accepted rules—based in economic integration. Nonetheless, dispute resolution in ASEAN remained as option rather than a mandate. (Leviter, 2010). The ASEAN DSM version 2004 allows ASEAN member states at any time to engage in conciliation or mediation. The author argued that the ASEAN DSM 2004 was expressly a non-obligatory instrument, since the ASEAN DSM 2004 was adopted; there was no case (Leviter, 2010). The ASEAN member states continued relying on relation—based dispute resolution. As a result, when ASEAN countries were unable or unwilling to implement agreements, they simply renegotiated. Due to the loose instruments, the process of regional economic in the integration was suffered (Leviter, 2010).

Whereas, Chow (2008) found that even all ASEAN countries are members to the WTO, the international organisations do not provide comfort for the areas in the grey penumbra or in the areas outside the shadow itself While, it is true for the areas under the umbra of those international organisations (Chow, 2008). For example, the global institutional supply might provide insufficient for settling a dispute if there were insufficient overlap such as ASEAN entering into internal WTO plus trade agreement like AFTA. This provided for disciplines beyond those subject to the dispute settlement under the WTO (Chow, 2008). In this sense, a way to settle that dispute, ASEAN needs to develop such dispute settlement. While it had done so for disputes related the interpretation or application of ASEAN economic agreements. By agreeing in the ASEAN Charter, these problems would be settled through the ASEAN Protocol on Enhanced Dispute Settlement Mechanism (Chow, 2008). Moreover,

the author found that if looking only at hard legal institutions for the rule of law in ASEAN, it might be reductive. Whereas, the obligations might not be specifically enforceable by an adjudicative process, due to the political costs resulting from non-compliance and the international obligations were usually complied with (Chow, 2008). Where the international political cost of non-compliance was outweighed by the domestic political cost, so this allowed ASEAN member states in extremis making a calculation in order to suspend certain obligations instead of withdrawing completely from the regime and for these specific safety valves many international agreements in any case provided (Chow, 2008). In contrast, much economic cooperation within ASEAN which was based on a large extent on a personal and consensual approach and had in the past been largely achieved by the ASEAN way through the advent of the ASEAN Charter that could signal a paradigm shift (Chow, 2008).

Whereas, Koesnaidi and others (2014) discussed some of viewpoints under ASEAN dispute settlement mechanism 2004 (ASEAN DSM 2004). The author found that ASEAN DSM 2004 lacked compulsory jurisdiction over resolution of dispute which was one point that discouraged ASEAN member states to submit the case in order to solve their disputes. ASEAN member states were not mandated to use the ASEAN DSM 2004 (Keosnaidi et al., 2014). Under the ASEAN DSM 2004, ASEAN member states had an option to loge the case in ASEAN or the WTO dispute settlement. The ASEAN DSM 2004 provided a choice of forum (Keosnaidi et al., 2014). In addition, the authors also found that under the ASEAN DSM 2004, a manpower problem including legal staff and administrative also existed (Keosnaidi et

al., 2014). In fact, there was a limited number of support staff who worked at the legal division to assist the Secretariat of ASEAN in order to carry out its functions (Keosnaidi et al., 2014).

In theory, independence of adjudication is a key issue to legalisation. Legalisation of dispute resolution should comprise three dimensions: independently, accessible and enforceable (Robert et al., 2000). Independence refers to the extent to—formal legal arrangement ensuring that impartiality with respect to concrete state interests can render adjudication (Robert et al., 2000). While, accessing specifies parties not states can easily influence the agenda of the tribunal. (Robert et al., 2000). In other words, enforceability denotes the extent that decisions of dispute resolution can be implemented without taking any actions by the governments (Robert et al., 2000). Notably, in detail, independence refers to an international authority who charges with dispute resolution can deliver and get legal judgments independently (Robert et al., 2000). At the end states continue purely controlling the traditional international dispute resolution in law and political places. The interested parties' agents resolve disputes by themselves. Each side offers its own interpretation rules and their applicability to the case at issue. Disagreements are settled through bargaining in institutionalized interstate. There are not procedure permanent rules or legal precedent. In legalized dispute settlement, decisions have to be consistent with international law (Robert et al., 2000). However, the outcome is also possible being influenced institutional rules by determining the conditions-interpretation standards, requirements of voting, selection under which authoritative decisions are made (Robert et al., 2000).

Notably, in principle, there are three dimensions which defines characteristics of legalisation: obligations, procession and delegation (Kenneth et al., 2000). The third dimension of legalisation-delegation refers to the extent which states and other actors delegate authority to designate third parties including courts, arbitrators, and administrative organizations—to implement agreements (Kenneth et al., 2000). The characteristic forms of legal delegation are third—party adjudication which has authority to interpret rules and applied such rules to individual facts. Thus, it is not in ineffect to make new rules, at least interestingly under established international law doctrines (Kenneth et al., 2000). When the parties are consent to bind decisions of third—party adjudication on the basic of clear and general applicable rules, dispute settlement mechanisms are most highly legalized. In contrast, when the process involves political bargaining between the parties who are able to accept or deny proposals without legal justification, those dispute settlement mechanisms are least legalized (Kenneth et al., 2000).

On other words, regarding a managerial theory, the best way of promoting compliance is that to design more effective regimes and to provide mechanism to assist and to resolve problems (Thompson, 2013). Institutions have functions to facilitate state parties. Institutions provide advice and assistance to promote compliance (Thompson, 2013). When it comes to non-compliance, institutions are potentially valuable information source and coordination and enforcement even if they lack independent enforcement capacity (Thompson, 2013). When rules are ambiguous, institutions provide clarification. They resolve conflicts of interpretation (Thompson, 2013). Additionally,

institutions help identify behavior as non-compliant by providing transparency and monitoring. In addition, institutions also help to supply information in order to motivate states interacting within and through them, thereby to clarify whether or not the enforcing state is acting in defense of international rules more aggressively (Thompson, 2013). Probably, all of these increase a chance which non-compliance will be reached with enforcement actions (Thompson, 2013). Nevertheless, it doesn't mean every institution has equal effect in this point. In general, when it comes to clarify rules, find facts, and endorse sanctions against a violator, highly legalisation and independent institutions are viewed more credibly (Thompson, 2013).

Similarly, Koremenos (2012) discussed the design of international institutions-international adjudication and issues of compliance (Koremenos, 2012). The author found that for international delegation and adjudication, an important branch in the literature on international agreements is relevant to the interpretation of law and the extent to that adjudication and delegation in international agreements arise (Koremenos, 2012). Arguably, states may violate commitments due to they simply misinterpreted ambiguous provisions in an agreement not only due to they lack the capacities to comply with the rules (Koremenos, 2012). The institutions may break down: an action by one side is potentially mistakenly viewed as a breach of commitment by the other and, in turn, triggerd retaliation if this is the case, absent some mechanisms of adjudication among the disagreeing parties (Koremenos, 2012). The author suggested that adjudication may help to resolve this problem by channeling disputes over the interpretation of agreement language into institutionalized

procedures. An unwarranted breakdown of cooperation may be prevented, so it creates more robust forms of cooperation in the presence of noise (Koremenos, 2012). Moreover, it looks like uncertainties about the other behavior of actors. The presence of adjudication can also be connected to the enforcement phase. Being identified as a violator of terms of an agreement by an authorized, independent body is assumed to inflict an increased reputational cost on it (Koremenos, 2012).

