

DELIBERATIVE POLICY ANALYSIS AND LOCAL GOVERNANCE: LESSONS LEARNED FROM KHON-KAEN CITY MUNICIPALITY, THAILAND

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ABSTRACT

Deliberative policy analysis approach emerges as a progressive participatory approach. It sheds light on quality aspect of participation that contributes to governance enhancement especially in local level. As influenced by Habermas, the approach challenges traditional policy analysis approach by which laypeople are excluded from policy world as it requires well-trained professional policy makers and planners. The deliberation approach proposes democratic oriented policy making by recognising that societies are changing to be more pluralistic. Hence, policy analysts transform their role from experts to be deliberative facilitators that create public spheres for various policy actors to deliberate for making policy together by proposing their various modes of knowledge and rationality. Policy then should be a result of the deliberation which can be a consensus, an agreement, mutual understanding or even the recognition of the differences. For making the approach possible, however, policy analysts need to cope with distorted communication of the powerful actors by guaranteeing that everyone's voice will be heard as much as they can do. This paper argues that to facilitate deliberative mode of policy making is the pathway to enhance local governance, because after various local actors take part to make policy they would also tend to collaborate in implementing it. The collaboration then leads to the support of static local government structures by flexible governance systems. This claim is illustrated through the case of local policy deliberation in Khon-Kaen City Municipality, Thailand and the way in which such deliberation enhances local governance systems that promote sustainable development.

Introduction

Policy analysis in the 21st century is inquired to be more sensitive to democratic values. The emergence of participatory policy process is widely both from the Global North and South. Deliberative policy analysis that sheds light on quality aspect of participation also pops up everywhere like rhizomes. Whether this mode of analysis enhances governance systems particularly at the local scale is the main focus addressed here. The assumption developed from previous studies is that deliberative policy analysis comes along well with governance principles and also functions well at the local. However, most studies are conducted in the contexts of developed world in which democratic system is progressive and power tends to be distributed to different parts of the network society. To examine that aspect in the developing world, this paper decodes the lessons learned from Khon-Kaen City Municipality, Thailand, where the local authority has adopted deliberative policy analysis to initiate collaborative local policy and planning for at least the decade. The analysis has been framed at the time that the city governance has been facing authoritarian interferences as a

result of the coup taken place in Thailand since 2014. In doing so, this paper attempts to address the dynamics of local governance transformation under national political constraints. To develop arguments gradually, this paper starts with the theoretical backgrounds in relation to understanding deliberative policy analysis and its implication to local governance enhancement. Then, the paper provides key information indicating policy deliberation practices in Khon-Kaen City before analysing local governance transformation in this city under political dynamics. After that, this paper ends up with discussion and concluding remarks.

Deliberative policy analysis: what is it about and why do we need it?

While Habermas' ideas on public sphere and communicative action influence as theoretical backgrounds of deliberative policy analysis (Habermas, 2002, 1987), the approach has its origins more generally in the argumentative turn in policy analysis (Fischer and Forester 1993; Fischer and Gottweis, 2012). What deliberative policy analysis is about? The contributors of the book edited by Hajer and Wagenaar (2003) complement each other in addressing that this mode of policy analysis is a challenge and an alternative to the technocratic policy analysis by which laypeople are excluded from policy world as it requires well-trained professional policy analysts. Deliberative policy analysis, on the other hand, sheds light on the changing role of policy analysts from experts to be deliberative facilitators that create public spheres for various policy actors to deliberate for making policy together by proposing their various modes of knowledge and rationality. Hajer and Wagenaar (Ibid, p.30) address that the expected role of policy analysts should be not to suggest effective or efficient solutions, but instead should be to facilitate the citizen's capacity for deliberation and collective learning about value, preferences, assumptions of self and others, mutual dependencies, power differentials, opportunities, constraints, and the desirability of solutions and outcomes. Policy then should be a result of the deliberation which can be a consensus, an agreement, mutual understanding, or even the recognition of the differences.

