

PATTAYA CITY : AN UNSUCCESSFUL CITY MANAGEMENT SYSTEM

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Introduction

It is generally accepted that local government is a significant element in the foundation of a democratic regime. This is because of the fact that local government provides a methodology for training people in the principles of decentralized autonomy. In addition, it is seen that decision - making and administrative authority lies within the province of local government. It can provide one of the best avenues to political and governmental development.

In establishing Pattaya City¹, the government adopted the city management form of local government, which is one of the most effective of those found within the United States of America. The city has since become a tourist resort earning for the country many billions of baht in profit annually. However it seems that, 5 years after adoption of "city management" in 1978, Pattaya is still not properly able to function within this system of government.

What is the problem and how can it be solved ?

Introduction to the City Management System

The city management form of local government shows the following noteworthy characteristics :

1. Combined authority. Both legislative authority, that is setting of city management policy and enacting of legislation, and administrative control are within the responsibility of the Municipality Council. There is no division between, and hence no requirement for an equilibrium to be maintained between, legislative and executive authority.

2. Classification of assignments. Authority and responsibility are proportionately and systematically assigned through the Municipality Council, which determines policy, enacts municipal regulations and exerts control in accordance with set policy. While executive responsibility should follow the policy which the Municipality Council assigns to the City Manager, who is appointed from the Council to undertake this task, the Council should not interfere further.

3. Small size of Council. For this type of municipal executive system the Council should not be too large. In general it will have about five to seven thousand members only.

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4. Only one responsible leader. The City Manager is selected and appointed by the Municipality Council, from among able and highly educated persons. He has absolute power to appoint and dismiss department leaders as well as municipal employees in general. In addition, he is responsible for preparing a budget for submission to the Municipality Council and for control, supervision and administration of all municipal works, in order that municipal affairs may be carried out successfully according to the policy determined by the Council. Finally, he has complete freedom in administration of all municipal works.

5. The Municipality Council's duty to control administration. Generally, members of the Municipality Council are elected via the method of unified constituencies by the people in the municipality area. They remain in office for a term of four years, having a duty to set up policy and direct the City Manager, that is to :

- 5.1 Appoint and dismiss the City Manager on each occasion.
- 5.2 Approve or veto proposals put forward by the City Manager.
- 5.3 Control money and financial affairs.
- 5.4 Inspect the accounts and administrative activity of the City Manager at any time.
- 5.5 Scrutinise works which the City Manager proposes at the Council meeting, and to have authority to conduct investigations connected with municipal administration.

6. Permanency of executive personnel. This is to enable all involved personnel to participate in municipal works as a permanent occupation. There is no time limit on the period of office of the City Manager, various department leaders, or any other municipal personnel. However it is within the right and authority of the Council to dismiss its City Manager, and for him likewise to dismiss department leaders or any other personnel.

Visible differences

There are many points of difference between the city management system as employed in the United States and the system as adopted by the Thai government for Pattaya City. Clear cut differences are as follows :

Scope of assignment and authority

The U.S. City Manager has authority and duties as assigned by the Municipal Council ; while the Pattaya City Manager or, as he is called, the "Pattaya City Undersecretary" (in Thai "Palad Muang Pattaya") does not have powers and duties assigned by the Municipal Council, the so-called "Pattaya City Council". Nevertheless, his powers and duties are still determined by law - but they are separated from those of the Pattaya City Council. Hence there is no real administrative independence. In accordance with the centralizing tendencies of the Thai governmental system, control is exerted by the Province and the Ministry of the Interior.

Security of position

The intention of the city manager system is to promote work efficiency. Hence there is no time limit on the period of tenure of the City Manager. He can hold his position so long as he has his allotted work and maintains good relationships with the Municipality Council. In the case of Pattaya City, the law states that the City Council can contract to hire the Pattaya City Undersecretary for a term of four years, or can terminate the contract before the said time. Renewal of the contract is difficult since, when a new set of members arises, they lack adequate knowledge and understanding of the qualifications of the Pattaya City Undersecretary. Sometimes they have their own personnel. In the case of the old set being still in office, if relationships are not good, there is no possibility of the contract being approved. If the Undersecretary is harassed, he cannot demand fair treatment, as there is still no court to hear such governmental cases in Thailand.

Possibility of occupational tenure

The U.S. City Manager can hold his position so long as he can work efficiently and effectively, and hence can pursue this kind of work as a profession, like that of a doctor or lawyer. There now exists an International City Manager's Association.

