

Autonomous Public Organizations, Governance, and Democracy Development in Thailand: Exploratory Case Studies of Thai Quangos

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Autonomous Public Organizations (APO) were first introduced during Thailand's economic crisis in 1997, when international organizations such as the World Bank and the International Monetary Fund (IMF) identified a lack of good governance as the cause of the country's economic crisis. As a condition of the loan from these organizations, several public sector reform packages were introduced to the government. As part of the public sector reform packages, Quasi Non-government Organizations (Quangos) were introduced in an attempt to inject efficiency, autonomy and flexibility values regularly witnessed in private sectors to public sectors as a possible solution. APOs were thus created as a result of a strong belief that the old bureaucratic organization as explained by Max Weber's Ideal Type Bureaucracy (1958) is somewhat inadequate, because bureaucratic rules and regulations seem to obstruct efficient service delivery to Thai citizens and more importantly it cannot keep pace with the ever-changing external environment in this globalization era. In this paper, six APOs are selected to explore. Peters' four models of governance (2001): market, participation, flexible, and deregulated are used to pose research questions. In the market model, Thai APOs start to implement New Public Management (NPM) techniques, such as key performance indicators, annual bonuses, and quality assurance. In the participation model, some APOs have proved to be collaboratively

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successful by bringing in local citizens to be involved in the decision making process. The flexible model uses contract employment and outsourcing techniques. The deregulated model makes some improvements on APO rules and regulations, especially in the procurement procedure. Even though there are many improvements in the delivery of services by these APOs, some traditional Thai values, such as the patron-client relationship, still exist to hinder efficiency. In the market model, there is some leniency of the patron's part on clients when come to performance evaluation. In the participation model, the process of decision making still comes from the top more than from the bottom. In the flexible model, outsourcing is still somewhat questionable especially for APOs located in rural areas due to lack of competition. In the deregulated model APOs seem initially to be able to detach themselves from bureaucratic rules and regulations; however, APOs later started to more and more follow bureaucratic rules and regulations due to the accountability mechanisms enforced by Thai government. Finally, while some APOs studied are proved to be extremely effective, the existence of some APOs studied is somewhat questionable when measuring efficiency and effectiveness. Therefore, the Thai government needs to pay closer attention to the establishment of new APOs from now on, because once established, it is extremely difficult to terminate these established APOs even though they cannot effectively deliver good performance.

Keyword: Governance, Quangos, Autonomous Public Organization

Introduction

In 1997, Thailand confronted with Asian economic crisis and this crisis has caused Thailand into an economic hardship time. Many blames have been placed on the government and the government bureaucracy on the lack of good governance. As a result, Thailand has loaned the money from World Bank and International Monetary Fund (IMF) to help in recovering from this crisis. As a condition to this loan, Thailand has been mandated to reform its public sector in order for them to function better and preventing Thailand from this economic crisis again in the future. One of the recommendations recommended by these international organizations is for the Thai government to decentralize the power of the central administration to smaller units, such as local administration and Quasi Non-Governmental Organization (Quango) in order to specifically solve the problems at the right spots. Local decentralization is considered decentralization based on area, while Quango is determined to be decentralization based on functions.

Additionally, prior to the global public management reform of the 90's, public management all over the world seemed to replicate bureaucracy system described by Max Weber's Ideal Bureaucracy, which placed an emphasis on rule and regulations, fixed jurisdiction, lifetime employment. However, when the global public management reform become popular in the 90's due to *Osborne & Gaebler's Reinventing government: how the entrepreneurial spirit is transforming the public sector*, Max Weber's Ideal Bureaucracy that used to be best described bureaucracy has become somewhat obsolete and could not catch up with the fast pace environment of the contemporary world.

Quasi Non-governmental Organization (Quango) has become one of the new type of public organization that is more adapt to a fast pace environment, because

Quango is operated through the idea of arm's length, which is to the executive of an organization to have more autonomy and free from the central administration (Bowornwathana, 2012). Autonomous Public Organization (APO) is Thailand's Quango and it is first established in 1999 through Autonomous Public Organization Act of 2542 B.E. (1999, C.E.). Through this Act, APO can be created through the approval of the king through the cabinet and only Royal Decree is needed to establish APO. It means that the creation of APO can be extremely quick because it has bypassed the parliamentary process that take a long period of time to complete.