To go beyond empiricism, this mode of analysis is interpretive, pragmatic and linguistically oriented approaches attuned to the continuous give and take in networks of actors that have sprung up around concrete issues (Fischer, 2003, 2007; Hajer and Wagenaar, 2003). Firstly, an interpretive aspect of deliberative policy analysis is that it attempts to understand new reality of the network society by articulating different meanings (Hajer and Wagenaar, 2003, p.4). Wagenaar (2011) adds later that it aims to understand different faces of meaning including hermeneutic, discursive and dialogical meanings. In the chapter of Yanow, she explains more how interpretive policy analysis becomes a root of deliberative policy analysis by saying that policy deliberation allows different communities of meaning to share and contest through the process of interaction where local knowledge is not excluded (Hajer and Wagenaar, 2003, pp.228-46). Secondly, policy deliberation is practice-oriented as it seeks for practical judgment in relation to practical reason. The chapter of Wagenaar and his colleague mention that deliberative policy analysis reveals the hidden ambiguity and uncertainty in everyday situations (Ibid, p.139). They add that moral and emotional

dimensions of practice are the point of interest for policy deliberation. Lastly, by highlighting the role of language, discourse analysis is common used as a tool for deliberative policy analysis. Hajer's chapter proposes that this mode of analysis highlights the importance of language in the form of policy discourses that are created from vocabularies, story lines and generative metaphors (Ibid, p.88). Deliberation among different coalitions of actors that supported different policy discourses - discourse coalitions - can make meaningful policy.

Why do we need deliberative policy analysis? By recognising value pluralism, this mode of analysis is able to cope with value conflict under the real-world as well through consensus building processes, collective learning and deliberative judgement (Ibid, p.21). Besides, we need it as it provides the ways that are more inclusive of interests, more open to new options and opportunities, more broadly discursive and more personally and publicly satisfying. It also makes possible for participants to make choices based on their local knowledge and to seek mutually satisfactory or cooperative solutions (Ibid, pp.34-43). Apart from that, deliberative policy analysis is sensitive to decision making in daily life by recognising the contribution of new sites, new actors and new themes (Ibid, p.3). This mode focuses policy argument in the context of practice or concrete everyday situation at hand by assuming that practical world is abundant with dialogue. In the same time, it is sensitive to democracy in practice as well by promoting deliberative democratic values that can propose effective or legitimate solutions (Ibid, pp.19-20). Under the situation that interdependence should be enhanced, deliberative policy analysis can create mutual trust and social capital in wider sense among interdependent people, restructure policy networks, enhance collaboration, generate their shared identities and formulate their political will, even while continuing to be different (Ibid, pp.33-59).

Enhancing local governance through policy deliberation

According to Hajer and Wagenaar (Ibid, p.7), policy deliberation helps enhancing governance in the emerging network society. In their view, collaborative dialogue and democratic deliberation are important in legitimating the shift from government structures to new flexible forms of governance - more effective, accountable and democratic. They also argue that deliberative policy analysis becomes important as it recognises that many problems are simply too complicated, too contested and too unstable to handle by schematic and centralised regulation. Bogason (2000) makes this argument more specific to the enhancement of 'local' governance by saying that deliberative policy analysis is the fundamental of network local governance. Without deliberation, local governance networks could not function properly.

Apart from that, some scholars that are 'pro' deliberative policy analysis also work on governance theory. Fung and Wright (2003), for example, pay attention to the idea of empowered participatory governance by recognising that the possibility is to create spaces for intensive deliberation. According to Fung and Wright (2003, p.5), the public sector is still important in this governance system in the same time that the role of private sector is

increased. However, this governance system also "elicits the energy and influence of ordinary people, often drawn from the lowest strata of society in the solution of problems that plague them". Fung and Wright (2003, pp.15-20) also address the key principles of empowered participatory governance including the practical orientation, bottom-up participation, and deliberative solution generation engaged by ordinary people and officials. They propose that in designing this governance system the role of the public sector is still at the centre (state centred approach), but it should concern about devolution, centralised supervision and coordination for deliberating in attempting to 'empowering' the people (Fung and Wright, 2003, pp.20-4).

Fischer (2012, 2006) advances that argument by proposing that to promote participatory governance is to promote deliberative empowerment particularly at local scale. According to Fischer (2006, p.19), although participatory governance is employed in different ways without a clear definition, it is used to refer an empowering form of governance. The participatory governance advances the idea of good governance by giving more credit to the role of social movements and civil society organisations. He later tries to deepen his idea and provides more radical perspectives by addressing that participatory governance is the governance initiatives which generally are situated in the existing systems of political and social inequality. Participatory governance typically involves explicit struggles against such inequalities and as such is rooted in and supported by civil society-based social movements.