In general, according to dispute settlement mechanisms in regional free trade agreements, there are two types of dispute settlement body—political body and adjudicating bodies (adjudicative body or panels and a standing appellate body). The purpose to establish the dispute resolution institutions is to elaborate institutional structures for administration (Chase et al., 2016). In fact, the dispute resolution institutions in types of the political bodies are charged with the overall administration of the agreement. They may be composed at the ministerial level, a lower level, or both. To varying degrees, those bodies have role in dispute resolution both directly and indirectly. Precisely, some agreements designed such political bodies acting as dispute resolution institutions. They have authority to intervene directly into the dispute settlement rulings without consent of the disputing parties (Chase et al., 2016). In contrast, some agreements, those political bodies are assigned to participate in the dispute settlement process. They supervise functions being formally notified of consultations and or panel requests, appeal review. They adopt final reports made by panels and the Appellate Body. They also enforce decisions of panels, and authorize retaliatory measures for non—compliance (Chase et al., 2016).

## Results and Discussion

### 1. Overview of ASEAN Dispute Settlement

#### 1.1 Introduction of Dispute Settlement Mechanism under ASEAN

Technically, the ASEAN DSM 2019 is a government—to—government dispute settlement (Chase et al., 2016). The ASEAN DSM 2019 provides third party adjudication for resolving dispute intra ASEAN concerning the interpretation and application of ASEAN economic agreements (Secretariat, 2019). In pursuant to the provisions of the ASEAN DSM 2019, any matter affecting to implement, interpret or apply the Agreement or any covered agreement, ASEAN member states shall accord adequate opportunity for consultation regarding any representations made by other ASEAN member states. Any differences must be resolved amicably between the Member States as far as possible (Secretariat, 2019).

According to the provisions of the ASEAN DSM 2019, there are several processes. First is consultation process. Once an ASEAN member state takes an action against other ASEAN member state before dispute settlement under ASEAN, the process started from consultations between the disputing parties (Secretariat, 2019). Second is panel stage. If the consultations fail to settle the issue, a party to the dispute may request SEOM to establish a panel (Secretariat, 2019). The panel has tasks “[t]o make an objective assessment of the dispute before it, including an examination of the facts of the case...and to make its findings and recommendations in relation to the case” (Secretariat, 2019, art.9). The findings and recommendations of the panel shall be submitted to SEOM. Then SEOM must adopt that report unless there is consensus not to do so or a party notifies its decision to appeal (Secretariat, 2019). Third is an appeal

review stage. A party to the dispute can appeal the report of a panel to the ASEAN Appellate Body (Secretariat, 2019). The Appellate Body reviews a particular case regarding issues of the law written in the panel report including legal interpretations that the panel developed. The report of the Appellate Body must be adopted by SEOM unless there is consensus not to adopt it (Secretariat, 2019). Final stage is implementation stage. The disputing parties unconditionally must accept. The respondent party has to comply with the decisions written in the reports of the panel or the Appellate Body (Secretariat, 2019). Considering, the ASEAN dispute settlement is modeled to the WTO dispute settlement (Sim, 2020), but with certain different aspects. For example under WTO dispute settlement, Dispute Settlement Body is a permanence body. In contrast, in ASEAN, SEOM is diplomatic representatives of all ASEAN member countries meetings. Members of SEOM are not permanent (Koesrianti, 2005; Sim, 2020).

### *1.2 The development of dispute settlement mechanism in ASEAN*

In theory, the dispute settlement mechanism in ASEAN plays quasi-judicial role to resolve trade disputes intra ASEAN. ASEAN developed its dispute settlement from a pure diplomatic approach to legalistic approach (Kaplan, 1996). ASEAN member states started their economic cooperation by establishing the AFTA in 1992 (Tan, 2004). According to the AFTA, trade disputes that might occur among member states shall possibly be settled amicably between ASEAN member states (Kaplan, 1996). On the other hand, the Common Effective Preferential Tariff (CEPT) scheme for the AFTA further defined that the ASEAN Free Trade Area Council (AFTA

Council) was created to resolve AFTA disputes (Secretariat, 1992). This means that in case the parties to the dispute could not achieve any amicable solution, they could refer to the AFTA Council and the ASEAN Economic Ministers either as a last resort (Kaplan, 1996).

However, in 1996, ASEAN established the first dispute settlement mechanism by signing the Protocol on Dispute Settlement Mechanism (ASEAN DSM 1996) (Secretariat, 1996). This dispute settlement would resolve disputes by third party adjudication such as panel (Secretariat, 1996). Regrettably, there were certain weaknesses such as under the ASEAN DSM 1996, SEOM could reject to establish a panel, or even decided to deal with cases on their own (Hsu, 2010). As a result, in 2004, ASEAN replaced the ASEAN DSM 1996 by signing the ASEAN Protocol on Enhanced Dispute Settlement Mechanism (the ASEAN DSM 2004) (Secretariat, 2004). The ASEAN DSM 2004 improved certain problems related to SEOM (Kooi, 2007). For example, in pursuant to the provisions of the ASEAN DSM 2004, SEOM could not deny establishing a panel or even taking part in dispute resolution as adjudicators. The SEOM shall establish a panel and adopt a report of panel (Secretariat, 2004). However, in 2019; ASEAN replaced the ASEAN DSM 2004 by the 2019 ASEAN Protocol on Enhanced Dispute Settlement Mechanism (ASEAN DSM 2019). Certainly, comparing the ASEAN DSM 2004 and the ASEAN DSM 2019, there are some improvements for example the provision of Article 23 which is related to special procedures involving least-development member states. Furthermore, the ASEAN DSM 2019 provides several procedures of dispute resolution which the disputing parties are supposed to follow with (Secretariat, 2019).

Nonetheless, since ASEAN adopted the ASEAN DSM 2019 until today, there is not any case invoked by ASEAN member states. On the other hand, it does not mean there are not economic disputes in ASEAN (Foo, 2022; Tan, 2004). In practice, for example ASEAN member states resolved trade disputes through diplomatic dispute resolution approach and/or brought the cases to the WTO dispute settlement (Kwok, 2023; Sim, 2014). Considering, even though ASEAN reviewed its dispute settlement two times, it still maintains more political aspects more than legalisation. Under the ASEAN DSM 2019, a political body such as SEOM controls the dispute resolution procedures.

## 2. Role and Function of SEOM in ASEAN

### 2.1 Supervising Economic Matters

In ASEAN, SEOM has multiple roles in economic cooperation. Under ASEAN economic cooperation, SEOM is an assistant institution supporting the ASEAN Economic Minister (AEM) (Woon et al., 2015). The SEOM was assigned to work side by side with the AEM. The SEOM coordinates and monitors the implementation of all ASEAN economic agreements and being the arbiters of ASEAN economic agreements (Severino, 2015). In the past, the AEM operated its functions through five economic committees not SEOM. After 1992, ASEAN assigned SEOM with a task to deal with all aspects of ASEAN economic cooperation which is in line with the streamlining of the ASEAN organizational structure (Davidson, 2002).