The origin of APOs in Thailand has come from two schools of thought: the first is Anglo Saxon school, which are New Zealand's Crown Entities and British's Executive Agency and the second is France's Etablissement Public. The character that Thai APOs receive an influence from Anglo Saxon is that APO does not have their own authority, while the character that Thai APOs receive from France's model is that Thai APOs do not perform important functions, such as tax collections (Bowornwathana, 2004).

Bowornwathana (2012) indicated the expectation that the government has on APO is

The proclaimed virtues of agency type APOs are: size reduction of the large central bureaucracy, efficiency improvements, small, flexible, and more independent units with CEOs under contract as managers, better citizen's control of APOs through new accountability mechanisms and a fairer, less corrupted government. (p. 382)

Evolution of Autonomous Public Organization in Thailand

Autonomous Public Organization (APO) in Thailand started with the belief that there should be a third sector type of organization that is different from traditional bureaucratic organization and state-owned enterprise. The main focus for this type of an organization is to perform a function that is not profit-oriented or commercial-

oriented. Throughout the history of the third sector type organization in Thailand, there are some organizations that are still classified as a state-owned enterprise, such as Sports Authority of Thailand and Bank of Thailand even though these organizations are not profit-oriented (Nitikraipot, 1999).

The ideas of third sector type organization in Thailand can be divided into three periods (Nitikraipot 1999 and 2000; Sawaengsak, 2006).

First period (1936 – 1989): The first third sector organization in Thailand is the Crown Property Bureau in 1936. Later, there is an establishment of Bank of Thailand in 1942 and Khurusapha in 1945. All of these organizations have been created through the Acts. In this period, there are twelve third sector type organizations some are created by the Act and some are created by the Royal Decree. The focal problem arises in this period is that these organizations have been placed in the same category with state-owned enterprise. As a result, they have to follow state-owned enterprise rules and regulations.

Second period (1990-1998): It started to become clearer in regards of third sector organization because of the establishment of Suranaree University of Technology that has become a normative model for other third sector type organizations to follow. Ten more third sector type organizations have been added during this period. However, many questions remain unanswered especially whether third sector type organization can be treated like state-owned enterprise in terms of subsidy, or the loan guarantee by the Ministry of Finance. Altogether, there are 27 third sector types of organizations established before Autonomous Public Organization (APO) Act of 2542 B.E.

Third period (1999-present): The enactment of Autonomous Public Organization Act of 1999 has painted a clearer picture for the third sector

organization. This Act has established specific rules and regulations for the APO; as a result, APO has its own status and no longer has to rely on state-owned enterprise rules and regulations. Currently, there are 36 APOs in Thailand.

Literature Review

The theory that I have employed in this paper is B. Guy Peters' Four Model of Governance (1995 and 2001) As a result, I will review this theory in this section

B. Guy Peters (1995 and 2001) has proposed four models of governance to resolve problems created by bureaucracy and those four models are

1. Market Model: The market model attacked the information monopoly of the bureaucrats that create unfair advantage to the legislature that have to deal with them; as a result, bureaucrats are so powerful to expand the size of the bureaucracy until it is too large and very costly. As a result, Peters recommends this market model to solve this problem. The market model attempts to reduce the power of bureaucrats by decentralizing power to smaller units and local administration and using New Institutional Economics (NIE), such as principal-agent theory, and transaction cost economics to drive the performance of public officials to a higher level.

2. Participatory Model: The model dealt with the problem in public organization that front-line public officials are underutilized by not allowing them to participate in decision-making due to bureaucratic hierarchy even though they are the one that dealt directly with the citizens and very creative. The recommendation of participation model is to allow frontline officials be more involved with policy making not only it is one of the best motivational techniques but it will enhance the efficiency and effectiveness of policy making since it involves both policymakers and citizens to work together.