From above, it can be noticed that policy deliberation is at the central of empowered participatory governance, in specifically at local scale, in which the role of public, private and civil society are recognised and the empowerment of laypeople is paid the most attention. To go further, Dryzek (2012) calls this articulation of deliberation and governance theories as 'deliberative governance' which helps to conceptualise that policy deliberation and governance always come along well with one another as both ideas promote qualitative aspect of participation of multi-actors which go beyond state and market oriented approaches. By making it more specific, deliberative local governance would be an inclusive form of local governance that goes beyond positivist good governance principles by highlighting the meaningful participation of multi-stakeholders in local communities which is achieved by deliberating in public spheres created possibly within a particular locality.

Although deliberative local governance seems to be a normative approach that might be hardly met in neo-liberal state as mentioned by Davies (2011), it provides a hope to seek for the better local development approaches and to find alternatives to the old paradigm called local government. More or less, although the perfect deliberative local governance might be just an ideology as the same as the ideas of democracy, socialism, human right and so on, it might be possible to see some 'pathways' toward it in small scale and in specific issue (such as an environmental issue). The next sections will illustrate through the case study of Khon-Kaen municipality where the articulation of policy deliberation and local governance enhancement are clearly present.

Khon Kaen practices in deliberative policy analysis

First of all, the practices of deliberative policy analysis in Khon Kaen city illustrate that this mode of policy analysis was possible in the context that not only power was unequally distributed, but democratisation was also in being interrupted as this case was studied in the time that Thailand was governed by the authoritarian government formed by the military as a result of the coup. At that time, there was still the people's council in Khon Kaen Municipality which the mayor, local administrators, city think tanks, peak corporations, associations, local monks and urban community leaders deliberated to make a decision together in various deliberative panels including 'Town Hall Meeting', which has been organised regularly at the city scale since 2001. It was found that more than 160 actors participated in each town hall meeting; such as, traditional leaders of the city, local businesses, public agencies, the local university and schools, all 77 community committees, community-based organisations, non-governmental organisations, career groups, ethnic groups (including 15 Chinese associations and the Vietnamese association), some international organisations (e.g. Rotary and JC Lions), representatives of migrants and general active citizens (e.g. youth clubs) (Future Urban Development, 2015). However, it should be noted that this does not mean that everyone had an equal voice. But, all of them had a chance to share (there were many sub-panels), learn and make a decision together (voting). The interactions among these various actors in deliberative process succeeded in making the agreeable common policy framework for determining and prioritising the future city development.

To make this happen, the vision of the mayor was progressive if compared to the progress of democratisation in Thailand in overview. He said that representative democracy is insufficient. People should have a right in addressing what they need in any decision making process – not just the right to choose their representatives and then let them make decision in the name of the people. He also addressed his progressive vision in decentralising the decentralisation from the central government to the people – not just to the municipal office. He talked about his role as the facilitator rather than the leader. These visions come along well with the ideology of deliberative democracy and policy inquiry. The mayor mentioned about the importance of the town hall meeting that it complimented the municipal council meeting which was not enough as it was still based on representative democracy. He said that the communicative forum was initiated to enhance transparency of the city municipal on the one hand and to empower the people on the other hand. He also stated that to think and act together we might need to allow city dwellers to fight with each other before they could end up with doing something together. Furthermore, the mayor mentioned about freedom to express, equality to speak, and the beautiful city that is built from the variety of people and ideas. Apart from freedom and equality, he also addressed the importance of reciprocity ('*Ear Artorn*') and the sense of being members of the same family (Khon-Keanians), which are related to the notion of 'social capital'. The town hall meeting now becomes one of urban governance cultures. Although the mayors have changed, the meeting has still been continuing organised.