The SEOM holds its meetings at least two times per years in order to review and supervise all economic aspects (Secretariat, 2008). In fact, there are more than 200 meetings which SEOM had with officials covering subjects which range

from science and technology to environment and culture. Basically, ASEAN holds its meetings over 600 meetings per year (Toohey, 2011). Certainly, from the beginning, ASEAN assigned the AEM with power to review the coordination including the implementation of agreed ASEAN programmers and also project on economic cooperation (Beckman, 2016). As discussed above SEOM was tasked to deal with all aspects of ASEAN economic cooperation, but oversight would be provided by the AEM. The SEOM meeting resolves technical issues, while the AEM meeting resolves issues of policy (Woon et al., 2015). Unfortunately, there are about 20-25 people who work with SEOM (Keosnaidi et al., 2014). The SEOM is similar to other ASEAN institutions generally relies on the support and facilitation of the Secretariat of the ASEAN in order to operate functions of SEOM (Keosnaidi et al., 2014; Phan, 2014).

### 2.2 Supervising the dispute settlement in ASEAN

Under the ASEAN DSM 2019, as mentioned before SEOM plays a role in dispute resolution. The SEOM establishes panels, adopts reports of panels and the Appellate Body and enforces the recommendations of the panels and the Appellate Body (Secretariat, 2019). In pursuant to Article 2 of the ASEAN DSM 2019, SEOM is an administrative body for dispute settlement mechanism in ASEAN (Secretariat, 2019).

As discussed before according to the ASEAN DSM 2019, there are several dispute resolution procedures which SEOM taking part to supervise. For example, when a member state requests to use the ASEAN DSM 2019 Mechanism, the party who requests consultations has to notify to SEOM (Secretariat, 2019). Additionally, any ASEAN member state who considers that it has a substantial interest in consultations, if such member state desires

to join in the consultation; it is able to notify the consulting member states and SEOM (Secretariat, 2019).

Under the panel process, SEOM also plays several roles in dispute resolution procedures (Secretariat, 2019). For example according to Article 6 of the ASEAN DSM 2019, if the consultations fail to resolve the problems, the complainant party can request SEOM to establish a panel. The SEOM must establish a panel except SEOM decided not to establish the panel by consensus (Secretariat, 2019). Notably, before SEOM adopts reports of the panel, the findings and recommendations of the panel must be submitted to SEOM. After the disputing parties review the interim report, comment and agree on it, then the panel can submit the interim report to SEOM as being considered the final panel report (Secretariat, 2019). Certainly, under the ASEAN DSM 2019, SEOM has to adopt a panel report, except a party to the dispute notifies SEOM for an appeal or SEOM decides not to adopt that report by consensus (Secretariat, 2019). Interestingly, during the deliberations of SEOM, members of SEOM whose governments are members of disputing parties are able to be presented (Secretariat, 2019). On the appeal review process, similar to the process to adopt the panel report, SEOM has to adopt a report of the Appellate Body, except SEOM decide not to adopt that report by consensus (Secretariat, 2019).

On implementation stage, SEOM acts as an enforcement institution. The SEOM oversees the non-compliance matter (Secretariat, 2019). Non-compliance problems are placed on every agenda of SEOM meetings, until it is resolved (Secretariat, 2019). The SEOM conduct surveillance on the implementation of the findings and recommendations of panel and Appellate Body. Any non-

compliance is possible to be raised at the SEOM meeting by any ASEAN countries at any time (Secretariat, 2019). The respondent party has to submit a status report of implementation within 10 days prior the each such SEOM meetings (Secretariat, 2019). In addition, SEOM has power to grant authorization on compensation and suspension of concessions measures. The winning party may impose trade retaliation measures on the losing party by request authorization from SEOM (Secretariat, 2019). Considering, SEOM plays significant role on dispute resolution under the ASEAN DSM 2019. Regrettably, SEOM is an inter-governmental organ. By nature, it is more political than judicial. All members of SEOM are representative of all ASEAN member states, so how SEOM would operate its function impartiality (Kiryama, 1998).

### 3. Discussion

General speaking, SEOM has a significant role to supervise both ASEAN economic agreements and dispute settlement under the ASEAN DSM 2019. However, there are certain challenges for SEOM to operate those roles efficiently. The SEOM is a dependent body. All members of the SEOM are representatives of all ASEAN countries (Limsiritong, 2018; Phan, Spring 2014; Secretariat, 2009). In theory, the dispute resolution will be less legalization if its process belongs to member countries directly (Sim, 2020). Moreover, the composition of SEOM is less available (Toohey, 2011). In practice; members of SEOM compose of senior capita-based government officials. Members of SEOM are at least deputy-directors of international relation within trade and investment ministers level (Toohey, 2011). Representatives to SEOM are not exclusively assigned to SEOM. The members of SEOM also hold formal positions in

other ASEAN organs and in their home countries (Chow et al., 2018). Certainly, the adjudication under the ASEAN DSM 2019, one question may be raised that how SEOM gives advice on certain problems on finding written in reports when members of SEOM are not experts in ASEAN law. Significantly, the dispute resolution system under the ASEAN DSM 2019 is closed the door to political institution such as SEOM. In this sense, private individuals are hardly to predict what would happen next. Arguably, disputes such as barriers of tariff and non-tariff to trade seem to be disputes between individual to government rather than government to government, as a scholar mentioned that “the private sector needs..., transparent mechanism to ensure its ability to implement business plans efficiently” (Kaplan, 1996, p. 176).

In other words, the ASEAN DSM 2019 allows all members of SEOM including the disputing parties to participate in decision making process. For example, as an administrative body for the ASEAN DSM 2019, SEOM may participate in dispute resolution proceedings such as in the drawing up the reference terms of the panel process in consult with the disputing parties (Secretariat, 2019). However, there is not clear how SEOM conducts its meetings. There are no written guidelines detailing the general functions of SEOM. In practice, SEOM relies heavily on institutional memory and practice, which in itself can vary and is not sustainable in the long term (Beckman, 2016). Furthermore, it is also not clear how SEOM takes decisions. According to the ASEAN Charter, ASEAN takes decision by consensus. SEOM is one of ASEAN institutions which mean that SEOM would take a decision by consensus (Deinla, 2017). Arguably, in principle, it is possible that SEOM will struggle with decision-

making process. How SEOM can reach an agreement by consensus if members of SEOM whose governments are the parties to the dispute are allowed to participate in decision making process?

## Conclusion

ASEAN established the dispute settlement mechanism for ASEAN economic agreements since 1996, but until today, it has never been used by any ASEAN member states. Although ASEAN reviewed its dispute settlement two times, SEOM still retains control over adjudication procedures. In ASEAN, SEOM has multiple tasks. The SEOM assists the ASEAN Economic Ministers to handle with all economic matters in ASEAN. SEOM also supervises the dispute settlement mechanism under the ASEAN DSM 2019. However, SEOM is a political body in ASEAN. Members of SEOM are representatives of all ASEAN countries. Additionally, there is no working procedure for SEOM to guide the dispute resolution. Arguably, SEOM would apply the ASEAN Way approach resolving dispute by consultation and consensus. In practice, SEOM takes decisions by consensus. Under the ASEAN DSM 2019, members of SEOM who are nationals to the disputing parties are allowed to participate in the process of decision making. Assuming, how SEOM reaches an agreement on certain issues related dispute resolution process.

Therefore, ASEAN should improve the role and functions of SEOM. This research suggests that ASEAN should establish a dispute settlement body for the ASEAN DSM 2019 separately from SEOM. As one scholar has expresses that the ASEAN dispute settlement mechanism will be more effective and attractive ASEAN countries to utilize dealing with inevitably trade disputes

arising among them under ASEAN economic agreements and increase investors' confidence in the ASEAN Economic Community if ASEAN improves role and functions of SEOM (Kooi, 2007).

