



PRIMARY RESEARCH

# The factors that affect the transparency and accountability of independent organizations in Thailand

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## Index Terms

Transparency  
Accountability  
Administration

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**Abstract.** This research's objective was to study the factors that affect the transparency and accountability of independent organizations in Thailand. This involves the use of authorities, administration, budget expenditures, and responding to public demand. In order to achieve cognitive development of transparency and accountability, that is the appropriate context of the country. This research study used qualitative research in a case study model. By using 3 tools to collect data. 1) Query documents 2) participatory observation 3) in-depth interviews. By dividing the data providers into three groups: independent organization, stakeholders, and the general public in the principle of data triangulations (Creswell, 2007). The findings revealed that an independent organization featured on the legal regulations and admitted to checking from the official government agency with authority to investigate directly. They are also influenced by the political and stakeholders' powers, including cultural factors, social norms, attitudes, values, and traditional beliefs. That affects the transparency and accountability of using independent organization authority in Thailand, both directly and indirectly. And another major problem is that it was not open for the citizens to participate truly. From policy formation process to implementation and monitoring. Thus creating transparency and accountability in the administration of independent organizations cannot succeed as expected.

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## INTRODUCTION

Thailand's economic, political and social change showed up enormously over the last two decades. Thai's government solved the problems by taking loan from International Monetary Fund (IMF) 209,806 million baht. With the condition that Government must lead to good governance in public administration It caused bureaucratic reform and many independent organization founded the respective regulators inspection and judgment to enhance performance and solve chronic problems such as corruption, tardiness and inefficiencies of bureaucracy. Thailand has begun an independent organization since the constitution of 2003 to reduce the problem of political neutrality of the public sec-

tor. And to reduce the use of power and political influence to intervene on duty. Board of commissions is appointed by the Nomination Committee, which acts independently of government control. But the independent organizations intervened by coup in 2007 and 2014. He was influential in the appointment of the Nomination Committee to select candidates to meet the needs of the junta. During the recent political crisis, the independent organizations had to intervene in the legislative power of the Parliament and the administration of government. And the judgments did not comply to provisions of the law several times. So many citizens disagreed with the verdict. But lots of people supported them too. Obviously there is no authority of check

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and balance or investigating the action of independent organization even for the citizens. Many people believed that independent organization authorities are more powerful over the sovereignty of the citizens and entire country.

Political conflicts in Thailand were severe and prolonged for a long time because both of them didn't respect the laws and democratic rules. But the role of independent organizations is part of the conflict rather than neutral. Maybe these organizations were a part of problems or not. The incident occurred in Thailand has shown that transparency and accountability are not limited to just the issue of corruption. But the abuse of power by the official authority is much more worst. Objective of this research was to study about the factors that affect the transparency and accountability of Independent Organization in Thailand. To find out the causes of problems leads to the solutions and contributes to the knowledge in transparency and accountability for developing the good governance in Thailand.

## LITERATURE REVIEW

Dubnick (1998) stated that Transparency and Accountability are important components of Good Governance. It's developed and changed from time to time. This research used the concept of "New public service" (Denhardt & Denhardt, 2000) that's changed public service point of views from "New public management" by service customers to serve the citizens. Making participation in policy making and monitoring the performance of government agencies. The concept of new public service (Denhardt & Denhardt, 2000).

1) Serve citizens, not customers 2) Seeking the public interests 3) Value citizenship over entrepreneurship 4) Think strategically, act democratically 5) Recognize that accountability isn't simple 6) Serving rather than steering 7) Value people, not just productivity These concepts change the perspective of public administration and accountability point of view. Especially the value of citizenships is very important for public service organizations and public servants. Public interests are the most important thing to serve and responsiveness to needs of citizens. Meanwhile the trend of public administration is changing to new paradigm called Governance. The concept is recognized globally. Giving priority to good governance, with transparency and accountability is a very important principle. Good governance has 8 major characteristics; it is about 1) Participation 2) Rule of law 3) Transparency 4) Responsiveness 5) Consensus-orientated 6) Equity and inclusiveness 7) Effectiveness and efficiency 8) Accountability. All

of these characters help to minimize corruption and responsiveness to the needs of society. Why is Transparency and accountability important? Transparency is operating in such a way that it is easy for others to see what actions are performed. It has been defined simply as "the perceived quality of intentionally shared information from a sender" (Schnackenberg & Tomlinson, 2014). And Transparency is practiced in companies, organizations, administrations, and communities. Accountability means the mission to explain and justify their actions (Bovens, 2007) or it's also a management process that ensures employees answer to their superior for their actions and that supervisors behave responsibly as well. (Mulgan, 2000). Accountability addresses both the organization's expectation of the employee and the employee's expectation of the organization. There are 3 components of accountability such as 1) "Who" it's about; individual person or organization to be accountant or accountee. 2) "What" it's about; the issues that need to report or justify their actions. 3) "How" it's about accountability process that accountee has to do for accountant investigation. (Bovens, 2007).