The process of policy deliberation practices through the town hall meeting departs from a collection of problems and demands from the people by the Division of Participation Promotion of the city municipal for setting deliberative agenda. Then, the city municipal invites aforementioned organisations, associations and groups as well as publicising a welcome for general active citizens. At the same time, topics for discussion that are related to people's demands are informed. In the day of meeting, it starts from the opening of the panel by reputable and respective city person before the mayor addresses the topics (agenda). Next, different working groups present initial information, findings and evidences to address the problems to other participants. After that, these working groups play the role in proposing the possible solutions or choices before opening the floor for the discussion by any participants. In the end, they make a decision together and give a promise to take action. Such ending of 4-5 hours discussion is not always happy. Many times the town hall meetings lead to fragmented and contrasting ideas without a specific agreement or conclusion (brainstorming rather than deliberating), but at least the city municipal can collect new ideas and refer to the meeting to legitimise a particular project in the name of 'the policy for and by the people'.

Although the mayors and local administrators were mostly businessman who might concern mainly on investment, tourism and overall urban economic development, the deliberation shaped the development to emphasis on green agenda and the promotion of city culture as well. So, deliberation opened the door for artistic vision which aimed at the enhancement of quality of life rather than economic growth. Moreover, a surprise was found in the aspect of the local economic development that the deliberation brought to an endorsement of the Municipal Act that regulated conflicts of interests of local politicians in applying for completing in the procurement process of the investment of the city municipal. This Act, thus, constrained the possible benefits of the mayors, local administrators and even the members of municipal council (Shaephou, 2014). It reflects the power of deliberation in legitimising people's agreements even through such agreements affect the powerful actors like the mayor and his team.

Regarding the role of deliberative policy analysts, the City Division of Participation Promotion in corporation with think tanks who mainly were the scholars from local universities played that role by facilitating the discussion, coping with value conflict, integrating different types of knowledge and dealing with authoritarian interferences. For example, they created deliberative facilitation standards that participants should have right to express their needs, share ideas, realise problems, learn possible solutions, make decision, and frame the further actions together. In the development of transportation, they coped with value conflict between people promoting modern Bus Rapid Transit (BRT) system and the (old-fashioned) Shuttle Bus Association by putting the new system together with the old one. The decision was derived from the sympathy and the belief that the new and the old can co-function. In integrating different types of knowledge, they were able to integrate the empirical data and normative assumptions along a deliberative spectrum; such as, the different understanding of risks and different perceptions on uncertainty regarding a planning of disaster and emergency warning system. What they did was to put different pieces of

knowledge together and opened the room for different modes of rationality especially the differences between economic and environmental reasons.

For dealing with authoritarian interferences, deliberative policy analysts legitimised the decisions by claiming that those were derived from city dwellers' agreements. For instance, under limited decentralisation local governments cannot develop mega-projects by themselves. However, to make agreement by city dwellers regarding their demand on BRT system through deliberation brought them going beyond such constraint by proposing to mobilise 'Infrastructure Fund' from local investors for investing in the development of city BRT transportation by themselves. This was a way to cross over the state strategy to set a vision of strong developmental state and its priority regime. The city also succeeded in doing so by referring to the King's notion of 'self-reliance'. Besides of that case, local governments did not have a legal right to govern the City Pillar Shrine. The Khon Kaen Municipality allowed local people to raise their voices, which ended up with the 'consensus' that they agreed that the local government should manage the city pillar shrine as it would be more sustainable as the local government was based in the city and owned by local people who knew related traditions and ceremonies about paying respect to the pillar shrine. In the end, the central government needed to allow this local government to take care of the pillar shrine as regards the will of the city dwellers.

Apart from the town hall meeting, other communicative fora were organised at urban community scale. Each community meeting was usually organised at the community temple or nearby school. The decentralisation from the city municipal to the urban communities allowed each community to have its own community development plan. It also created communicative fora at each community to make a plan, frame their collective actions and monitor those actions. To adopt 'strategic planning approach' also promoted deliberative practices as the approach gave an importance to the brainstorming process; such as, to analyse strengths, weakness, opportunities and thread (SWOT analysis) together. On the other hand, the adoption of strategic planning approach led to the influence of 'stages approach' in shaping deliberative process in the way that the deliberation was organised in parallel with the participatory strategic planning, the implementation and the monitoring of the plan by the community itself as a 'sub-municipality'.