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## A Proposed Competency Model for Future Thai Executives

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### Abstract

Rapid and unpredictable changes are occurring across multiple dimensions. Executives play a critical role in organizations, and their incompetence can lead to organizational failure. Ineffective management often results from executives lacking the necessary competencies. This article aims to identify the essential competencies for future executives using a concurrent triangulation method. Data were gathered from 27 senior Thai executives, experts, and employees across government organizations, educational institutions, and both public and private sectors in Thailand through in-depth interviews and group discussions. Additionally, a survey of 345 respondents was conducted to perform confirmatory factor analysis of the competencies for future Thai executives. These findings highlight the competencies required for Thai executives to effectively respond to the evolving global workforce and future world of work.

### Introduction

Executives play a critical role in management, serving as the key driving force behind the functioning and success of every department. As the world undergoes rapid and unpredictable changes across various dimensions, the competencies of executives become essential in navigating complex environments and delivering optimal performance for their organizations (Love and Femi Ayadi, 2015 ).

In response to these changes, many organizations are prioritizing strategy development and policy shifts, often leveraging modern technology to adapt to disruptive phenomena such as advancements in disruptive technologies. Abun, Julian, Calipjo, and Nicolas (2023) reported that executives have a crucial role, and their competence—or lack thereof—can determine an organization's success or failure. Poor management arises when executives lack essential competencies such as leadership, vision, communication, and the ability to create conducive learning environments.

The literature review highlights various factors that can affect the management system and, consequently, organizational productivity. These issues may also lead to high employee turnover. Developing executive competencies is challenging, as it often depends on the executives' willingness to grow. However, for an organization to achieve sustainability, it must balance management with the development of both short- and long-term strategies.

Identifying the key competencies executives need in this context is crucial for enhancing performance before they assume their roles, much like fastening the first button of a shirt correctly. Furthermore, the continued development of competencies after taking office—akin to equipping executives with the necessary tools—is vital for success. This development significantly influences the proactive performance of the management team and is a key factor in shaping future leadership success (Chiu, Wu, Bartram, Parker, & Lee, 2023).

The purpose of this article is to identify the competencies required of modern executives and to propose how these competencies can be applied to develop executives at all organizational levels. The goal is to enable executives to manage and develop strategies effectively, in a timely manner, and to respond to disruptions, thereby fostering a sustainable competitive advantage for the organization.

This study employs the Concurrent Triangulation method to obtain complementary results. The first component involves a qualitative study based on in-depth interviews with senior executives and human resources experts, followed by group discussions. The findings from these interviews serve as a framework for the discussions. The second

component involves a quantitative survey, using a questionnaire to gather data from executives and employees in government organizations, educational institutions, and both business and private sectors. The data are then analyzed using Confirmatory Factor Analysis (CFA).

The research team integrates the findings from both components to discuss the results in relation to the study's objectives. The aim is to provide recommendations and guidelines for applying these research outcomes to the development of executive competencies.

## Literature Review

### Leadership

Leadership is an inspirational process that motivates people to work hard to accomplish significant tasks. The fundamental question is: "Who is a leader?" The most widely accepted answer is that a leader is anyone who influences individuals and groups within an organization and guides them toward achieving set goals (Meraku, 2017). Leadership plays a crucial role throughout the lifespan of an organization (Nicolaidis & Duho, 2019), particularly in challenging situations. Organizational leaders help employees adapt to new realities and perform their duties according to changing conditions.

Exhibiting strong leadership has a profound impact on the performance, behavior, and mental well-being of followers (Aslam, Saleem, Kumar, & Parveen, 2022). In environments where organizations are rapidly evolving and becoming more complex, effective leadership is essential for guiding executives through various situations with efficiency. Executives who possess clear vision and strategy can inspire motivation and drive positive change within the organization.

However, leadership remains a complex and multifaceted process that varies across contexts. Despite its complexity, it is widely believed that effective leadership can influence follower behavior, motivate organizational members to achieve their goals, foster cooperative relationships, and promote teamwork, all of which are critical for organizational success (Anuyahong, Pengnate, & Rattanapong, 2023).

### *Change Management*

In today's unpredictable business environment, effective change management is crucial for organizations to thrive and remain competitive. Change is a continuous and inevitable aspect of organizational life, and the ability to manage it effectively requires strong management skills and clear guidelines. It is the responsibility of executives to interpret changes in the external environment and adjust organizational strategies to align with these shifts (Okolie & Memeh, 2022).

Phillips and Klein (2023) report that change management plays a key role in helping employees accept new developments within the organization. Executives must implement various strategies to increase acceptance of change and reduce potential barriers. Successful change management is essential for overcoming resistance and fostering innovation within an organization.

Organizations that fail to adapt quickly may face crises, but those that can respond actively to change can turn these challenges into opportunities for growth (Sung & Kim, 2021).

### *Technology and Innovation Literacy*

Organizations that fail to respond to technological advancements in a timely manner will inevitably face failure or, in the worst case,

jeopardize their survival. However, the true challenge of change lies not solely in adopting technology, but in effectively integrating it into the workplace. This integration is not limited to hardware and software; it involves the ability of human resources to adapt and learn to use new technology (Nikou, Reuver, & Kanafi, 2022).

Technological literacy refers to individuals' abilities to effectively utilize the innovations and advancements developed in various scientific fields. Previous research suggests that critical thinking and decision-making skills are closely tied to information and communication technology (ICT) tools, such as data analysis and information management. Understanding IT and digital knowledge is essential for preparing to meet the challenges of Industry 4.0 and beyond (Santoso & Lestari, 2019).

Herman, Maknun, Barliana, and Mardiana (2019) further emphasize that technological literacy involves the ability to use, manage, evaluate, and understand technology. This not only enhances individual work efficiency but also improves organizational effectiveness (Nikou, Reuver, & Kanafi, 2022). Similarly, innovation literacy, closely linked to creativity and technology, is vital for organizational development.

Alsuwaidi and Omar (2020) reported that innovation literacy includes the ability of executives to coordinate resources within the organization, fostering a culture of creativity and improvement. This, in turn, allows organizations to embrace change and create opportunities for experimentation with new ideas. Bag, Gupta, Choi, and Kumar (2021) add that encouraging executives to think outside the box and propose new ideas, methods, or technological solutions fosters creativity. This approach enables organizations to recover quickly and adapt to new challenges.

### *Business Acumen*

Business acumen is an essential skill for professionals who wish to continue advancing in their careers (Rafter, Sassenberg, & Bamford-Wade, 2021). This skill set includes a deep understanding of business and industry trends, which is crucial for driving long-term competitive advantage and fostering innovation (Schultz & Nel, 2020). Makhele and Barnard (2020) also describe business acumen as the ability to make quick and accurate business judgments and decisions. Individuals with strong business acumen tend to apply their intellectual abilities to analyze ideas more thoroughly than the average person.

According to Grilli (2022), those with business acumen often develop more innovative strategies compared to others. In industries that require extensive knowledge and offer opportunities for growth, success depends on recognizing individuals within the organization who possess a deep understanding of both technology and marketing, often gained through work experience.

Similarly, Ragas (2019) concludes that business acumen involves having a comprehensive knowledge of business functions, key stakeholders, and markets critical to an organization's success. This knowledge enables individuals to evaluate business performance and provide informed strategic recommendations to senior management, ultimately influencing organizational decision-making.

