Good Governance in Thailand: Limitations and Challenges

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During the past decade, Thailand saw one of most political turbulent period in history. Major events resulted in grave situation were: the financial crisis in 1997, the implementation of the October 1997 constitution, the September 19, 2006 coup d’ e’ tate by Royal Thai Army against the elected government of Prime Minister Thaksin Shinawatra, 2007 Constitution being into effect, the fall of two governments in 2008, the People’s Alliance for Democracy (PAD) occupying two international airports, and a declaration of state of emergency on April 13, 2009… To date, no resolution can efficiently put such a political rift into an end therefore national solidarity be still far ahead.

Such political unrests are put all blames onto individual greedy, nepotism, no transparency-public and private sectors alike, and corruption. All are directly concerned with the issue of good governance as that of the topic for discussion in this paper.

Good governance and public administration

A Thai academician advocated that the term good governance was used to replace modernization of the public administration because the World Bank (WB), first used the term in 1989, wanted to address the problem of public administrative corruption in developing countries but was unwilling to use the word corruption as such because it is a negative word and might offend governments of countries which the WB works with. In the WB report *Sub-Saharan: From Crisis to Sustainable Growth*, good governance is referred to good management of government mechanisms in administering social and economic resources for development. Later UNDP elaborated the meaning of good governance by addressing what is bad governance. Bad governance was defined to include failures by government to provide good and efficient public services.
In private sector, the issue of corporate governance has also become vital in respond to the financial crisis in 1997 towards economic recovery and a more sustainable development. The Asian Development Bank reported in 1999 that the crisis in Southeast Asian countries, including South Korea, was caused by a failure in implementing corporate governance. They were (1) a high concentration of company ownership, for instance, 57% ; (2) ineffective mechanisms of Board of Directors supervision; (3) inefficiency and in-transparency of the procedures for acquiring company control; (4) external funding domination of a company’s source of funds, i.e., bank loans; and (5) external funding was not accompanied by adequate creditor supervision. Hence, good corporate governance is therefore associated with well functioning, competitive corporate finance market, solid legal protection for outside investors, both for creditors and shareholders, and outside shareholders being able to influence director and management behavior. On the contrary, poor corporate governance practices usually include inadequate disclosure, lack of independent oversight, and weak oversight, and weak minority shareholders’ rights.\(^{(2)}\)

As such, good governance has since become prevalent, if not universal, in implementation. Each organization has executed planning and implementing in order to meet good governance objectives. It is however impossible here to deal with the topic in detail in all sectors, public and private, due to limitations of space and time. So, this paper aims to confine its discussion only on the public sector in relation to Thai political structure in modern era.

**Thai democratic state**

Thailand saw its birth of a democratic state in 1932 when a small group military and civilian bloodlessly seized power from the absolute monarch transforming the country into a more democratic state. The fierce and long struggles between the royalists and newly established governments prevailed from the periods of before and after WW. II. This had then become a golden opportunity for the military to set their stronghold in most of consecutive governments until 1973.
During the military governments, they had been highly centralized. Planning and budgeting were in the hands of central government while goods and services delivered to people, similarly to those previous monarch governments, in forms of a handouts, “giving to the poor”. The governments controlled numerous public enterprises producing most needed consuming commodities as well as public utilities. Local entrepreneurs, mainly Chinese descendants, narrowly inserted their efforts to produce manufactural commodities but acted subordinately under high ranking officials and officers.

Many studies including my own research (1985) showed public officials rarely involved in communal activities because they were mainly accountable to their higher echelons directly serving those in the central administration in Bangkok. This was because of various incentives, promotions as well as social recognition attaching to their own line of department. (3)

The Thai public administration, then and now, is divided into three hierarchical levels: the central administration, the provincial administration, and the tambol and village administration. The tambol is a commune or sub-district. A tambol is comprised of several villages and three to ten tambol make up one district. In a province, there are three to twenty districts. The central and provincial administrations are regarded as the governmental structure where in theory, employees are recruited through a merit system. These officials perform their functions under laws and regulations of the Civil Servant Commission. The tambol and village administration differs from those higher levels because the heads of tambol and villages are elected by the villagers of their localities. As so-called ‘semi-officials’ they are not part of the Civil Servant Commission, but accountable to the District Officer who is directly linked with the Department of Local Administration (DOLA) within the Ministry of the Interior. Thanks to the creation of tambol Administrative Council in 1994, its council members are accountable to the people of the locality whom elect them. However, they have to work side-by-side with the heads of tambol and villages.