3. Flexible Model: Flexible model placed the blame of bureaucratic failure on the permanence of public officials. The traditional public bureaucracy offered lifetime employment to public officials; as a result, once public officials are assured with lifetime employment, the government seems to confront moral hazard problem that these public officials do not work as hard as they should or they are shirking. The flexible model then offers to remove the permanence status of public officials and replaced them with employment by contract. This way it would allow the government to evaluate public officials on performance basis. The government can then decide to not renew the contract to public officials if their performance has not met the stated goal. This would help the government to avoid moral hazard issue posed by the permanence status of public officials.

4. Deregulated Model: This model places the blame of inefficiency and ineffectiveness of bureaucracy on rules and regulations or what we have known for as a “red tape.” The recommendation for this model is to free public administrators from this rules and regulation and allow public administrators’ entrepreneurial spirit and creative spirit to take over and guide bureaucracy into the right direction.

Peters (2001) has summarized the above four governance models into table as indicated in table 1

Table 1: Major Features of Peters’ Four Models of Governance

	Market Government	Participative Government	Flexible Government	Deregulated Government
Principal Diagnosis	Monopoly	Hierarchy	Permanence	Internal regulation
Structure	Decentralization	Flatter organizations	“Virtual Organizations”	No particular recommendation

Policymaking	Internal markets; market incentives	Consultation; negotiation	Experimentation	Entrepreneurial government
Public interest	Low cost	Involvement; consultation	Low cost; coordination	Creativity; activism

Source: Peters (2001) p. 21

I have used Peters' four model of governance to be my core theory and therefore I have posed these following four research questions.

Question 1: How Does Market Mechanism and Incentive Transform Autonomous Public Organization?

Question 2: How Participative Have Officials and Citizens Have with Autonomous Public Organization?

Question 3: To What Extent Are Autonomous Public Organization Have on Flexibility Issues Dealing with Human Resource Management?

Question 4: How Much More Autonomy Does Autonomous Public Organization Have When Compared to General Public Organization

These four research questions then have constituted the conceptual framework used in this study as shown in figure 1.