### *Communication*

The ability to communicate effectively is crucial for diverse teams, especially in international environments, where communication skills

are developed over time through practice (Chatman, Johnson, White, & Bell, 2020). In complex contexts, Meirinhos, Cardoso, Neves, Silva, and Rêgo (2023) report that communication studies provide guidance and help influence individuals towards achieving common goals. Understanding communication as both a strategic and operational management tool is essential for enhancing organizational performance and efficiency.

Effective employee engagement can only be achieved when strong interpersonal communication skills become a core component of organizational performance. Musheke and Phiri (2021) emphasize that a sound communication strategy is vital for business survival, as communication links decision-makers with all employees. Poor communication, on the other hand, often leads to conflict within organizations.

Arendt, Verdorfer, and Kugler (2019) note that leaders and followers continuously interact through communication. High-quality relationships are typically characterized by cooperative communication, while low-quality relationships often involve top-down, authoritarian communication, leading to higher levels of interpersonal dominance and less collaborative decision-making.

The manner in which leaders communicate with their followers is, therefore, crucial to fostering the quality of relationships, as well as influencing relationship and work outcomes. Communication can take various forms, including formal meetings, informal conversations, and company-wide announcements (Ramirez—Lozano, Peñaflor-Guerra, & Sanagustín-Fons, 2023).

## *Strategic Thinking*

Strategic thinking is a mental process that involves creativity and observation (Smriti, Dhir, & Dhir, 2021). This allows executives to assess current environmental realities and anticipate future challenges, reducing the impact of complexity and change. Executives adopt proactive approaches to adapt to environmental shifts, investing strategically where opportunities exist and addressing threats using the organization's available resources (Shamkhi & Saleh, 2023). For this reason, executives are required to possess creative vision, act as systematic analysts, and make dynamic decisions to steer their organizations toward long-term success (Al-Abbadia, Alsmairat, Alshawabkeh, & Rumman, 2024).

Rodrigues, Ferreira, and Neves (2021) found that many academics agree that strategic thinking refers to the ability of executives to envision the future and develop strategies that provide their organizations with a competitive advantage. Aaltola (2019) further emphasized that strategic thinking is an essential skill for all executives, suggesting that the more strategic thinkers an organization has, the better equipped it will be to adapt to changes in the business environment.

## *Conclusion of Literature Review*

The reviewed literature on leadership, change management, technology and innovation literacy, business acumen, communication, and strategic thinking underscores the critical competencies modern executives must possess to lead effectively in a fast-changing global environment. Strong leadership enables employees to adapt to evolving organizational realities, while effective change management equips organizations to navigate disruptions and capitalize

on innovation. Furthermore, leveraging technological expertise and fostering innovation literacy, combined with robust business acumen, ensures that executives can make informed, strategic decisions that drive long-term organizational success.

Effective communication, both as a strategic tool and a means to build cooperative relationships, is essential for fostering employee engagement and ensuring organizational efficiency. Additionally, strategic thinking empowers executives to anticipate future challenges and seize emerging opportunities, facilitating proactive decision-making that sustains competitive advantage.

These findings directly support the objectives of this research, which seeks to identify and develop the key competencies required for executives to excel in increasingly complex and dynamic business environments. The literature provides a strong foundation for understanding the competencies that drive organizational success and highlights the need for a comprehensive competency model. This model will not only aid in the development of current and future executives but also help organizations maintain a sustainable competitive edge in the global marketplace.

## *Methodology*

### *Sample and data collection*

The key informants for this study were individuals with knowledge, skills, and experience in competencies required for future executives. The sample consisted of: 1) 13 senior executives and human resources experts. Data were collected using in-depth, semi-structured interviews, with open-ended questions allowing each interviewee to express their views over approximately 60

minutes. The data from these interviews were then analyzed for content; 2) 14 experts and academics were invited to participate in group discussions on ongoing issues to validate the content analysis results.

For the confirmatory analysis, a sample of executives and employees from government sectors, educational institutions, businesses, and private sectors in Thailand was targeted, with an intended sample size of 400 individuals. Participation in the questionnaire was voluntary, and assurances were given that all data would remain confidential and anonymous. Questionnaires were distributed to both public and private organizations in Thailand that had consented to data collection. At the end of the collection period, 345 usable responses were received, representing a response rate of 86.25%, which is more than sufficient for data analysis and exceeds the threshold for multivariate analysis, which requires a sample size of more than 300 participants (Comrey & Lee, 1992).

The majority of respondents were between 25-40 years old (47.2%), held a bachelor's degree or equivalent (53.3%), and had over 10 years of work experience (41.4%). In terms of organizational roles, 125 respondents (36.2%) were operational executives (front-line managers), 89 (25.8%) were middle managers, and 36 (10.4%) were top executives. Additionally, 95 respondents (27.5%) held other positions such as lecturers, academics, and operational staff.

### *Measures*

The questionnaire was developed and adapted from the work of Sirapatsorn Wongthongdee et al. (2021) and was refined to ensure a high level of internal consistency. For this study, six elements

were defined and measured using a 5-point Likert scale, ranging from 1 (strongly disagree) to 5 (strongly agree). These elements included: 1) Leadership (5 items), 2) Change Management (5 items), 3) Technology and Innovation Literacy (6 items), 4) Business Acumen (4 items), 5) Communication (5 items), and 6) Strategic Thinking (6 items). All items in the questionnaire were reviewed and approved by the Human Research Ethics Committee of Dhurakij Pundit University, Thailand, on 30 July 2023 ( $\alpha = 0.957$ ), indicating a high level of reliability.

### *Data Analysis Method*

Content analysis was employed to examine the findings from in-depth interviews and focus group discussions. Additionally, a statistical software program was used to assess the consistency of the measurement model developed by the research team. This involved secondary confirmatory factor analysis (CFA) to determine whether the measurement model aligned with the empirical data.

### *Results*

The findings from the content analysis, derived from in-depth interviews, group discussions, and the overall averages from the questionnaires, are presented in Table 1. These results provide a comprehensive view of the competencies identified and validated through both qualitative and quantitative data.

Table 1

Summary of the findings from in-depth interviews, group discussion and the overall average from the questionnaire

Findings from in-depth interviews for 6 competencies (Interview from 11 Oct. 2023 – 8 Dec. 2024)	Finding from focus group discussion for 6 competencies (Group Discussion as of 2 February 2024)	Finding from Stakeholders surveyed questionnaires: 6 competencies (Data collected in October 2023) (n = 345)
1. Leadership (Leadership) (n = 13) 2. Knowledge and understanding of change of global trends and geopolitics (Geopolitics) (n = 10) 3. Digital knowledge, understanding and skills (Digital Literacy) (n = 9) 4. Business acumen (Acumen) (n = 5) 5. Hard and Soft Skills in Various Languages (Multi-Language Literacy) (n = 3) 6. Strategic forecasting, proactive work, listen and collect ideas to expand and elevate from available resources (Strategic Estimation, Proactive, Smart Listening, Expansion and Leveraging) (n = 3)	1. Leadership (Leadership) (n = 13) 2. Knowledge and understanding of change in diversity, global trends and geopolitics (Diversity & Geopolitics) (n = 9) 3. ability to manage change (Transformational Leadership) (n = 8) 4. Digital knowledge, understanding and skills (Digital Literacy) (n = 6) 5. Hard and Soft Skills in various languages (Multi-Language Literacy) (n = 5) 6. Two-way communication that creates understanding and reaches subordinates well (Two-way communication) (n=4)	1. Leadership ( $\bar{x}$ = 4.11) 2. Change Management ( $\bar{x}$ = 4.09) 3. Knowledge about innovation and technology (Technology and Innovation Literacy) ( $\bar{x}$ = 4.05) 4. Knowledge of the organization (Business Acumen or Knowledge of Organization) ( $\bar{x}$ = 4.12) 5. Communication ( $\bar{x}$ = 4.14) 6. Strategic Thinking ( $\bar{x}$ = 4.07)