Bureaucratic behavior
In my study, I found out that the Thai bureaucracy was dominated by four
characteristics. First, within the highly centralized structure of public administration, the
central administration had considerable power over the provincial and village administration.
This represented a way in which the Bangkok government attempted to politically influence
and control its citizens through the bureaucratic machine. The Ministry of the Interior,
especially in DOLA, was the backbone of this centralized system, controlling other
departments which, in turn, controlled the direction of welfare of the rural population. In
theory, the hierarchical nature of the bureaucratic structure in Thailand was used both to
implement government policy and to serve the needs of the people. In fact, it also served a
parallel function of insuring that development policy originated at the top and did not threaten
the interest of the bureaucratic, political, or economic elite.

Seventeen departments located in nine ministries worked in the area of rural
development. Each department managed its own policy, budget, and personnel, resulting in
civil officials working to satisfy both the Bangkok authorities and their own departmental
policies and interests. The Community Development Department and the Agricultural
Extension Department, for examples, established programs for operations according to their
own policies. Tight and unilateral control of one central administration over lower level
offices contributed to duplication and competition between these two departments. Both
reported that they extended similar services to the same population in order to compete for
more budget money from the central fund. The governor and district officer supposedly
coordinated the line agencies. In practice, however, they avoided conflicts with the sectional
offices by giving rubber stamp approval to whatever proposed programs pass through their
offices. According to administrative theory, a major reason for the existence of a bureaucratic
model was to enhance the efficiency and economy of an institution. In this case, however,
jealousy and political in-fighting among competing agencies had a negative impact on
attempts to implement rural development programs.

On the other side of the same coin, the highly centralized public administration limited
the capacity of the peasants to organize and determine their own destiny. They were forced to
play the passive role of recipients of goods and services provided by the extension workers. Local level organizations, set up to deal with fundamental problems of land holdings and equity, were not only discouraged, but were also often criticized as being part of a communist conspiracy. Political demands arising from the subordinate class were often perceived as threatening the domination and control of the ruling class as well as interfering with the process of capital accumulation. As a result, government – labeled ‘sensitive area’ (areas where villagers attempt to organize themselves in order to press their demands to the authorities) have grown in number at the same rate as had the development of capitalism in the Thai countryside. In 1960, for instance, six provinces were classified as sensitive areas. By 1975, the number had risen to 40, encompassing two-thirds of the country. Thanks to the Amnesty Law under the Kriangsak government, the sensitive areas rapidly decreased to no more than one third of the entire country.

Second, power in Thai bureaucracy is concentrated in the top echelons, i.e., the Director-General and the chiefs at the provincial and district levels of each department. The head officials maintained authority by controlling: (1) scarce resources; (2) the flow of information; and (3) the ability to deal with uncertainty in the environment or to make decisions. In regard to the last area, the extension workers, working at the command of the chiefs, could not make decisions. As low-ranking officials, they were apathetic—a pattern of work which was extremely detrimental to the progress of rural development. Ideally, extension workers should be innovative, eager to work, and able to make decisions in response to the needs of the rural population. The concentration of power at the managerial levels resulted in apathy on the part of extension workers in their later years of service. The Community Development Department workers in the Yang Talad office, for example, spent only 20 percent of their time working at the assigned tambol if they were in service over five years, as compared to the 60 percent spent by the newly recruited workers. The same was true for the Sri Mahapho office. The rest of their time was spent on their own interests, e.g., serving their superiors, studying for a degree, or running a business. The first two activities were for career advancement to a managerial position. The third option was favored by those who, failing to
attain this advancement in grade, found personal and financial satisfaction in their business sidelines.

Third, the incentive in Thai civil service was advancement in grade and salary. There were then eleven salary grades, ranging from 1,255 to 17,745 baht (54 to 771 US dollars). The higher the grade one occupied, the more control over manpower and resources one had. Hence, a young, newly-recruited official strived for a higher position. Normally, officials received a raise of one step each year. In order to get a raise of more than one step or to be promoted to a higher grade, he had to perform well to gain the notice of his superiors. When he reached a certain salary level, he became eligible to take and examination for promotion to the next higher grade. If he passed the examination, he was eligible for promotion, but he could not be promoted unless there was a position vacant at the higher grade. When several persons passed the examination but only one higher position was vacant, the superior decided who was promoted. Apart from good work performance, one was judged on ‘good personal relations.’ As this evaluation criterion was vague, it opened the opportunity for favoritism. Therefore, the civil officials sought occasions to do their superiors favors in order to earn a ‘good personal relations’ mark.