But, as already indicated, the Pattaya City Manager has no such security of position and hence cannot regard it professionally. An Association cannot be established as the city management system has only just been introduced and Pattaya is the first city to which it has been applied.

Pattaya City administration under the city management system

The Act B.E. 2521 (1978) for the organization of Pattaya City, set up the Pattaya City Administration, which the government intended to play an important role in tourist industry promotion.

Pattaya City Council. The duty of the Council is the same as that of a local council, that is it is in charge of local legislation and control of the administration of the Pattaya City Manager. It has 17 members, 9 elected locally and 8 appointed by the Minister of the Interior. The Council selects one of its members to be the Pattaya City Council President, who will act as representative of Pattaya City on ceremonial occasions, but who does not have any position of administrative or bureaucratic leadership in Pattaya City. He will hold his position for a term of 2 years. Four years following the election of the Pattaya City Council, the Minister of the Interior has the power, on the advice of the Governor of Chonburi province, to dissolve the Council and call for a new election within 3 months.

Pattaya City Clerk. The Clerk, in the capacity of City Manager, has administrative powers and duties in accordance with the policy of the Pattaya City Council. He must be

qualified as a so-called “professional executive”. The Council approves a contract hiring him for a period of not more than 4 years at a time.

In terms of administrative work, the Manager is responsible to the City Council, which should be responsible to the local people. The administration of Pattaya City can therefore be compared with that of a business, that is the Pattaya City Manager works as a manager for the City and for the executive board at the same time.

The Pattaya City Manager² will appoint not more than 2 Deputy Managers³, who will assist him with administration of Pattaya affairs under his orders.

Classification of government organization

The Pattaya government organization is classified into the office of the Pattaya City Permanent Undersecretary, and a category of otherwise-named departmental or governmental units.

The Office of the Pattaya City Permanent Undersecretary has powers and duties concerned with the general governmental affairs of Pattaya City and those which do not belong to any other department or government unit. The Head of the Office has a superordinate position and is responsible for those affairs which are the province of the Pattaya City Manager. The Office is divided into divisions of auxiliary works, personnel, public relations, and public peace and security.

Otherwise-named divisions or units have powers and duties to supervise and be responsible for various specific government affairs, and comprise the Department of Finance, City Planning and Public Works and divisions of Public Works, Public Health and Education.

Problems : overall view

The intention in establishing a city management system of local government for Pattaya City was to solve certain problems facing the city. These are :

- Problems of public peace and security that affect the tourist industry at both the local and national level. Pattaya includes people of many walks of life. There are unemployed, vagabonds, beggars and the like; and some tourists find their security of person and property threatened and are taken advantage of. The police are unable to keep the whole area under surveillance.

- Problems of deterioration of the environment. Pattaya does not yet have systems for waste water treatment and discharge and garbage disposal, and in consequence the surroundings lack beauty and are unattractive to tourists.

- Problems of city planning and control of construction work. These arise because Pattaya is growing very quickly. There is a lack of planning and control of land use. Construction work encroaches on public lands and on the sea; congested, unregulated building obstructs the view and facilities for parking cars and mooring boats are chaotic.

Problems of public utilities and health. Availability, for example, of parking lots, traffic signs, or clean water, are insufficient for increasing public needs.

So far, though Pattaya has been established and administered under the city management scheme for more than five years, the existing problems have not diminished, some have doubled in magnitude, and others have arisen within the mechanisms of administration, law and regulation as well as from an inadequate budget, to impede Pattaya's progress towards its intended objectives.

1. Structure of government organization and of powers and duties

The present structure of government organization in Pattaya City creates complications, since there are five divisions, that is : The Office of the Pattaya Permanent Undersecretary, and Divisions of City Planning and Policy, Finance, Education and Public Health. These divisions are all on a level with one another, belonging directly to the Pattaya City Manager, and lack supervision by permanent officials.

In addition, there is much important work which must be done but for which no unit or personnel have direct legal responsibility, as for instance public relations, public parks and relief work.