Harlow (2002) stated that there were 3 dimensions of accountability used in this research by nature of accountant. 1. Public accountability is the main components of Democracy. Because the citizens are the owner of their country, they have every right and duty to monitor, investigate or ask question about all of public actions by public organizations or public officers that use taxpayer monies to run public services. Citizens should have to participate in every process about public issues from policy formation to implementation to show their needs and responsiveness from public servants. And push the public interests to public policy and check their actions for transparency and accountability. The accountors who are involved in public accountability process are journalists, academic experts, professionals, civil society, and the general public. In this public accountability are included political accountability, professional accountability and social accountability. Public servants and public organization should be accountable to citizens to serve and be responsive to the public. (Peters, 2006) 2. Administrative accountability that means the executive administrators have to stay accountable to accountant organization such as Government has to be accountable to the Parliament or Permanent Secretary is accountable to Council of Ministers or executives are accountable to the Board. 3. Legal accountability is about the legislation process that defines the authority and responsibility of officials and government agencies. To set guidelines for the actions of public figures

and to check, control and sanction or reward accountees who justify their actions in accountability process (Bovens, 2007).

### CONCEPTUAL FRAMEWORK

This research used accountability framework in New public service concept (Denhardt & Denhardt, 2000) and Hybrid framework (Romzek & Dubnick, 1991) to create this conceptual framework consisting of Institutional, Virtue

Framework and contexts including the factors that affect transparency and accountability of Independent Organizations such as code of conducts, public, political and business influence, civil participation, authority and independency, the strength and ability of accountant, individual ethics, personal interests, attitudes, beliefs and norms of public organizations, professionalism, globalization and innovations, transparency and accountability knowledge.

**TABLE 1 . The factors that affect transparency and accountability of independent organizations**

Order	Transparency & Accountability	Institutional Framework	Virtue Framework	Contexts
1	Public	1. Citizens Participation 2. Reports 3. Public Hearing 4. Information Disclosure	1. Answerability 2. Responsiveness 3. Transparency 4. Accountability 5. Amenability	1. Political Influent 2. Business Influent 3. Public Influent 4. Politics 5. Economics 6. Social 7. Globalization 8. Innovation Technology
2	Legal	1. Legislation 2. Law Enforcement 3. Regulatory 4. Sanction	1. Liability 2. Blameworthiness 3. Equity 4. Equality	1. Political Influent 2. Business Influent 3. Public Influent 4. Politics 5. Economics 6. Social 7. Globalization 8. Innovation Technology
3	Administrative	1. Independent 2. Policy making 3. Management 4. Decision Making 5. Monitoring & evaluation	1. Responsibility 2. Responsiveness 3. Transparency 4. Liability 5. Answerability	1. Political Influent 2. Business Influent 3. Public Influent 4. Politics 5. Economics 6. Social 7. Globalization 8. Innovation Technology

This table shows main factors involved in transparency and accountability of Independent Organizations that are related in many ways. Some of them are formal but some are informal authorities such as law rules and regulations gave power and duty to do their jobs. In the institutional perspective it's like authorities or duties of each role. Public accountability didn't have formal authority to investigate or take actions to change anything. Public accountability for citizens, scholars, the media and professional organizations is not competent to investigate or do official assessment. Just use social pressure to achieve indirect ef-

fect. Independent organizations must be open to the participation of the public as much as possible to be transparent and accountable to the people who own the real power. The more is the Disclosure of Information, the more it is accountable. Factors in legal accountability is most powerful by legislation the law to enforce their actions. From institutional framework, Legislation, Law Enforcement, Regulatory and Sanction are formal factors. Factors officially enter into force as law. If violated or misconducted, the person will be punished by law. Everyone must follow inevitably among the factors that take effect the most and is used pri-

marily in public administration. But the virtue factors are aspects of the law that requires liability blameworthiness and has to be used as equity and equality.

In terms of administrative accountability, Institutional factors of independent organizations are an independent function without power. There is influence of outside control or forcing the action. There are also other factors such as policy making, management, decision-making, monitoring and evaluation. Among the factors that have made transparency and accountability. But virtue factors that administrators have to take responsibility of their duties. They have duties to serve and responsiveness and have liability

to answerability to the citizens involved in public interests. Every action should be transparent and accountable to the public. Public transparency and accountability has been affected by political, business, economic, social, environment, globalization and innovation technologies context. All these factors influence the lives of citizens and persons who work in the organizations as well. Especially in the case of political change radically as a result of the takeover by both institutions. And process management including laws. Because all are forced by the dictatorship of the coup. Good governance concepts only work in Democracy contexts.