Finally, the mode of recruitment of civil servants was one of the most important factors to consider when studying Thai bureaucratic behavior. The basic criterion for recruitment was the degree or diploma that a candidate earned from a recognized educational institution. As the importance of education increased in the civil service, the ruling class and petty bourgeoisie sent their youngsters to study at the university level, both domestic and overseas. Students with higher degrees filled higher positions, and moved up to the top of the bureaucratic ladder at an accelerated rate. Those who hold certificates from the vocational colleges and secondary schools started at the lowest level, and were unlikely to reach the top positions because they lacked ‘sufficient’ educational background.

Such a mode of recruitment reflected the reproduction of the higher classes and of rank-and-file officials, whereas the masses were not eligible for bureaucratic positions. In the villages studied, I found that 95 percent of the youngsters left school after their graduation
after a compulsory (primary) education. Only a few children from middle-class and rich families went to secondary school and fewer still reached the vocational and university levels. The statistics also showed that no more than six percent of Thai university students were from farm families.

The bureaucratic recruitment system prevented the majority of the Thai population from entering civil service careers. Accordingly, the division between the upper and lower classes and the poor masses remained unchanged.

The Community Development Department and the Agricultural Extension Department, as well as other government agencies, used three similar strategies of implementation of rural development. First, the central administration directed extension workers to implement development programs and projects at their assigned tambol level. Second, the strategy of ‘betting on the strong’ was a technocratic model of rural development. ‘Betting on the strong’ meant that the government or extension workers worked with those farmers who possessed the potential to increase production. It was found that these farmers were already better off because they processed large pieces of land and had capital to invest. The workers consistently worked with them in project after project but excluded the poor and small farmers. In other words, the more well-to-do a farmer was, the more assistance and subsidies he was likely to get from the government. Finally, priority was given to the sensitive areas. The administrators paid special attention to certain projects and activities in these areas.

Lack of coordination resulted from competition between line agencies. I observed that the Community Development Department worker often worked on project generation through the tambol council and the village development committee. However, the Agricultural Extension Department workers, as well as the workers from other agencies, usually bypassed these councils and committees and worked directly with village headmen and selected villagers, e.g., farm leaders. When asked why they did not operate through the local council or committee, these workers replied that those local organizations were the work of the Community Development Department.
Well-to-do farmers were more likely to participate in most extension projects and activities than small farmers were. For example, the contests in the production programs on rice, fruits, etc. at the district, provincial, regional, and national levels only offered invitations to these more prosperous farmers. Extension workers were anxious to give the farmers in their assigned area all the possible resources and information, hoping that they will win such contests, and be a credit to the extension workers themselves. The Village Development Contest of the Community Development Department followed a similar pattern, i.e., the most developed village in that province was chosen for the contest. All Community Development Department workers around the district were assigned to do the job in this village for six months using all possible resources.

The farmers ‘with potential’ were also attractive to the agribusiness companies for their joint investment. If they had an adequate amount of capital and land, the farmers would obtain the inputs from the company on credit. In the end, the company would buy all the products from those farmers. Accounts were settled after the sale of the product. The poultry and tobacco industries were among the leading agribusinesses in the area investigated.

The small and landless farmers participated marginally in the extension projects, primarily in food preservation, the construction of public works, and in amusement. They were rarely included in production and occupational development projects, because they virtually had nothing to start with. Accordingly, they remained the rural poor, working for rich farmers.

**Generational shift in Thai politics**

In a large picture of Thai polity, one can observe the American and WB involvement in Thailand development in order to transform Thailand into a capitalist state since early 1960s. Social and economic conditions has had greatly changed: Urban working rose for 12 percent in labour force to 40 percent since the 1960s, the percentage of the population enrolled in secondary education had doubled, and during 1980s, the proportion of the population enrolled in tertiary education increased by almost 50 percent. Over 5,000 Thais studied abroad
annually. Also, the level of poverty has clearly declined with per capita income dramatically increased. All of these changes, i.e., globalization, education, income, the expansion of the media, and the growth of civil society have resulted in a more affluent, mobile, informed and politically aware populace. These led to violent student protests ending the military government of Field Marshall Thanom Kittikachorn in 1973.