The results of the analysis using Bartlett's test revealed that all variables were significantly related to one another at the .05 level. When testing the suitability of the variables for confirmatory factor analysis (CFA) using the Kaiser-Meyer-Olkin (KMO) measure, the overall KMO value was found to be .940. For individual variables,

the Measure of Sampling Adequacy (MSA) values ranged from .923 to .962, all of which are greater than the .50 threshold (Hair et al., 2019). Therefore, it can be concluded that the variables were appropriate for use in confirmatory factor analysis. The detailed results are presented in Table 2.

Table 2

Input Validation (Correlation, Bartlett's test, and KMO)

Variables	LEA	CHA	TEC	BUS	COM	STR
1. Leadership (LEA)	1					
2. Change Management (CHA)	.820*	1				
3. Technology and Innovation Literacy (TEC)	.733*	.721*	1			
4. Business Acumen (BUS)	.798*	.814*	.720*	1		
5. Communication (COM)	.805*	.813*	.755*	.779*	1	
6. Strategic Thinking (STR)	.843*	.845*	.751*	.804*	.839*	1
MSA	.940	.932	.962	.948	.939	.923
Bartlett's test = 2184.034, Sig. = .000, KMO = .940, MSA .923 to .962						

Note. \*All Correlation are Significant at the .01 Level (2-tailed).

The examination of the measurement models for all six variable elements—Leadership, Change Management, Technology and Innovation Literacy, Business Acumen, Communication, and Strategic

Thinking—revealed that all models were consistent with the empirical data. The detailed results for each of the six models are presented in Table 3.

Table 3

Goodness of Fit Indices for the Measurement Models of Six Variables

Measurement Model	Goodness of Fit Indices	Fitness
Leadership	Relative $\chi^2 = 2.151$ , p-value = .072, GFI = .991, NFI = .991, TLI = .988, CFI = .995, RMSEA = .058, RMR = .008	Acceptable
Change Management	Relative $\chi^2 = .821$ , p-value = .482, GFI = .997, NFI = .998, TLI = 1.001, CFI = 1.000, RMSEA = .000, RMR = .004	Acceptable
Technology and Innovation Literacy	Relative $\chi^2 = 1.714$ , p-value = .090, GFI = .987, NFI = .987, TLI = .990, CFI = .995, RMSEA = .046, RMR = .010	Acceptable
Business Acumen	Relative $\chi^2 = .517$ , p-value = .596, GFI = .999, NFI = .999, TLI = 1.004, CFI = 1.000, RMSEA = .000, RMR = .003	Acceptable
Communication	Relative $\chi^2 = 2.118$ , p-value = .096, GFI = .993, NFI = .996, TLI = .992, CFI = .998, RMSEA = .057, RMR = .006	Acceptable
Strategic Thinking	Relative $\chi^2 = 1.997$ , p-value = .076, GFI = .991, NFI = .994, TLI = .990, CFI = .997, RMSEA = .054, RMR = .006	Acceptable
Fit Criteria*: Relative $\chi^2 \geq 3$ , GFI $\geq .90$ , NFI $\geq .95$ , TLI $\geq .95$ , CFI $\geq .95$ , RMSEA $< .06$ , RMR $< .05$		

Note. \* (Hu & Bentler, 1999; Joreskog & Sorbon, 1984 ; Kline, 1998; Schreiber, Stage, King, Nora, & Barlow, 2006; Schumacker & Lomax, 2004).

The second—order confirmatory factor analysis was conducted to examine the factor loadings of the six variables. The consistency indices were as follows: Relative  $\chi^2 = 1.232$ ,  $p$ -value = .270, GFI = .989, NFI = .995, TLI = .998, CFI = .999, RMSEA = .026, RMR = .004. Based on these results, we conclude that all six variables are suitable and appropriate for further analysis using second-order confirmatory factor analysis.

The results of analysis of weight values ( factor loading ) of 6 variables, with the second confirmatory factor analysis, were found that the index of consistency was as follows: Relative  $\chi^2 = 1.679$ ,  $p$ -value = .000, GFI = .905, NFI = .943, TLI = .969, CFI = .976, RMSEA = .044, RMR = .016. These results indicate that the competency model

for future executives, developed by the research team, aligns well with the empirical data.

In other words, the competencies of future executives include: Competency in Strategic Thinking, which had the highest factor loading, followed by Competency in Leadership, and Competency in Change Management, which had the same factor loading as Competency in Communication. Competency in Technology and Innovation Literacy ranked next, while Competency in Business Acumen had the lowest factor loading. The  $\beta$  values ranged between .96 and .87, all of which meet the appropriate threshold of greater than 0.5, as per Kline's criteria (2016). Further details are provided in Table 4 and Figure 1.

Table 4

*Results of the Second-Order Confirmatory Factor Analysis for Competencies of Future Executives*

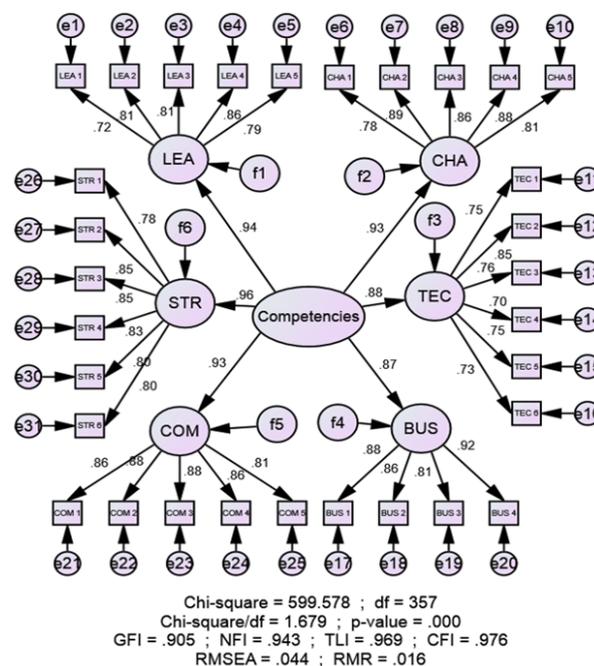
Variables/Items	Abbreviations	$\beta$	b	SE	$r^2$
<b>Leadership</b>	<b>LEA</b>	<b>.94</b>	<b>.92 *</b>	<b>.049</b>	<b>.892</b>
1. Able to identify personal mistakes and corrective actions.	LEA 1	.72	.82 *	.056	.518
2. Able to communicate and motivate team members to stay enthusiastic about their work.	LEA 2	.81	.92 *	.048	.662
3. Able to lead a team and provide constructive feedback.	LEA 3	.81	.91 *	.047	.659
4. Able to create value and credibility for both team members and external stakeholders.	LEA 4	.86	1.00		.736
5. Able to offer advice and recommendations to correct work of both internal and external members.	LEA 5	.79	.92 *	.050	.631
<b>Change Management</b>	<b>CHA</b>	<b>.93</b>	<b>1.00</b>		<b>.867</b>
1. Able to analyze and predict global trends and directional shifts.	CHA 1	.78	.83 *	.045	.605
2. Able to set clear short- and long-term goals.	CHA 2	.89	1.00 *		.787
3. Able to adjust organizational structure to be agile and responsive to current changes.	CHA 3	.86	.89 *	.039	.738
4. Able to manage change and adapt organizational strategies.	CHA 4	.88	.96 *	.048	.777