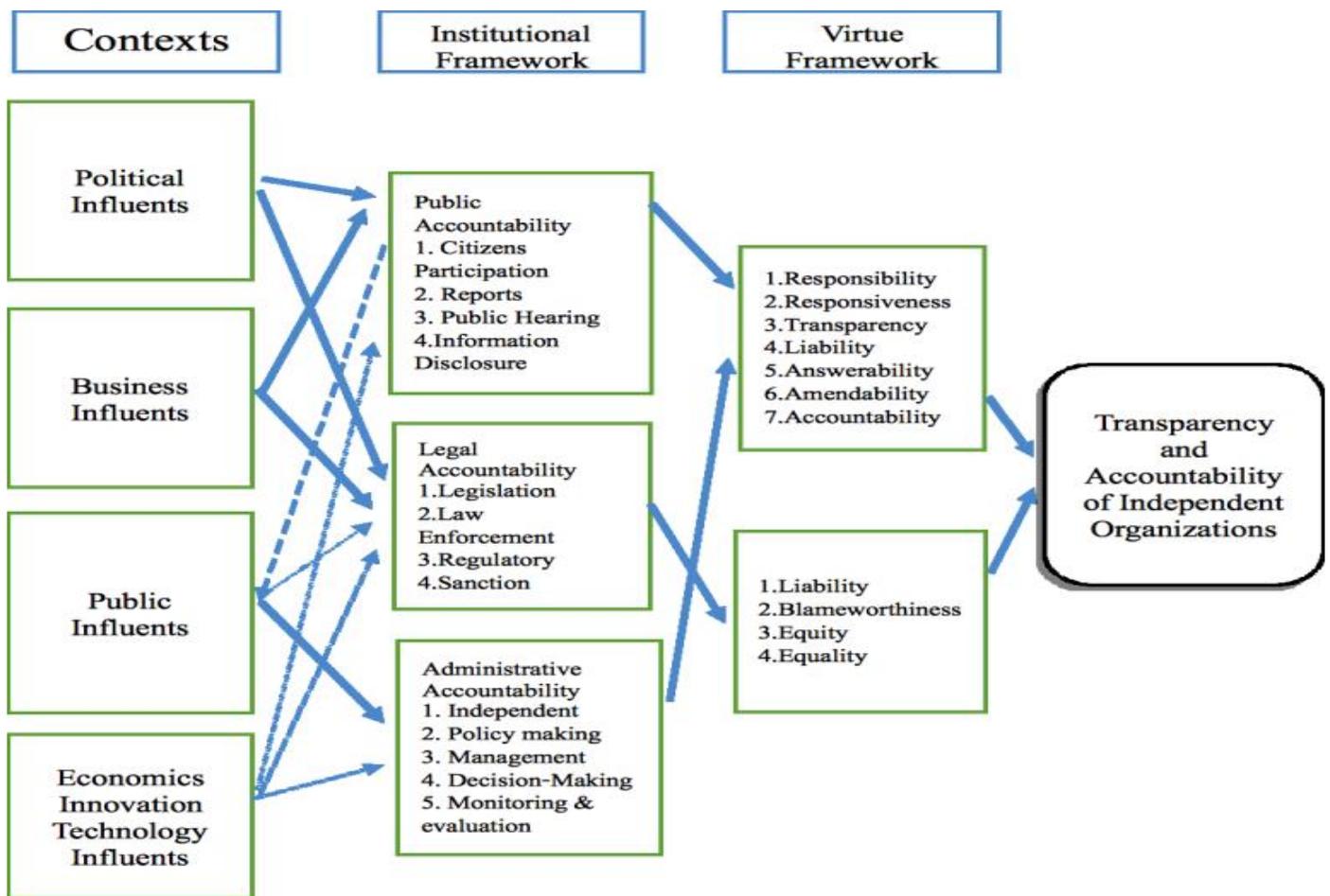


FIGURE 1. Conceptual framework of transparency and accountability in independent organizations

This model shows relation between factors of institutional, virtue framework and contexts that are affected by transparency and accountability of Independent Organizations in Thailand. These relations had different impact on each other. Some organizations have been facing the problems about political issues.