Still, Thai politics have had continually involved a delicate balancing act between the crown, the army, the bureaucracy and powerful economic interests until 1990s. The military intervention, again in 1991, ended in disaster for coup leaders when they received a humiliating royal rebuke of Generals Suchinda Krapayoon and Chamlong Srimuang the bloody suppression of protests. There was then a consensus among many astute observers of Thai political developments that the influence of at least two of the traditional pillars of Thai society, the military and the bureaucracy, is changing. However, Thailand’s bureaucratic polity still persisted with its highly centralization and rampant ‘bad governance’ manifested as discussed in my study earlier. The general public believed that these would invite political unrests and might led military intervention in future. Meanwhile, the notion of good governance was introduced by WB in order to clean up bureaucracy irregularity, corruption as well as to increase participation in public administration. Together with reaction to the 1997 Asian financial crisis, a new constitution was set drafting by calling nation-wide sectors to participate. The 1997 constitution was later promulgated to ensure ‘good governance’ in public sector as well as private enterprise.

October 1997 Constitution: Hope and failure

The new constitution was approved by the National Assembly on 27 September 1997. Several unique features set it apart from the predecessors, including: (1) strengthening the rule of law and human rights; (2) enhancing accountability mechanisms and enforcing much stronger conflict of interest standards; and (3) improving transparency, participation and decentralization. Changes to the electoral and legislative processes, which were intended to
provide a more stable government and more effective checks and balances, were also included.

The constitution also provided what some observers had dubbed on of Asia’s most liberal codes of individual freedom. Sections 26 through 65 laid out a broad range of individual liberties, including both political rights (freedom of speech, religion, association, assembly, etc.) and social rights (the right to receive health care and twelve years of education at the state’s expense). To enhance transparency, the constitution also provided the right to access public information in possession of a state agency, enterprise or local government organization.

To advance integrity in Thailand’s political and economic life, the new constitution contained a number of provisions to strengthen the effectiveness of accountability institutions and improved the delineation of conflict of interest. The Counter Corruption Commission, which was created in 1975, was established as an independent commission, namely, National Counter Corruption Commission. The Office of the Auditor General, which was also under the Prime Minister’s Office, became an independent public agency and report directly to parliament. The constitution also included a number of important provisions regarding the declaration of assets by politicians and government officials and provided for the impeachment of government officials found guilty of corruption or “unusual wealth.”

The constitution embraced principles of participation and decentralization. Article 170 allowed 50,000 eligible voters to submit a petition to the President of the National Assembly to consider their draft of a bill, bypassing both the bureaucracy and established political representatives. Article 304 permitted a similar number of voters to request the President of the Senate to remove from office a number of senior officials on charges of corruption.

Citizen control of local resources was enhanced through a number of measures that “promote and encourage public participation in the preservation, maintenance and balanced exploitation of natural resources and biological diversity, and in the promotion, maintenance and protection of the quality of the environment” (Article 79). These measures included the requirement that environmental impact studies be conducted prior to implementing a major
project, which was made available to the citizenry upon request, and the requirement that public hearings be held for any project or activity that might effect the quality of the environment, health or sanitary conditions, or the overall quality of life.

The 1997 Constitution embraced decentralization while being vague on the specific institutional and financial arrangements that would support it. Article 284 maintained that, “all local government organizations shall enjoy autonomy in laying down policies for their governance, administration, personnel administration, finance and shall have powers and duties particularly on their own part.” It then maintained that the specific delineation of powers and duties between the state and a local government organization should be “in accordance with the provisions of the law, having particular regard to the promotion of decentralization.”

The constitution sought to end the practice of “guided democracy” at the local level by specifying that a local government organization should have a local assembly and local administrative committee or local administrators. Members of the assembly were chosen through direct election, whereas a local administrative committee was either directly elected or approved by the local assembly; both served for a four-year term. In contrast to traditional practice, where many local employees were appointed from Bangkok and owed their allegiance to their individual ministry, the power to transfer, promote, increase salaries and punish local officials was vested with the local government, although the approval of a Local Officials Committee was required. This committee consisted of an equal number of representatives of relevant government agencies and representatives of local government organizations (Article 288).

The constitution gave local governments responsibility for conserving local arts, customs, knowledge and culture. They were tasked with providing education and professional training. They were also given responsibility for managing and preserving natural resources and the environment and for participation in any initiative which might affect it.