The observation in one sub-municipality namely 'Ba-Kham' found that the deliberation was engaged by community committees, school teachers, local monks, community health-care volunteers, local enterprises, traditional community leaders (local experts or the elders living in the community) and general community members. They met formally once a month through the organisation of community meeting, while informal meetings were found more often and also led to initiations and collective actions. The self-organisation of local waste management was a clear example of the deliberative outcome. The community members made an effective and fair division of labours based on willingness of each one. They also realised that merely the demands for altruist mind was not enough, so they provided incentives for the community members who were responsive to the organisation of collective actions. As communication and action were related, the members who engaged in a particular action would participate in the related communicative fora. In

contrast, the members, who participated in the communicative fora, were usually in turn engaged in related collective actions (Boossabong, 2015).

Khon Kaen governance transformation

After, or even the same time, that deliberation has been taken part in Khon-Kaen administrative culture for more than 10 years, local governance has been enhanced gradually. This claim can be justified from the initiations of many collaborative projects such as participatory garbage collection, participatory community park maintenance, participatory disaster and emergency warning system, and public-private partnerships in developing transportation systems, creating walkable street selling local and hand-made products and food, and building the city museum. More specifically, this paper argues that policy deliberation in Khon-Kaen municipality creates 'collaborative network local governance'. It should be first understood the essential background that Thai governmental regime was shaped by the contention between old and new powers. The old power was led by the monarchy network, the military, and the Democrat party (conservative party), while the new power was held by the elected neo-liberal government which is led by a rich businessman. The elected government won the election by selling populist policies and shaping money politics. They claim their legitimacy in the name of modern democracy. On the other hand, the old power elites claim their legitimacy by promoting morality-led politics, while they blame money politics and a corrupt government. Each side pulls the rope to win the other side in the tug-of-war. However, whatever sides controlled state power under representative democracy model, Thai governmental regime was highly centralised.

After Constitution 1997 was endorsed, decentralisation of administrative structures has been introduced clearly in this country. There was a room for local communities to determine their developmental direction by themselves. Three types of local government bodies are created to support local communities including Provincial Administrative Organisation, Municipality and Sub-district Administrative Organisation. They have some degree of autonomy. They play a role in developing local infrastructures, taking care of local environment and delivering basic services to local people (e.g. basic welfare provision, basic health-care, education and garbage collection). All three types were structured the same for the whole country.¹

In city scale, the local government body is in the form of municipality. About Khon-Kaen City Municipal, structural administrative arrangement of this local administration was indifferent from other places in the country, but it initiates its own styles of administration called here as a pathway towards collaborative network local governance. To begin with, the competition among local politicians in controlling Khon-Kaen City Municipal was low. Two main groups namely 'Khon-Kaen Pattana' (Patana means development) and 'Rak Khon-

¹ They are different from Bangkok Metropolitan Administration and Pattaya City as these two special local government bodies have their unique system.

Kaen' (Rak means love) had been fought for their seats in governing the city for a long time, and ended up with a decision to cooperate to sustain their mutual benefits. The co-optation might not be positive for people as they did not have various choices in the political election game, but it makes network governance more possible. Local politicians then paid less attention in competing with each other, while they paid more attention in seeking for collaboration by networking existing development agents in the city.

For at least a decade, this paper analyses that Khon-Kaen City Municipal has succeeded in developing the collaboration. It was not romantic like the ideal world where everyone was harmonised and comes along well with others. It was also not the governance system where everyone had an equal right, role, opportunities and power. It was still a centralised network by which the City Municipal was the centrality who needed to cope with external forces and internal cooperation. According to Waarden's differentiation (Waarden, 1992), network in Khon-Kaen city could be classified as the 'corporatist network'. The most dominant characteristic is the outstanding role of 'peak associations' over other actors. The peak associations of this case were the municipal itself, the Board of Trade of Khon-Kaen that was an association of local investors, the College of Local Administration of Khon-Kaen University (leading Khon-Kaen Think Tank: KKTT), Faculty of Architecture and Urban Design of Mahasarakham University, and Provincial Administrative Organisation (a public agency working as the main mechanism of the central government in the region).

These peak associations developed their connection with the City Municipal in many ways. For example, the mayor had ever been the president of the Board of Trade of Khon-Kaen, while backgrounds of local administrators and members of city council were mostly local businessman. The mayor himself owned the biggest fish sauce production industry in the region. Some of local administrators owned local supermarkets, malls, restaurants and hotels. The chief of the municipal council was born in the influencing family of the city as his family name was the name of the street in the inner city. The College of Local Administration also had a well-connection with the mayor and some local administrators as they graduated from there; professors-alumni relationships. These connections became an entry point of the emergence of the corporatist network mode of collaborative local governance.