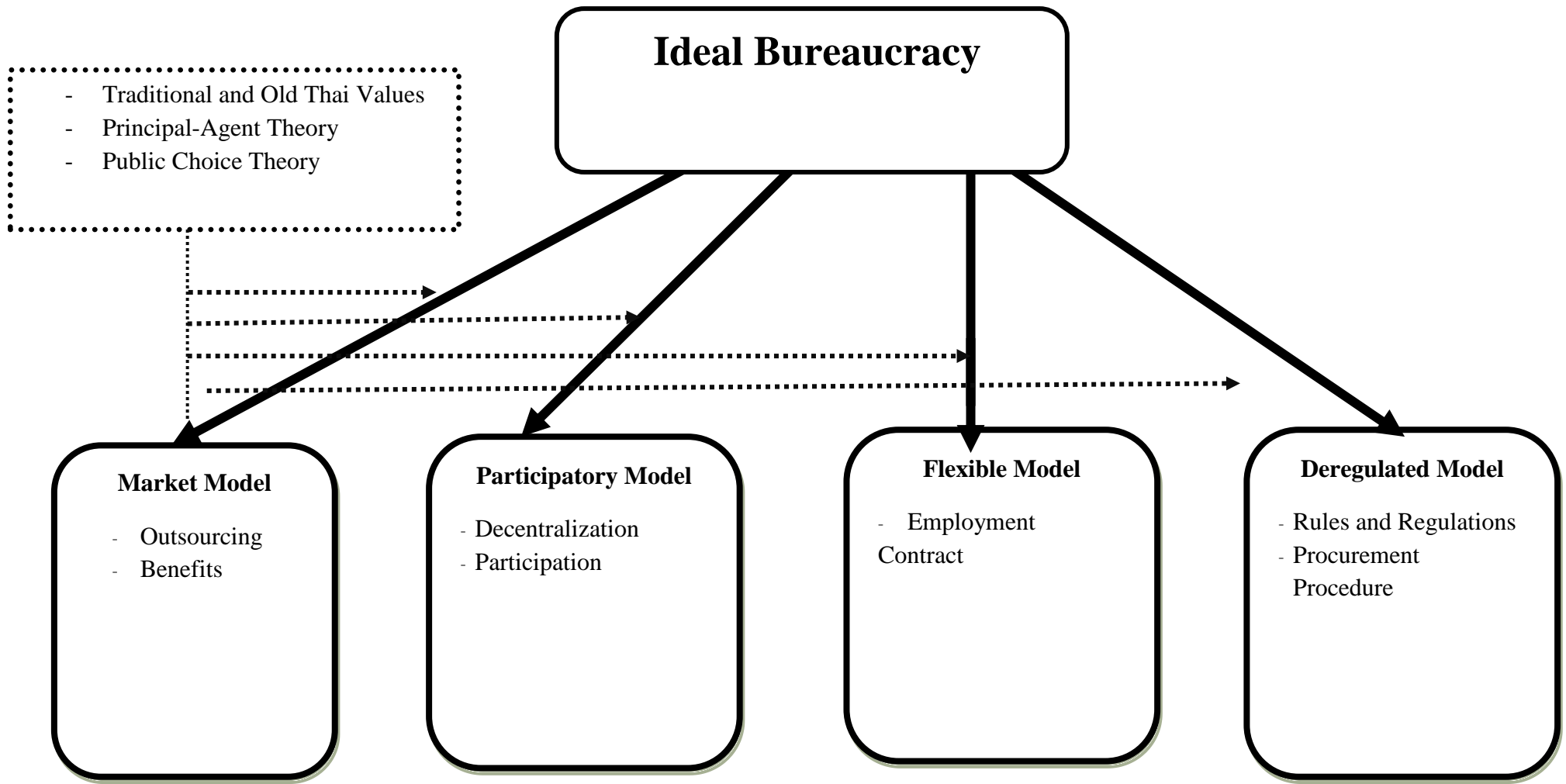


Figure 1: Conceptual Framework of This Stud

Methodology

This research is a qualitative based because of its exploratory in nature due to the fact that there is very small amount of research dealing with organizational management of Autonomous Public Organization in Thailand. The technique that the researcher thinks is appropriate for this type of research is case study, because case study is the only type of research that allow the research to use multiple data collection techniques, such as participant observations, in-depth interview, documentary research etc.. (Yin, 1989) The documents involved with this research are Acts, APOs rules and regulations, OPDC performance evaluation reports, APO annual reports. The interview technique using in this research is called “semi-structured interview” that is the combination of structured interview and unstructured interview, which means the researcher goes into the field with a set of structured questions and at the same time the researcher is allowed to ask impromptu related questions while in the field (Berg, 2007).

Thai APOs can be divided into three categories, which are APO that develops and implements according to specific important state policy, APO that performs service academic technique or multidisciplinary, and APO that performs general public service. Due to the fact that the main funder of this research is Thailand Democracy Watch (TDW) at the faculty of political science, Chulalongkorn University Bangkok Thailand, the main funder therefore would like the research to focus on the third category of APO, which seems to be most related to the democracy development. The researcher then has divided the third category of APO into three subcategories based on its budget and has selected two APOs from each subcategory to be a case.

Table 3: Arrangement of APO According to Size

APO Size	Budget
Large APO	More than 500 million THB
Medium APO	100 million to 500 million THB
Small APO	Less than 100 million THB

Note: As of June 21, 2012 1 US dollars is equivalent to 31.59 Thai Baht

The researcher then has selected 2 APOs from each size and used the names of the street in Bangkok to hide the true identity of each APO in order to gain the most in-depth information.

Table 4: Information of 6 APOs studied

Organization	Size	Function	Budget (2011)
Suanluang	Large	Creating Network	2 billion THB
Samyan	Large	Healthcare Provider	1 billion THB
Sukhumvit	Medium	Knowledge Provider	750 million THB
Sathorn	Medium	Education Evaluation	450 million THB
Silom	Small	Knowledge Provider	50 million THB
Siphaya	Small	Funds Management	40 million THB

Note: As of June 21, 2012 1 US dollar is equivalent to 31.59 Thai Baht.

In the case of key informants, the researcher has altogether interviewed 32 key informants in important positions from these 6 APOs. These key informants are APO executive board members, APO directors, APO associate directors, human resource officials, policy analysts, training officials, quality assurance officials, financial officers, researchers etc.

