

Abstract

"Restructuring, Renorming, Rethinking: Inferences from Canonical Thai Corruption Cases"
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Close study of two recent Thai scandals offers powerful inferences both for remedial public policy and for improved analytic methods. *Attorney General v Rakkiat Sukhthana* (2003) details both the *modus operandi* of a year-long criminal enterprise within the Ministry of Public Health, the means used to protect it, and the reasons for its final exposure and successful prosecution. The Constitutional Tribunal's 2007 Decision dissolving the previously dominant Thai Rak Thai Party spotlights crucial factors allowing senior officials to operate with impunity a major criminal enterprise within the state. The paper analyzes structural properties of the two situations and compares the initial factors in success of the criminal enterprises with the later factors in their collapse. Findings:

Factors in the Success of the Corrupt Activity

- * Secrecy of government processes
- * Political authorities possessed extensive control over the careers of those tasked to investigate impropriety
- * In-house control bodies were passive
- * No body had the duty to uncover corruption independently of complaints from an injured party
- * Participants put forth little effort to conceal criminal acts, viewing their activities as normal, expected and appropriate to their offices.

Factors in Downfall of the Criminal Enterprises

- * Private citizens and public interest groups brought down the criminals. Their efforts were complicated by the passivity or opposition of state officials but eased by the confidence of the criminals themselves (resulting in carelessness) that corrupting the state was normal, expected, and riskless.
- * Culpability could be officially proclaimed in each case only due to "happy accidents." Routine processes of government failed.

Inferences for Remediation in Thailand and Elsewhere

- * Effective mitigation of official corruption entails a body whose career incentives are not controlled by state authorities actively to search out misconduct without prior complaint by an injured party or private citizen.
- * Public access to documents regarding state procurements and concessions, such that evidence of wrong-doing can be routine rather than haphazard.
- * Structural infirmities as described above only facilitate in the Thai context, so structural changes will still fail without renorming. These cases reveal that the form and extent of official corruption result from a vast public dissensus over the purpose of the state. Very large numbers of people both at the top and within the state's bowels view it in historic patrimonial terms: the state exists to transfer resources from the public to their rulers.
- * Renorming strategies are well understood in the literature, effective in practice every day in all kinds of organizations, and readily available to anyone interested in mitigating official corruption.

Inferences for Future Work in Corruption Studies

Analytic terminology and the model of reality presently employed in the field obstruct progress. Both research and policy/program prescriptions might achieve substantially greater insight and effectiveness were future work to employ a more comprehensive understanding of the public's view of the role of the state, to recognize the normative nature of the systems under study, to eschew pejorative in favor of scientific terminology, and to utilize an intelligent-machine analog of reality which alone can capture the subtleties of cooperative homeostatic systems motivated by social exchange to maintain a particular distribution of rewards.