Apart from the peak associations, Khon-Kaen City Municipal developed syndicate systems among the city municipal and other nearby local government bodies. So, these local government bodies were also engaged in the network in particular the governance of transportation connection systems and disaster governance. They shared resources, information, and know-how as well as co-investing on some connected infrastructures. In the similar way, the city municipal developed inter-governmental relationships with public agencies from the central and regional governments. Their relations were not in the hierarchical style as Thai local government was not under the direct control of the central and regional governments. They needed to work with one another as some tasks were duplicated. For example, the Office of Commercial Affairs, working under the central government, needed to support economic development of the city as the same as the city municipal. The Community Development Department of the central government also shared similar missions with the city municipal in taking care of social welfare (Teekayapan, 2014). Thus, the city

municipal can develop a network with both nearby local government bodies and public agencies working under the central and regional governments as regards their regular deliberation.

As for networking at the urban community level, the city municipal succeeded in doing so as a consequence of its initiative to decentralise the decentralisation. The city municipal changed from 'working for' the urban communities to 'working with' them by allowing each community playing a role as a 'sub-municipality' that had its own autonomy to deliver basic services for community members, to make decision about the future of the community, to formulate the community development plan and to implement the plan by itself (there were two layers of planning; city planning and community planning). Although it was critiqued that to decentralise to sub-municipalities was a development of the election canvassers of the local politicians (the mayor, administrators and members of the council), the emergence of sub-municipalities supported the role of the urban communities to develop their own community by themselves in many aspects; such as, self-garbage collection and management, taking care of their public park, building local streets and organising local traditional festivals. Thus, in some aspects, deliberative channels opened up the relations between the city municipal and the communities in the form of collaborative network local governance system rather than patron-client system.

Concluding remarks

By articulating deliberative policy analysis and local governance approaches, this paper took a journey through Khon-Kaen city municipality's practices. The discussion highlighted the links between policy deliberation and governance enhancement in local level. The role of policy analysts as deliberative facilitators were also illustrated through the case. Their role did not only seek for consensus or mutual understanding, but the role was also to cope with distorted communication of the powerful actors. By doing policy deliberation, then, was the pathway to enhance local governance as a consequence that after various local actors take part to make policy they would also tend to collaborate in implementing it. The collaboration then leads to the support of static local government structures by flexible governance systems.

It can be seen from the case that deliberative governance as mentioned by Dryzek (2012) would be productive concept that provides analytical insights to understand the articulation of deliberative policy analysis and governance studies. It goes beyond positivist good governance principles which are less sensitive to democratic advocacy (as Singapore was rated the best good governance without advancement of its democracy). Apart from that, such positivist governance is also claimed by authoritarian government as it promotes anti-corruption by which elected politicians are always blamed. Deliberative governance, on the other hand, can propose more the democratic values at the local community scale and in everyday politics and governance practices. This is possible because deliberative democratic

practices can be activated in the daily life basis where public sphere is created. In short, deliberative governance provides the way walking toward democratic practices.

By emerging from Habermas' ideological theorem, either deliberative policy analysis or deliberative governance seems to be romanticised and far from reality. The discussion through the case study shows that this approach is not romanticised as it engages directly with epistemological debate. In the other words, it opens for the debate between different modes of social meanings and knowledge to create meaningful participation by which different meanings and knowledge are included in the process that seeks for practical reasons and better arguments. Thus, this policy and governance inquiry behind the scene is deepen unlike the romantic notion of participation and even deliberation used in general sense which usually refer to anticipation and engagement in reality. The approach is also sensitive to structural power more than it has been critiqued so far (see Tewdwr-Jones and Allmendinger, (1998) and Pennington (2003) for the examples). The approach is not naive to power and realise that distorted communication is always a big challenge for deliberative facilitators - no ideal speech acts as Habermas dreams for. From the Khon-Kaen case, we can see the attempt of policy deliberation in challenging authoritarian interferences by claiming the will of the city dwellers. The city also deliberated for structural change as it used the deliberative result in proposing to be the special city - reporting to the Department of Interior and the Decentralisation Committee.

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