2. Provincial control

The law specifies that in all matters which Pattaya City submits to the Minister of the Interior, it shall be the duty of the City Manager to submit the matter through the Governor, who then offers his advice to the Minister. In fact, it is found that the provincial authorities frequently hold back the request if they do not agree with it, even motions approved by the Pattaya Council. Ultimately, approximately 30-40 matters have been frozen at the provincial level, causing business to be delayed, in arrears and out-of-date. Because of this, it often happens that matters are taken to the central authorities directly. In some cases, there is conflict with the Province owing to differences in the regulations, for instance over opening hours of entertainment places. In addition, in cases where Pattaya City can contact the central authority directly, it does not only have to submit the matter to the Ministry of the Interior, the Province takes the view that it should be submitted to the Province as well : this causes many unnecessary obstacles.

3. Relationship with other government organizations

Public utilities in Pattaya City, such as electricity, the water supply, and the telephone, still lack coordination. This may be a consequence of regulations, methodology of work, budget and organization. Many such utilities are under central control and cannot proceed through the Province, as there is no direct authority. In addition, Pattaya administration is uniquely different from a private organization, in that the latter has a responsible person who can issue orders immediately. Pattaya administration cannot so act, as the City Manager has no power

to make orders. The result is problems of coordination with other government organizations, such as delay, and sometimes a problem cannot be solved in time.

4. Management and procedure within organizations

The Pattaya City Manager, being appointed with the consent of the City Council, faces many problems, having no full power for good or ill within his own administration. He is always under pressure from the City Council and Choburi Province, which latter moreover, do not understand their own role, powers and duties well enough. The result is complication and confusion. The City Council, for instance, interferes with the work of the Manager and of permanent officials. The President of Pattaya City descends to management himself. The Province also does not well understand its own powers and duties as the nurse of Pattaya City. In consequence the Pattaya City Manager cannot fully manage. Apart from this, whenever the elected members of Pattaya feel that their debt is towards those who voted for them, the City cannot successfully work towards its set objectives.

5. Personnel administration

The personnel administration of Pattaya City is still under the municipal system, that is it depends upon the Province, the Department of Local Government and the Ministry of the Interior. This is not suited to the management of Pattaya City, since the changes consequent on growth are proceeding too fast. The official force is not sufficient, nor geared to the increasing need. The City Manager has no authority over amount of work force, appointments, transfer or promotion. His relation with permanent officials is very loosely structured because he holds his administrative assignment only for a short period. In addition, the city bureaucratic system has no highest executive head among the permanent officials who is able to continue the assignment, whenever there is a change of City Manager. One reason why a Manager may resign is that Pattaya officials feel he is not their direct superordinate. Sometimes order cannot be successfully maintained.

6. Lack of administrative freedom

Like other municipalities throughout the Kingdom, the Pattaya City management is under the close supervision of the Choburi Provincial Governor. It has sometimes been called the "Pattaya Municipality". This renders the management unable to move quickly, to be up-to-date with the circumstances and conditions in the city. Moreover, it must abide by the same laws and regulations as any other municipality, which likewise gives no room to act quickly. Coordination with Choburi Province is informal rather than formal, since otherwise business submitted will be too much obstructed, and a lot of time is wasted without reasonable cause. In Pattaya City, the peace cannot be properly maintained, as the City Manager has no power to give orders, causing a lack of unity along the command line.

Furthermore, the relationship between the central government and Pattaya City is one of control, not of decentralization. Pattaya administration, therefore, lacks freedom. Some retired, high-ranking government officials will say of local government that "The more it is controlled, the better it goes" a statement which is an illustration of an old-fashioned, out-of-date attitude. One should rather say as regards centralization "The less control, the better things go", implying that the central government should exert only that control which is necessary and unavoidable.

Solving the problem

The Pattaya City government is a system of city management or professional administration which has achieved popularity by its success in the United States of America. However, when adopted for use in Thailand it is not as successful as it should be. This may be because those concerned do not understand their roles, powers and duties. They do not know the rules of the game well enough. Thus the local government of Chonburi province and the representatives of the central government consider that the latter should tightly control Pattaya City. This uses its legal powers to delay or obstruct proposals and submissions from the City, though some of these proposals have already been approved by the City Council itself. This causes hold-ups, and projects cannot be finished in time. The City find that it has no autonomy. Proposals which are to be submitted to the Ministry of the Interior or other government agencies, according to law must be submitted through the Provincial Governor. When they are submitted, the Province always disagrees, and Pattaya City, therefore, cannot develop its locality. For these reasons, the Pattaya City Manager, who manages and follows up on the policies of Pattaya City Council, is unable to work effectively. There are still other organizational problems, such as that he has no power, positive or negative, over Pattaya City officials, so that there is no unity in the command line.