The researcher has used every technique mentioned above to collect data. After the researcher has gained enough data and evidence, then the researcher use the content analysis

technique to analyze findings (Babbie, 2008). Finally, the researcher attempts to answer four research questions by indicating key findings posted by Peters' Four Model of Governance (1997) in the next section.

Findings

1. Market Model

Official Benefits

Nowadays, to be able to hire good employees to work in an organization, salary is not the only important aspect to entice people to work for an organization. Benefits also played a crucial role to entice them. In the past, one of the problem public agencies confront is the amount of revenue spend on officials benefit. In the case of Thai public agencies, once people become public officials, they are guaranteed with lifetime employment as well as excellent health insurance and pension benefits. In 2010, Thai government has spent approximately 70 billion Thai baht on healthcare of public officials. This has caused the government to rethink about benefits offered to the Thai public officials whether they are too much for the government to be responsible for. In table 1, Thai public officials have enjoyed excellent healthcare benefits due to the fact that medical coverage does extend to their spouse, parents and their children. Lately, the government seems to think that it is too much for them to pay; as a result, the government started to employ different strategy in the government like employ the officials on the contract basis in order to avoid this costly benefit. In the case of APO, the government also employs this strategy, because APO officials do not have the status of bureaucrats; as a result, they do not enjoy the same privilege that Thai bureaucrats do.

Table 3: Comparison of Welfare Benefits between Traditional Bureaucracy and 6 APOs Studied

	Bureaucracy	Samyan	Suanluang	Silom	Sukhumvit	Siphaya	Sathorn
Medical Coverage	100% - public hospital	100%- Samyan	100%-reimbursed from Suanluang	Group Health Insurance (20,000 THB)	Employed prior to 3/1/10 -100 % - public hospital -50% - private hospital Employed after 3/1/10 -Group Health Insurance	Group Health Insurance (20,000 THB)	Group Health Insurance (8,000 THB)
Spousal Medical Coverage	100% - public hospital	None		10,000 THB limit	Employed prior to 3/1/10 -100 % - public hospital -50% - private hospital	None	
Offsprings' Medical Coverage	100% - public hospital	None		10,000 THB limit (first three children)	Employed prior to 3/1/10 -100 % - public hospital -50% - private hospital	None	
Parents' Medical Coverage	100% - public hospital	None		10,000 THB limit	Employed prior to 3/1/10 -100 % - public hospital -50% - private hospital	None	
Dental Insurance	None	100% - Samyan	100% - Public Hospital	No more than 5,000 THB	No more than 5,000 THB	No more than 5,000 THB	No more than 4,000 THB

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From the finding, even though APO officials no longer enjoy the same benefits that bureaucrats has enjoyed. Clause 38 in Public Organization Act of 2542 B.E. has allowed each APO enough flexibility on this benefit issues. This clause indicated that

“....Director, officials, and employees of autonomous public organization must receive benefit no less than stated in labor protection law, social security law, and compensatory law.”

The interpretation of this clause is that every single APO official can receive benefit equal or more than benefits allowed by labor protection law, social security law as well as compensatory law. In addition, the Act has enabled the APO executive board enough flexibility to exercise its discretion on this issues. Based on empirical evidence found in the study, some APOs, such as APO Sukhumvit and APO Silom have again delivered great benefits to their APO officials and are comparable to bureaucrats and this might cost organizations in the long run in terms of budgeting. We can see that in the case of APO Sukhumvit, officials employed after March 1st, 2010 will not receive the same benefits as officials employed prior to March 1st, 2010, because the healthcare benefits will no longer cover their spouse their parents and their children. This might create discrepancy in the near future, because officials hired after March 1st, 2010 might not enjoy the benefit they have received when compared to the ones employed prior to March 1st, 2010. In the case of APO Suanluang, APO Suanluang officials can reimburse their medical expenses 100 percent from APO Suanluang budget. At this point in time even though the budget spend on healthcare benefit of APO Suanlaung is less than of what they can purchase from the health insurance company. In the long run, the reimbursement cost is expected to be higher since APO Suanluang officials will get older.