Variables/Items	Abbreviations	$\beta$	b	SE	$r^2$
5. Able to offer advice and recommendations to correct work of both internal and external members.	LEA 5	.79	.92 *	.050	.631
<b>Change Management</b>	<b>CHA</b>	<b>.93</b>	<b>1.00</b>		<b>.867</b>
1. Able to analyze and predict global trends and directional shifts.	CHA 1	.78	.83 *	.045	.605
2. Able to set clear short- and long-term goals.	CHA 2	.89	1.00 *		.787
3. Able to adjust organizational structure to be agile and responsive to current changes.	CHA 3	.86	.89 *	.039	.738
4. Able to manage change and adapt organizational strategies.	CHA 4	.88	.96 *	.048	.777
5. Able to prepare the organization for future changes.	CHA 5	.81	.84 *	.042	.656
<b>Technology and Innovation Literacy</b>	<b>TEC</b>	<b>.88</b>	<b>.78 *</b>	<b>.059</b>	<b>.770</b>
1. Able to develop beneficial innovations for the organization and service recipients.	TEC 1	.75	.96 *	.072	.562
2. Able to leverage organizational resources to successfully innovate.	TEC 2	.85	.95 *	.064	.721
3. Able to evaluate and continuously improve organizational innovations.	TEC 3	.76	.91 *	.068	.571
4. Able to appropriately use technology for information search.	TEC 4	.70	1.00		.494
5. Able to use digital tools for collaboration, such as online meetings or cloud sharing.	TEC 5	.75	.95 *	.044	.563
6. Able to protect personal information and ensure others' privacy.	TEC 6	.73	.84 *	.047	.535
<b>Business Acumen</b>	<b>BUS</b>	<b>.87</b>	<b>.90 *</b>	<b>.050</b>	<b>.749</b>
1. Able to analyze organizational data and environments to enhance capabilities.	BUS 1	.88	.92 *	.060	.772
2. Able to improve work processes and cross-functional activities for efficiency.	BUS 2	.86	.91 *	.059	.732
3. Able to foster an organizational culture that supports progress.	BUS 3	.81	.93 *	.064	.654
4. Able to analyze growth opportunities in line with changing global conditions.	BUS 4	.92	1.00		.851
<b>Communication</b>	<b>COM</b>	<b>.93</b>	<b>.98 *</b>	<b>.051</b>	<b>.867</b>
1. Able to be open-minded and promote participation both internally and externally.	COM 1	.86	.94 *	.041	.747
2. Able to communicate important issues clearly to relevant stakeholders.	COM 2	.88	1.00		.782

Variables/Items	Abbreviations	$\beta$	b	SE	$r^2$
3. Able to communicate with transparency and justify actions.	COM 3	.88	.99 *	.041	.773
4. Able to effectively communicate organizational policies and key issues internally and externally.	COM 4	.86	.98 *	.044	.735
5. Able to promote open communication and a positive organizational image.	COM 5	.81	.95 *	.047	.661
<b>Strategic Thinking</b>	<b>STR</b>	<b>.96</b>	<b>.99 *</b>	<b>.052</b>	<b>.919</b>
1. Able to understand organizational strategy, direction, and goals.	STR 1	.78	.84 *	.042	.614
2. Ab Able to communicate strategy and goals to organizational members.	STR 2	.85	1.00		.730
3. Able to propose projects aligned with organizational strategy.	STR 3	.85	.95 *	.046	.727
4. Able to improve operations in line with organizational strategy.	STR 4	.83	.94 *	.047	.695
5. Able to adjust strategy according to environmental changes.	STR 5	.80	.81 *	.044	.639
6. Able to present strategic directions that drive organizational progress.	STR 6	.80	.87 *	.047	.641
Initial CFA Model: Relative $\chi^2= 3.624$ , p-value= .000, GFI = .777, NFI = .852, TLI = .878, CFI = .888, RMSEA = .087, RMR = .024					
Final Model: Relative $\chi^2 = 1.679$ , p-value = .000, GFI = .905, NFI = .943, TLI = .969, CFI = .976, RMSEA = .044, RMR = .016					

Note. \*p < .001

Figure 1  
A Second Order CFA Model



## Discussions and Conclusion

The primary objective of this article is to identify the competencies required for future Thai executives, with the aim of incorporating these competencies into practice for the development of executives at all organizational levels. The results of the confirmatory factor analysis (CFA) indicate that the future executive competency model developed by the research team aligns with empirical data. Specifically, this model measures the competencies of future executives and consists of six key elements (Sirapatsorn Wongthongdee et al., 2021). The competencies are ranked in order of importance based on factor loadings as follows: first, Strategic Thinking competency; second, Leadership competency; followed by Change Management competency, which has the same weight as Communication competency. Next is the Technology and Innovation Literacy competency, and lastly, the Business Acumen competency.

In this article, the elements of the Strategic Thinking competency were analyzed by considering the factor loadings at the level of individual question items. It was found that future executives must possess a thorough and in-depth understanding of strategy. Specifically, they must be able to communicate strategy, direction, and goals to other members of the organization (STR 2;  $\beta = .85$ ) and define projects or activities that align with the organizational strategy (STR 3;  $\beta = .85$ ). Moreover, possessing Strategic Thinking means that future executives must be able to anticipate future trends and develop strategies that provide their organizations with a competitive advantage (Rodrigues, Ferreira, & Neves, 2021) and drive long-term success (Al-Abbadia, Alsmairat, Alshawabkeh, & Rumman, 2024). This includes

creating opportunities and managing threats that the organization may encounter (Shamkhi & Saleh, 2023). Consistent with the qualitative findings, the results from in-depth interviews revealed that a new-era executive must be able to make tactical predictions, proactively adopt strategic initiatives, engage in deep listening, and gather insights to enhance and leverage the organization's available resources.

Leadership competency is one of the key elements that human resources experts, both from in-depth interviews and group discussions, identified as critical for future executives. When analyzing the weight of individual question items, it was found that future executives must be able to create value and build trust both within the organization and externally (LEA 4;  $\beta = .86$ ) whi This finding aligns with the work of Anuyahong, Pengnate, and Rattanapong (2023), who reported that executives with a clear vision and strategy foster motivation within their organizations, influence follower behavior, and inspire organizational members to achieve their goals while maintaining cooperative relationships and teamwork. These insights suggest that leaders with strong Leadership competencies have a profound influence on the credibility, motivation, behavior, and mental well-being of their followers (Aslam, Saleem, Kumar, & Parveen, 2022). Therefore, future executives must possess strong leadership competencies to effectively guide and inspire their teams toward achieving organizational goals.