As there are at present a number of administrative problems in Pattaya City, there is also something which need not be a problem : just what, appropriately and to avoid confusion, we should call the President and the Manager of Pattaya City. Some say we should call the Manager the "Pattaya City Governor" and the Head of the Office of the Permanent Secretary the "Pattaya City Permanent Secretary" (in Thai "Palad Muang Pattaya") and there should be a President of Pattaya City. The writer does not regard it as significant what name we give to a position - what is important is that the holder of the position should really know his role and duties and perform them efficiently. That is enough. We should give no attention to a fine-sounding name. The name cannot guarantee efficiency of performance. There is an additional problem of the qualifications for Pattaya City Manager, which have been set too high, so that it is difficult to find anyone of such calibre who will accept the assignment at such a low salary. The law even specifies that a Pattaya City Deputy Manager should have qualifications equal to those of the Manager, though he receives only half the salary.

In the writer's opinion, a solution to the problem of the City Manager's administration requires consideration of many fields : law, political science and management science among them. If we try to hold inflexibly to any one rule, without consideration of other principles, it will be difficult or impossible to deal with the problem successfully.

In terms of the city management system, the Council is the representative of the people. Ideally, it should set up policy according to the needs of the people in order to bring about a better life for the people. We may say that the Council stands at the policy level. However, it is because the people cannot accomplish what they want that they have a "City Manager" or "Pattaya City Permanent Undersecretary", at the managerial level, to manage in accordance with the purpose at the policy level, that is of the Council.

A locality which wishes to use the municipality system will be promoted by the government after consideration of such points as : whether it was ever a sanitary district, whether the people are alert to and sufficiently interested in local politics and administration.

In the case of Pattaya, though it had previously been Nakluae Sanitary District, at the time it became Pattaya City it was expanding in the area of administration, or of government, population and services. There are no characteristics of the people that would guarantee that we could use the system successfully. So it was necessary to set up the administrative form, the special form of government that constitutes "Pattaya City", depending on this mechanism to establish and maintain a democratic foundation. Pattaya City administration has special characteristics that combine business and government objectives with the aim of promoting Pattaya as a tourist city and thereby to create income and prestige for the city and the country as a whole, promoting peace and freedom from difficulty, and of establishing the necessary conditions for achieving these objectives.

The local government unit that includes Pattaya City is presently urging freedom and liberty in administration and government, to be as far as possible free from the control of the central government. What we have to think about first is whether or not we can have 100 percent freedom. We can answer that 100 percent freedom does not exist in any locality, since it is the State that organizes local government, which must necessarily remain within the management and control of the central government - while the degree of freedom depends upon the ability of the local administration, the local income, the readiness of the people to control their local government for themselves, and the policy of the central government towards extending freedom to the locality.

The abovementioned general and local government principles will provide an avenue for solving the administrative problems of the Pattaya City Manager. The writer would like to make the following suggestions :

- 1. The bureaucratic setting and the formulation of assignments and authority.**

We should reformulate assignments and authority at the Head of the Office of the

Pattaya Permanent Undersecretary. The Undersecretary should be a man who screens work for the Pattaya City Manager and is also in charge of various divisions. This could be done by allotting the position of Head of the Office to a permanent official on a level with the Municipal Permanent Undersecretary. In addition, we should set up more various fields of work as required, for instance a Division of Public Relations, to be responsible for communication with and presenting information to the public and the tourists who visit Pattaya City as well as to assist with other necessary work. It should leave a warm-hearted and favourable impression of its service. We should pay attention to the quality of work of other newly-established units. In order to maintain the peace in Pattaya City, the police should belong directly to the City and should be under the direct supervision of the Pattaya City Manager. They should receive their salary from Pattaya City, though they may be appointed and transferred by the Police Department. It is noticeable that a government official's salary is not sufficient to maintain a standard of living appropriate to Pattaya City. If the police belong directly to the City their salary can be set in accordance with a realistic standard of living.

2. Provincial control

The control of the Pattaya City management should be undertaken along the same lines as those by which the Minister of the Interior controls the Bangkok Metropolitan Administration, that is only as to important policies and general policy outlines. On the other hand, the Governor should have a role in the control of Pattaya only at the policy level, and not in detail, such as over approvals. If he can do the latter, there will be unnecessary delay, as regulations already exist. If we can solve this kind of problem, the Pattaya City Manager will work effectively, as he will be able to accord with policy set by the Pattaya City Council. The details, procedure and methodology are the things which the Pattaya City Manager must consider; while the relationship between the Province and the Manager should be one of coordination, enhancement, cooperation, assistance and suggestions as to work performance only. This should be enough.