The new constitution had a profound impact upon Thai legal institutions. Although Thailand had experienced a succession of constitutions, in practice they had often been
subservient to the civil code, administrative law, military edicts and royal decrees. The new constitution firmly established the principle of constitutional supremacy. Article 6 maintained that any law, act or decree which was contrary or inconsistent with the constitution would be unenforceable. Article 27 bound all branches of government to enforce the constitution. To ensure the constitutionality of all legislation and functioning of state organs in accordance with the constitutionality, Article 259 established a Constitutional Court as an independent body with 15 full-time judges, selected by a complicated process that sought to ensure that they were above political or business interests.

Article 198 created the position of Ombudsman and empowered the ombudsman to refer any case to in violation of the constitution to either the Administrative Court or the Constitution Court. Article 28 allowed citizens who believed their rights or liberties had been violated to cite provisions of the constitution as the basis for filing a case before the courts. The new constitution also provided for the self-administration of the courts by the judiciary rather than the Ministry of Justice.

The constitution created Administrative Courts with the power to adjudicate disputes between a state agency, enterprise, local government organization or state official of the one part and a private individual of the other part. These courts were empowered to adjudicate both acts of commission and acts of omission. The constitution provided for a Supreme Administrative Court and Administrative Tribunals of first instance, and it also allowed for the creation of an Appellate Administrative Court if necessary. Their activities were regulated by an independent Judicial Commission of Administrative Courts. The Commission secretariat and administrative courts had autonomy in personnel administration, budget and other activities prescribed by law.

The Constitutional Court, together with the Ombudsmen and the Administrative Courts, provided a system for judicial review of legislation and administrative action. Delineation of the exact jurisdiction and powers of the Constitutional Court, the Administrative Courts and the Ombudsmen was an important task for the proper functioning of these three constitutional organs. The constitution only laid down general principles but left
the specific details to be addressed in substantive laws. In particular, it did not spell out the
detailed for the transition from the existing (traditional) institutions to the new constitutional
institutions.

One of the critical roles for the state was also to foster an enabling environment for
private sector growth. Such an environment typically included the provision of a legal and
regulatory framework that was at least moderately transparent and predictable. To ensure that
private providers could compete on an equal footing with public enterprises, avoid the drain of
state-owned enterprises upon the state budget, and reduce their capacity to “squeeze out” the
private sector’s access to credit, it also included a reduction of direct state intervention in the
economy to the minimum level necessary to protect the public interest. A final objective
included the delivery of critical goods and services, such as infrastructure, in an efficient and
cost-effective manner.

As for decentralization, Article 78 of the constitution sought to decentralize significant
responsibility to sub-national governments and to ensure that local administrations were
governed by directly elected assemblies and local official committees. The constitution further
stipulated that the National Assembly pass legislation that delineated the powers and duties in
the management of public services between the central government and local administrative
organizations. The legislation included provisions for the allocation of taxes and duties, as
well as provisions to transfer control over local officials from the Ministry of Interior and
other line agencies to the elected Local Officials Committee. (4)

The new 1997 Constitution had provided high pope to the country as it empowered
citizens to address corrupt or incompetent administration. It provided them with access to
institutions that could examine complaints fairly and expeditiously. Meanwhile the Office of
the Civil Service Commission improved transparency and integrity within public sector by
creating an Ethics Promotion Center and drafting a code of conduct, among other measures.
Unfortunately, the kingdom still confronted a number of serious obstacles after implementing
the Constitution. A number of influential forces had a vested interest in the status quo, and
enthusiasm for the new constitution was not universal among them. Other daunting challenges,
such as a highly hierarchical and deferential culture, the practice of vote buying in rural areas, fierce bureaucratic resistance to the decentralization initiatives envisioned in the constitution, and widespread perceptions of corruption, remained very much a part of Thai political and administrative life during the first half of 2000s.

2006 Coup d’ètat

The 2006 Thailand coup d’ètat took place on September 19, 2006 when the Royal Thai Army staged a coup d’ètate against the elected government of Prime Minister Thaksin Shinawatra. The military abrogated the constitution, dissolved Parliament, banned protests and all political activities, suppressed and censored the media, declared martial law, and arrest Cabinet members.