When analyzing the Change Management competency, it was found that future executives must be capable of clearly defining both short-term and long-term work directions and goals (CHA 2;  $\beta = .89$ ) This finding is consistent with Okolie and

Memeh (2022), who emphasized that the ability to forecast and anticipate competition in today's era is a critical skill. Change is a constant in organizational life, and executives must navigate external environmental shifts to align the organization's plans with the best possible approaches. It is the responsibility of executives to interpret and adjust methods to ensure they remain relevant to the organization's evolving environment. This finding aligns with the results from in-depth interviews and focus groups, which concluded that executives must possess knowledge and understanding of change, diversity, global trends, and geopolitics. The research team believes that this broad knowledge base will enable future executives to comprehensively analyze various situations affecting the organization and define strategic short-term and long-term goals accordingly. In essence, intelligent learning and adaptation to change will facilitate sustainable organizational growth and transformation.

When analyzing the Communication competency, it was found that future executives must possess strong communication skills. Specifically, they should be able to convey important issues in a way that is easily understood by those involved (COM 2;  $\beta = .88$ ), and communicate and perform duties with transparency, providing clear explanations for their actions (COM 3;  $\beta = .88$ ). Chatman, Johnson, White, and Bell (2020) suggested that effective communication skills are developed through regular practice and are essential for team collaboration. Executives must take responsibility for communicating with the teams they lead. In terms of transparency, Musheke and Phiri (2021) highlighted that communication acts as the link between management and employees, and poor communication often leads to conflict within the organization. The research

team believes that future executives should prioritize reliable, transparent, and clear communication, free from ambiguities, to foster unity within the organization. Additionally, communication should be conducted in a manner that encourages employee participation (Meirinhos, Cardoso, Neves, Silva, & Rêgo, 2023). This is consistent with the findings from focus groups, which emphasized that future executives must possess strong two-way communication skills to effectively engage with subordinates and foster mutual understanding.

The analysis of the Technology and Innovation Literacy competency revealed that future executives must prioritize and recognize the importance of utilizing organizational resources to develop innovations that provide the greatest benefit (TEC 2;  $\beta = .85$ ). This is a particularly challenging area for executives, requiring critical thinking and decision-making skills, especially in the era of digital disruption, where most tools are related to information and communication technology (Santoso & Lestari, 2019). The research team's perspective aligns with the findings of this study, which indicate that most changes and new technologies are implemented through the vision of organizational leaders. If executives are able to make decisions that maximize the use of technology for the organization's benefit, by possessing strong competencies in Technology and Innovation Literacy, they will emerge as practical and effective leaders. This is consistent with the findings of Alsuwaidi and Omar (2020), who reported that executives with Innovation Literacy have the ability to leverage all available organizational resources to enhance and even revolutionize their organizations. These leaders create space for experimentation and new ideas, a concept echoed by Bag, Gupta, Choi, and Kumar (2021), who found that

executives who think outside the box and present innovative ideas drive creativity within the organization. In addition, the findings from in-depth interviews and focus groups suggest that future executives should possess knowledge, understanding, and digital skills—often referred to as Digital Literacy—which the research team believes aligns with the overall direction of the study's results.

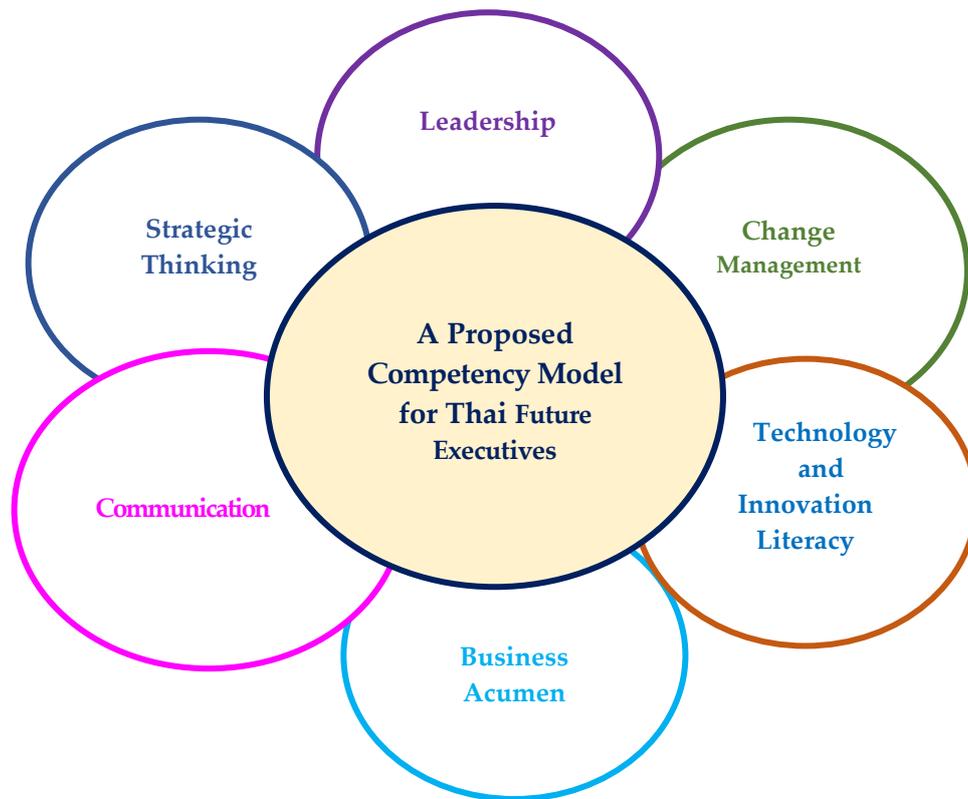
The analysis of the Business Acumen competency revealed that future executives must be able to predict or analyze growth opportunities for the organization in response to global changes (BUS 4;  $\beta = .92$ ). This finding is supported by insights from in-depth interviews and focus groups, which concluded that future executives should possess strong business acumen and the ability to manage change, often linked to Transformational Leadership. As Schultz and Nel (2020) noted, Business Acumen involves a deep understanding of business and industry trends that drive long-term organizational competitive advantage. The ability to identify growth opportunities is possible only when executives possess a thorough understanding of both technology and business strategies, which is often gained through work experience (Grilli, 2022).

## Recommendations

The confirmatory factor analysis (CFA) conducted in this study allowed for accurate measurement of the various elements within the competency framework for executives. The variables presented in Figure 2 represent key competencies that organizations may define as essential qualifications for modern executives. These competencies can be incorporated into executive development programs both prior to

assuming a role and as part of ongoing professional growth. A modular approach could be used, where experts in different competencies are invited to exchange knowledge on effective strategies and best practices for management at all levels. This would enable executives to proactively manage their responsibilities in alignment with current and future challenges. The findings from qualitative interviews, along with the competency model developed by the research team, support each other and demonstrate the robustness of the proposed model. However, to further refine and validate these competencies in different contexts, the research team recommends the following steps for future research. First, future studies should focus on developing measurement models that transform question items into observable indicators. Second, confirmatory factor analysis (CFA) should be used to further test relationships between variables, expanding the analysis into structural equation modeling (SEM). Lastly, researchers should ensure an adequate or similar sample size, particularly if conducting multi-group analyses among operational executives, middle managers, and senior executives. This approach would yield more in-depth and comprehensive insights, potentially revealing differences based on roles and responsibilities. Additionally, dividing the sample between government and private sector executives could offer valuable data for comparative analysis.

Figure 2  
A Proposed Competency Model for Future Thai Executives



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