Privatization

Many APOs have enjoyed the privilege of privatization to increase performance and at the same time save cost for organization. For example, EFAI has loaned all the equipments, such as computers, copy machine, and fax etc. for the length of three years so that the organization will always have updated hardware. However, the idea of privatization does not work well at APO Samyan, which is an APO that located in the rural province and approximately one hour drive from Bangkok. APO Samyan seems to confront with some obstacles regarding privatization.

APO Samyan director said that “When we privatized some functions, such as security guards etc. to work for us it turned out that the privatized company ended up provided us with the same people that we just fired. The reasons is this privatized company is located in Bangkok and to find people to work for us they were looking for our own local people and ended up with the same people to work for us again. That is why the logic of privatization does not work for us.”

This is the reason why APO Samyan administrators decided to operate everything by itself. These include restaurant, coffee shops and convenient stores in an organization.

APO Siphaya on the other hand has enjoyed the benefit of privatization, because every office supplies, such as computers, printers, facsimiles, and copy machines are on the lease basis from private company. APO Siphaya director said that it would allow his organization the flexibility to have new technology at all times and it would save his organization from repaired cost. Moreover, once the lease contract is expired, the lease company would then offer APO Siphaya to buy the supplies and many of our officials have bought them at the discount rate.

2. Participatory Model

The participation level in the APO is somewhat unclear. The finding has shown that there is a high level of participation in smaller APOs than larger ones. This is mainly because the smaller APOs, such as APO Siphaya and APO Silom is situated in a very narrow space and each official can dialect to each other as well as to the executive openly, while the larger APO, such as APO Sukhumvit and APO Suanluang have many branches; therefore, Officials in these APOs do not know each other very well.

APO Samyan is rather a unique case because even though the size of APO is big, executive board, director, officials as well as citizens have a very strong connection. This might be because an organization has been located in the rural area in which the urbanization level is still less than APOs located in a big city like Bangkok. Therefore, citizens in the rural area are still extremely closed and connected to each other. This factor allows APO Samyan to be one of the most successful APO as of today. The research has interviewed key informants and observed each APO and has concluded the level of participation of each APO in table 4.

Table 4: Participation at Society Level and Organization Level of 6 APOs Studied

Organization	Participation at Society Level	Participation at Organization Level
Suanluang	More	Medium
Samyan	More	Medium
Sukhumvit	Medium	Less
Sathorn	More	Medium
Silom	Less	More
Siphaya	Less	More

3. Flexible Model

The problem of the old bureaucratic organization is the problem of permanence of the public officials in the sense that these public officials cannot be fired once they have been hired due to lifetime employment status offered by traditional bureaucracy. APOs then have employed new public management idea and hiring officials on a contract basis in order to avoid moral hazard. It means that APO officials have been employed by contract. This would allow APOs to evaluate public official base on their performance and if their performance is somewhat unsatisfactory, then APO does not have to renew his/her contract. As a result, the researcher has collected data regarding the contract of APO officials as shown in table 5. However, when the researcher has interviewed human resource officials of APO studied, it turned out that many APOs studied does not strictly evaluate their officials. Some officials do not perform up to the specific goals, but they are given the opportunities to redeem themselves when the next evaluation period came. This has shown that Thai traditional values and culture of “greang jai” are still very much influence the decision of the executive. If the practice of traditional Thai cultures and values remain like this, it will be difficult for APO to become high performance organization as they are expected.

Table 5: Comparison of Employment Term between Traditional Bureaucracy and 6 APOs Studied

	Bureaucracy	Samyan	Suanluang	Silom	Sukhumvit	Siphaya	Sathorn
Employment							
1.1 probation	6 months-1 year	1 year	Director's decision	3 months- 1 year	3 months – 1 year	90 days	6 months
1.2 contract	Lifetime employment until 60 years old	Annually until 60 years old	No more than 3 years until 60 years old	1 st phase – 2 years later phase – 3 years until 60 years old	Prior to 3/1/10 – lifetime employment until 60 years old After 3/1/10 1 st phase – 2 years 2 nd phase – 3 years Later phase – 5 years	4 years	1 st phase – 2 years 2 nd phase – 3 years Later phase – 5 years until retirement age
1.3 performance evaluation	Twice a year	Twice a year	Twice a year	Twice a year	Twice a year	Twice a year	Twice a year
1.4 promotion and raise	Twice a year	Once a year	Once a year	Once a year	Once a year	Once a year	Once a year