The coup leader announced in nation-wide TV broadcast as that: “We have seized the power....(because) the caretaker Prime Minister (Taksin) has caused an unprecedented rift in society, widespread corruption, nepotism, and interfered in independent agencies, crippling them so they cannot function. If the caretaker government is allowed to govern it will hurt the country.... Thus the Council of National Security needed to seize power to control the situation, to restore normally and to create unity as soon as possible.”

The Council of National Security, later appointed retired General Surayud Chulanont as Premier. A new constitution was drafted by a committee established by the military junta. On August 19, 2007 a referendum was held in which 59.3 percent of the votes voted in favor of the constitution. The current constitution succeeded the former supreme law of Thailand, the 2006 Interim Constitution. (5)

Impact of the 1997 Constitution

Despite political unrests continually manifesting, good governance has had set its foot and extensively functioned, though in a limited way. On the one hand, the 1997 Constitution opened up people’s consciousness, urban and rural alike, that they were empowered, to a certain extent, (6) to control as well as to manage their own lives, community and natural
resources. On the other hand, in order to ensure good governance, the office of the Public Sector Development Commission was established on October 3, 2003. (7) Six days later, the Royal Degree was officially declared on criteria and procedures for good governance in order to further the country’s intention to reshape Thailand through bureaucratic reform and development. (8) Meanwhile, National Corporate Governance Committee was also set up to draw out policies, measures and scheme to upgrade the level of corporate governance in business. (9) Academia, mass media and high-ranking officials joined hands to echo the principles of good governance to inform as well as to educate the citizens about the issue. They accordingly outlined the major principles of the rule of law, morality, accountability, participation, responsibility, and cost-effectiveness in the public sector. Also, they emphasized that good governance as the three-pronged linkage: Public sector, Private sector and Civil society to manage socio-economic resources for national development. (10)

Half a decade later, however, some were skeptical on such matter. They argued that the import of the idea of governance into Thai polity having resulted in several competing interpretations. The body of knowledge on governance in Thailand was not yet well developed. Chaos and contradictions were characteristics of the field of study. As one academician claimed that: first, there were six different interpretations of governance, i.e., the new democracy or democratic governance, good governance, the efficiency perspective, the Ten Guiding principles for the King, the (then) Prime Minister Thaksin system, and the ethical issue interpretation. Second, this academician furthered his discussion on the four reform consequences arisen from the import of governance; they were: the difficulty in determining which the correct prototype of governance, the problem from cloning deformed hybrids, the confrontation among competing hybrids, and the appropriate level of analysis for the concept of governance. (11)

Despite the confusion discussed above, Thai government has executed the good governance in the bureaucratic system in particular, and to the polity in general. The outcome has turned out in mixed results. On the one hand, several public organizations and personnel were awarded for their outstanding achievement in the field of performance and philanthropy
in several occasions. On the other hand, corruption and nepotism still prevailed leading to the collapse of Thaksin government.

The following were the examples of achievement: First, the office of the Public Sector Development Commission organized the Conference for the celebration of Thailand receiving United Nations Public Sector Award 2009. Maharaj Nakorn Chiangmai Hospital received a Public Service Quality Award and was declared the winner of the United Nations Public Service Award for Improving Service Delivery. Surprisingly, of the 28 government agencies throughout the world that were finalists in the award, five were Thai. They were the Department of Consular Affairs, the Department of Land Transport, the Office of Insurance commission. Nakorn Ratchasima Province Land Transport Office, and Ubanrachatani Provincial Center Service. All of these agencies were awarded the prize for demonstrating improvement of service delivery. It therefore implied that public sector development in Thailand met the needs of discovering innovations in governance, reward excellent in the public sector and raised the image of Thai public sector. Second, on May 13, 2009, 45 executives, from various fields of both the public and private sectors, were honored with the “Executive Achievement Award 2009.” The award was given in recognition of outstanding achievement in the fields of performance and philanthropy. The organizer claimed that there was no doubt that human resources play an essential role in leveraging Thailand’s capacity in terms of the economy and society and meets international standards. Such award program has been bestowed annually since 2003. Meanwhile the Quality Service Awarded agencies have been nominated to apply for the United Nations Public Service Awards since 2007. \(^{(12)}\)

