

Abstract

Research Title : Participation of people in the draft local ordinances Under the constitution of The Kingdom of Thailand B.E.2550 Section 286
Case study Bangrakum Saraya Klonyong Nakornpatom

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Since the past years, several Constitutions had been promulgated in Thailand. For each Constitution, the setting of its infrastructure of administrative organizations was not able to firmly establish the country's stability and efficiency, including protection of right and liberty of the people. After the political reform, the entire political system have been determined and improved; the Constitution played an important role on setting of public administration and mechanism on infrastructure of public administration. The Constitution of the Kingdom of Thailand B.E. 2540 (1997) set new infrastructures different from the previous ones. Its contents were indifferent from that of the Constitution of the Kingdom of Thailand B.E. 2540 (1997); and covered political freedom which the people participate in the country's administration (democracy by the people for the people).

This was to enhance and promote the collaboration and participation of the government, local administrative organizations and people, for the public interest. Especially, an ordinance on the people's full right on proposing local ordinance represents the people's solid opportunity on participation. In addition, presently, the Act on Proposing Local Ordinance B.E. 2542 (1999) have been issued.

The research result, summary and recommendation are as follows;

1. Problems on process of local ordinance consideration of local councils:
2. Problems on the number of population proposing local ordinance:
3. Process, form and step of granting rights on public opinion endorsing local ordinance:
4. The election committee has the right on holding public opinion endorsing local ordinance:
5. Problem on the people' understanding on enlisting to propose local ordinance;
6. Problem on local councils' process which people' representatives are not entitled to participate in discussion or clarification.

Recommendation

1. The election committee should hold public opinion voting of local people.
2. The Act on Proposing Local Ordinance B.E. 2542 (1999) should be amended on request submission, consideration and voting of local people.
3. The government should accelerate the local administration reform to ensure its efficiency.
4. Section 286 of the Constitution of the Kingdom of Thailand B.E. 2540 (1997) and the Act on Proposing Local Ordinance B.E. 2542 (1999) on the number or the percentage of people having the right to vote shall be reduced.
5. Local people should have the rights to endorse local ordinance not approved by local councils, by their majority votes.