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4. Deregulated Model

Deregulated model places an emphasis on deregulating some traditional bureaucratic rules and regulations that create red tape problem that hinder the effectiveness of the public organization and obstruct the creativity of public officials. All 6 APOs studied have made some adjustment regarding procurement procedures and all of them have increased the amount of budget APO can use on purchasing when compared to the traditional bureaucracy rules and regulations. This would allow more discretion on purchasing power to APO director and APO executive board to exercise. For example, if the traditional bureaucracy needs to buy computers in the amount of 250,000 THB, they have to use the price examination procedure, while APO Samyan and APO Siphaya only have to follow Negotiated procedure. This would save APO a lot of time, because price examination procedure takes more time to implement. However, there are some dangers once APO has too much autonomy. For example, if we take a look at APO Sukhumvit, supplies officials can use negotiated procedure of up to 1 million THB, which can be dangerous, if the supplies officials become a rent seeker.

Table 6: Comparison of Procurement Procedure between Traditional Bureaucracy and 6 APOs Studied

	Bureaucracy	Samyan	Suanluang	Silom	Sukhumvit	Siphaya	Sathorn
Negotiated Procedure through direct negotiation	No more than 100,000 THB	No more than 300,000 THB	N/A	No more than 200,000 THB	No more than 1,000,000 THB	No more than 300,000 THB	No more than 200,000 THB
Price Examination Procedure through supply committee	100,000 – 2,000,000 THB	More than 300,000 THB	N/A	N/A	1,000,000 THB – 5,000,000 THB (at least three companies)	300,000 – 5,000,000 THB	200,000 to 2,000,000 THB
Contract Bidding Procedure through open auction	More than 2,000,000 THB	N/A	N/A	More than 200,000 THB	More than 5,000,000 THB	More than 5,000,000 THB	More than 2,000,000 THB
E-Auction							

Note: As of June 21, 2012 1 US dollars is equivalent to 31.59 Thai Baht

As we can see from table 5, a lot of studied APOs executive boards have exercised its discretion on procurement procedure. The data indicated that at least 5 out of 6 studied APOs have increased the minimum discretion on negotiated procedure to allow the executive board to have more say on the purchase of APOs supplies. However, this definitely would increase more risk on corruption. On the positive note, this would create more flexibility if there is an immediate need to purchase some supplies. One of the APO Silom officials said that it is extremely easy to go ahead and buy an office supplies by just take this matter to talk with the APO director, while when he was working in the traditional bureaucracy, he had to follow bureaucratic rules and regulations step by step an takes couple years before supplies could be purchased.

Conclusion

Autonomous Public Organization (APO) in Thailand still in at its infancy stage, because the oldest APO is approximately only 12 years old so it is still very difficult to judge how successful APOs are. However, the findings indicated that there are some good and some bad regarding this new type of organization. Starting with the good, the flexibility of APOs regulations enables director and its executive board to exercise their discretion better especially in the case of rules and regulations especially on procurement procedures. This flexibility allows APOs to react to external environment better than the traditional bureaucracy. On the other hand, exercising too much flexibility might open doors for APO to exercise too much autonomy which might be costly. For example, in the case of APO Sukhumvit that prior to March 1, 2010 has given too great of a benefits to its officials and have to adjust to a more reasonable rate after March 1, 2010. The problem is there are two groups of officials that have different type of benefits. Therefore, APOs need to realize that they are non-profit oriented; therefore, they cannot generate their own incomes. Each APO has to be cautious about this matter. In the case of employment by contract, even though APO

has authority not to renew contract with employees whose performance are not up to par, Thai values of leniency still has influence on this issue. APO in Thailand is still in its early stage, and each APO has differed in terms of its function; therefore, more case study researches are needed to gain more information before we can make more generalization on APO in Thailand.

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