The opposite is true that the different interpretation and confusion of good governance led to the 2006 Thai coup d’ e’ tate, as discussed earlier. Until early 2008, the military and their special investigation team comprising the political opponents of Thaksin Shinawatra nonetheless could not find any evidence supporting corruption accusation. There was only one case that could be charged against Thaksin and his wife in court. That was a purchase of government land by bidding method which the military claimed to be violation of law because Thaksin Shinawatra was a prime minister. Such law prohibits any spouse of government
officer to do business with the government office such officer is working for. On October 21, 2008 the Criminal Division for Political Office Holders of the Supreme Court found Thaksin Shinawatra, whom then staying in London, guilty and sentences him two years in prison. According to the Court, there was abuse of power in the land purchasing by his then wife Pojaman, with the then Prime Minister Thaksin Shinawatra instrumental in the purchase (at a price below the market). The so-called Red Shirts (the Democratic Alliance Against Dictatorship) later held a major gathering in support of the former Prime Minister whereas the Yellow Shirts (the People’s Alliance for Democracy - PAD) continued their street rallies against Thaksin. (13) Thailand’s political rift has divided the country into two halves until today.

Here is not a place to discuss Thai politics in detail but to point out the rampant corruption is still prevailed when the conservatives of the Democratic Party has become the government since December 17, 2008. As case in point, there were charged on corruption in the Office for Sufficiency Economy Community Projects that has set up by the so-called “clean” Democratic Party-led government to eradicate citizens’ suffering due to the world financial crisis. Prime Minister Abhisit Vejjajiva acknowledged problems but denied everything related to the Democratic Party and blamed everyone else until Korbsak Sabhavasu, Deputy Prime Minister, resigned as chairman of the Sufficient Economy Community Projects. The government has had to confirm that the opposition Puea Thai (supporters to Thaksin) allegations Party’s that the projects were tainted with corruption being correct. In fact, the initial allegations were not from Puea Thai Party but originated from within the communities meant to benefitting from the projects and Puea Thai took them up. Another well-known case of corruption, brought up by Rural Doctor Association, was that senior Public Health Ministry staff members and retired officials were being alleged irregularities involving purchase of medical equipment under the government’s Economic Stimulus Scheme in October 2009. (14)

As such, these examples can be understood in two different ways, firstly, good governance is functioning as the civil society actively put their allegations against corrupted
officials when they see the wrong-doings and irregularities in delivery services. Evidentially, several alleged politicians and bureaucrats were convicted and some put in jail due to their misconduct against the constitution. These have therefore become a new trend in the past decade and should be better in future despite the turbulent political situations.

Secondly, corruption in Thailand, as many claim, is a fact of daily life. Also, among millions of Asians, this problem is widespread and devastating. The United Nations Development Program asserts corruption as: the misuse of public power, office or authority for private benefit, through bribery, extortion, influence peddling, nepotism, fraud, speed money (form of bribery) or embezzlement. Corruption makes possible nearly every type of organized crime. Drug smuggling, human trafficking, money laundering and illegal arms sales all depend on corruption. It occurs in the private sector just as often as in the public and at all levels of society. In this age of internationalization, corruption does not stop at the border, but moves as swiftly and easily as a bank transfer. \(^{(15)}\) It becomes a worldwide epidemic decease in the present decade causing the current “Hamburger Crisis” bringing suffers to all walks of life around the world.

**Limitations and prospect**

Thai social structure nowadays becomes even more rigid as the upper echelons cooperatively wield their power. The traditional conservatives, so-called “Triple Alliance”, armed with powerful military in hand, seize power if they consider the time has come or if their power was to be challenged. On the other side of the same coin, it has become a norm to interpret good governance for their own ends despite frequent changes of governments. These leave a little room for genuine change for the better.

Evidently, the Transparency International places Thailand at 84\(^{th}\) in corruption perceptions index in 2009. That is to say that Thailand slips back from 11\(^{th}\) place to 14\(^{th}\) in the Asia-Pacific index and from 63\(^{nd}\) to 84\(^{th}\) in the overall 180-nation world index.

Thanks to the political reforms contained in the 1997 Constitution aimed to increase the level of participation of the people in economy and politics and ensured their human and
civic rights, thereby empowering people for more equitable distribution of political and economic power. Several provisions allowed people to participate directly in state decision-making. These measures included: the right to know, removal of persons from office for corrupt conduct or for an unjustifiable increase of wealth, freedom of the press, and decentralization. In this regard, Thai Citizens are able to gradually play greater role in voice their rights.

Footnote


Appendix

List of Prime Ministers in Thailand (from 1980)

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