3. Relationships with other government organizations

The Pattaya City Manager should have the power to contact other, central government organizations directly, as the distance between Pattaya and Bangkok is not great - the journey there and back can be made within one day. This will make for speed and convenience. In contacting the bureaucratic machinery, the role of Choburi Province should be only to pass requests on, it should have no power to oppose them. Various public utilities, such as electricity, water supply and telephone services, should be given to the City Manager, who should be given power to draw up a combined plan for these services and Pattaya City and to achieve coordination among the related organizations.

4. Management and procedure within organizations.

The role and power of the Pattaya City Manager should be specified more clearly

than at present, in order to prevent the members of the City Council or of Choburi Province from interfering with the duties of the City Manager. In addition, the City Manager should have absolute power over the delivery of administrative services to the public. That is to say, organizational work can be performed with definite success in the same way as for Bangkok Metropolitan Administration. Examples are : supervision of public lands, records of population censuses, government records, legal acts, maintenance of security and supervision of the port. The Pattaya City Manager must promote understanding of the form of the Pattaya City administration among the people, by inviting them to cooperate in local government and make it clear that Pattaya City has the power to serve the people. This will prevent confusion and bring the people to understand their rights of autonomy.

5. Personnel administration

The Pattaya City Manager should have power to promote and demote Pattaya City permanent officials. This will enable him to manage properly and effectively. Permanent government officials will see the importance of the Manager - that he is not someone who will hold his position only temporarily and then depart. In personnel administration, it is considered that to have power to promote and demote officials is one route to successfully achieving a defined purpose, to successful command. In addition, the City Manager should be able to shift or change the position of officials for appropriate reasons. It will also help to improve his performance if he is allowed to consider the performance of officials.

6. Administrative freedom

As already mentioned, a locality's freedom from control by the government depends on its ability in local administration, income, the readiness of the people, and the policy of the central government. These factors are a matter of concern to everyone. And high ranking executives of the State should join in deciding how much freedom of administration there should be and in what areas, as a guideline to the degree and characteristics of administrative control and legislative acts, as appropriate.

Government restraint over administrative control should be at a minimum. For example, in Brazil inspection of the accounts is regarded as the most important aspect of control of local government, other types of control are of little importance. The aim is to give the unit of local government as much freedom as possible. It would be very useful if Thailand adopted this system to control the work performance of the Pattaya City Manager as a genuine local government would then exist.

In conclusion, the administration of Pattaya under a "city management" system is not effective, for the following significant reasons :

1. Lack of clarity over the level of centralization, power assignment, and decentralization of power as well as the freedom of the Pattaya City administration.

2. The system and procedure for Pattaya City are not yet developed, so that the relationships between the central government, the Province and Pattaya are not clear.

3. The performance of Pattaya officials, as to various aspects of administration and government under these limited circumstances, is not yet developed to maximum efficiency.

4. The administrative problems of the Pattaya City Manager are further aggravated by malpractice among persons involved.

The various problems which arise in administrative work can always be solved and eliminated. This is sometimes difficult, sometimes quick, sometimes slow, depending on the complexity and persistence of the problem. The important thing is that concerned persons having authority and those solving the problem must have a sincere intention, accept the existence of the problem and seek out every way to solve and eliminate it, otherwise the problem will remain as an obstacle until it becomes impossible to overcome.

The writer asserts that if there is a problem-solving effort and directives set, as discussed above, for the Pattaya City Manager's administration, the purpose and objectives for which Pattaya City was established will be fulfilled.

Footnotes

1. In the past, Pattaya City was the location of Nakluae Sanitary District, Amphoe Banglamoon, Chonburi Province. As the most highly modernized city tourist resort, it is not suited to the municipality form of government currently being used, which leads to many administrative problems.

2,3 Persons holding the position of Pattaya City Manager or Deputy Manager must be not less than 25 years of age, possess legal Thai nationality and have qualifications not less than a Bachelor's degree. If they have been central or local government officials, they should have held a position not below grade 6 and worked for not less than 3 years; or, if employees in a government organization or enterprise, not below grade 6 nor less than 5 years or they may have been an executive of a company or limited partnership which is a legal person and which has not less than 100 responsible employees or a registered capital of not less than 10 million baht.

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