**Independent Organizations**

There are several independent organizations in Thailand that were founded, as defined in the Constitution and other laws. such as Office of the Election Commission of Thailand (OECT), Office of the Auditor General of Thailand, Office Of

National Anti-Corruption Commission, Office of the

Ombudsman Thailand, The National Human Rights Commission of Thailand, Bank of Thailand, The National Broadcasting and Telecommunications Commission, Office of the National Economic and Social Advisory Council, The Constitutional Court of the Kingdom of Thailand. The Administrative Court and Courts of Justice. These organizations are responsible for justice, spectrum allocation, Anti-corruption, Financial management, etc.

### RESEARCH METHODOLOGY

This research topic wants to understand the actual causes of transparency and accountability problems in Independent organizations. So needs to find out the real factors that influence in using authorities and power of the commissioners in independent agencies. The objectives of this research are so complex and profound and are proper to use for Qualitative research. We used 3 groups of key informants to represent each side of personal interest and perspectives. First: Commissioners and officers in Independent Organizations, Second: Expert academics, journalists, professional, civil society, general people who know or are involved in the action of Independent Organizations. Third: Recipient groups affected by the performance of the independent organizations.

This is triangulation of information to compare and analyze from different angles that could make the analysis and interpretation have all aspects including the political, economic and social contexts. This research also selects 3 tools to collect data and information (Creswell, 2007) which are 1) in-depth interviews of 24 persons 2) non-participant observation for 1 year 3) documentary research from news, reports, articles, columns, video clips, papers and researches. The scope of this research is to find out the factors that affect transparency and accountability of independent organizations in action. And the structure of Laws, Institute, process, system, informal and formal authorities.

### RESULTS

The result of the interviews, observation and document research found that all of Independent organizations mainly cater to legal accountability because most of the provisions are clear and effective legislation. Any violator will be guilty and punished. It is the duty of the officers and board of commissions in independent organizations that will have to comply with legal requirements. And administrative accountability is defined in the law as well to guide on duty

and inspection of the performance of duties, including inspections by independent organization such as the Committee on the Auditor General. Using Information from newspapers, television news and in-depth interviews founded that the actions of independent organizations support anti-democracy's government groups and junta purposes. Their judgments against former government to justified the coup d'état was right. For example the Government Policy compliance announced that Parliament has been convicted of an offense. Legislation retroactively deprived the prime minister and convicted without evidence, etc. These incidences demonstrate the transparency and accountability of the independent organizations as well. They are unable to stay transparent and accountable to the public in the context of non-democracy. The dictator has absolute command and control and the independent organizations comply without arguing. Powers and authority of Junta are that nobody can ask questions or ask them to justify their decisions and actions. And it shows that the commissions that are appointed by the junta have no political neutrality, the duty to respond only to dictatorship. People are unable to participate and even check or call for their responsibility being transparency and accountability.

### DISCUSSION

Most of the problems of Independent Organizations were the delay in the operation and not so neutrality in political aspects. Because those who act in independent organization commissions were appointed by the junta that seized power in 2007, the supporters of the coup, he was appointed to serve the purposes of the junta to maintain the power of anti-democratic elite that has power all along. Since 1933 Thailand regime has changed from Monarchy to Democracy, but Thailand had the coup 13 times in 83 years. Most of the time was ruled by a military government. Abolished and wrote the constitution 20 times. Legal system was controlled by military power.

Bureaucracy and public administration were under military logic and concepts. Only one constitution in 1997 was created by politicians by election that used only 9 years in Thailand history. And coup d'état two more times in 2007 and 2014 until now. Political contexts got the most impact in structure and process of good governance in public administration system because of good governance concepts based on Democracy. Thus creating transparency and accountability of public organizations of Thailand to come up with concrete independent organization representing the power of democracy.

As a result, there is a problem with the elected government. And that is why the government cannot manage the public policies that are announced to Parliament and a part in supporting the coup again today. Knowledge gained from this research can be analyzed. And create a model of transparency and accountability in the political context that is not democratic. Which leads to study the good governance of a context different from other countries. And to prove that good governance cannot be used in non-democratic political contexts. And cannot bring a political solution to the conflict that took place in Thailand. The most important aspect of this research indicates that if independent organizations do not perform their duties with transparency and accountability, they corrupt the faith and trust of the public on independent organizations.

### CONCLUSION AND IMPLICATIONS

It clearly shows that the performance of the independent

organizations in non-democracy context, couldn't have transparency and accountability, certainly. Based on the political and administrative system, there is lack of democracy. Many independent organizations cannot perform their duties with transparency and accountable as they should be doing. The factors that affect the transparency and accountability of independent organizations the most are political factors that intervene directly and clearly affect the functions. In addition, virtue factors are also the problem for officers and directors to act in the abnormal political context. It cannot be denied. Political factors are the most important influence for transparency and accountability in Thailand.

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