



Informal yet Disciplined?
Thai government policies on street food vendors of
Yoawarat Road, Bangkok

A Research Paper presented by:

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(Thailand)

in partial fulfilment of the requirements for obtaining the degree of
MASTER OF ARTS IN DEVELOPMENT STUDIES

Major:

Governance and Development Policy
GDP

Specialization:

Local Development Strategies

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The Hague, The Netherlands
December 2017

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This document represents part of the author's study programme while at the Institute of Social Studies. The views stated therein are those of the author and not necessarily those of the Institute.

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Acknowledgements

My sincere gratitude to Dr. Georgina Gomez for her support throughout this journey. It has been a difficult and fun-filled learning experience that would not have been possible without her encouragement and advice. I am also thankful to Dr Joop de Wit and Dr Roy Huijsmans for taking the time to discuss this research with me and provide feedback.

And, to my parents who encouraged me to pursue this degree.

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List of Acronyms

BMA	Bangkok Metropolitan Administration
FE	Formal Economy
HDO	Head District Officer
IE	Informal Economy
TCT	Tourism Council of Thailand
SEWE	Self-employed with employees
SEWOE	Self-employed without employees
YR	Yoawarat Road

Glossary of Thai Terms

Charoen	Progress
Farang	'White' tourist of North Americans and European origins
Siwilai	Civilization

Food Items

Ba-mee	Egg noodle
Durian	A Thai fruit
Hoy tod	Oyster omelette
Hu chalaam	Shark fin soup
Kao Lak	Chest nuts
Kanom thuay	Thai coconut rice pudding
Khao niao mamuang	Mango-sticky rice
Khao phad poo	Crab fried rice
Khanom pang nueng	Steam bread
Khanom pang ping	Toasted bread
Khanom wan	Thai dessert
Kway teow lord	Wrap noodles
Pa thong Ko	Thai style donuts
Phad thai	Stir fried rice noodles
Phol la mai sod	Fresh fruits
Rang nok	Bird's nest

Abstract

Formalization policies are an internationally endorsed state intervention for the informal economy, however, the policy thus far has failed to consistently provide informal economy actors benefits of formality as theorized. This paper explores state intervention from an overlooked nexus of informal economy and discipline. This paper contrasts a process of formalization and discipline using the case of street food vendors on Yoawarat Road, Bangkok, Thailand, to show that formalization is being appropriated as a strategy for state construction and modernity. The paper explores ways in which government intervention has shaped the business operations of street food vendors. Findings show that vendors have their own norms and practices to organize their activities, but these are replaced by government measures in order to construct a modern and disciplined enclosure. Using disciplinary mechanisms the government is able to control the vendor's body and mind with regulations similar to those prevalent in the formal economy, but without formalizing them. The findings from this paper need to be confirmed in a state with a more democratic system.

Relevance to Development Studies

This research paper contributes to the formalization debate on the governance of the informal economy. The informal economy makes up a large sector in many development countries and there have been attempts to formalize the informal economy in these countries with mixed results. The paper builds on the underexplored nexus of informal economy and discipline to provide a hybrid-approach to informal economy. The paper also challenges some of the existing literature on informal economy, in particular the characterization of street vendors.

Keywords

Informal economy, formalization, discipline, street vendors, modernity, Bangkok

Chapter 1 Introduction

1.1 Introduction

The state intervenes in ‘traditional’ societies to steer them in the direction, and pace, of ‘modern’ development. A significant workforce in these societies engages in ‘survival’ activities that are characterized by labor intensive production, low skill and low capital. (Chen 2012, Portes&Haller 2010) These activities make up the ‘informal economy’ (IE), a concept born from studies in ‘Third World’ African urban cities. IE is viewed as a nuisance to urban cities, by crowding them with rural immigrants who, cannot be absorbed into the mainstream system, avoid taxes, and conduct other ‘unregulated’ and ‘backward’ practices. It was believed that this subordinate form of economy would disappear with modernization. However, along with the formal economy (FE), IE has been growing. Over the years studies have challenged the negative characterization of IE by highlighting its positive elements, such as job creation and income generation stemming from an understanding of IE as a necessity for the livelihoods of immigrants and the functioning of the FE.

Despite an evolved understanding of IE, it is still viewed as part of the ‘traditional economic order’ (Cross 2000: 30) that needs to be systematically addressed. The International Labor Organization (ILO) and WIEGO endorse the move of IE workers and enterprises to the FE.(Chen 2012, ILO 2015) This process of formalization has been widely adopted by states as a ‘solution’ to IE as well as an arrangement that provides IE actors benefits of formality to improve their livelihoods. (Ibid.) At the same time its implementation has been problematic. Numerous studies evaluating formalization policies have shown IE actors do not gain the benefits and protection assured by FE as theorized. (Ansoms & Murison 2013; Chen 2012, Hillenkamp et al. 2013, Ferragut & Gomez 2013)

In light of the shortcomings for IE actors, this research presents an alternative view of formalization, as it is being implemented, as a strategy to discipline the IE for the construction of a state where “everything is ordered, efficient and structured.”(Cross 2000:35). This proposed alternative views governance as embedded in western oriented institutions. South East Asian states, influenced by European colonialism, are an ideal example of modern state construction that is in tension with IE. These states are struggling to address their growing ‘traditional’ street vendors. They have adopted a view of these traditional activities as ‘irritants’ due to their perceived hindrance to attempts of replicating modern urban planning. (Bhowmik 2005: 2263)

Promoters of formalization should reassess the nature of the policy and its consequences from the perspective of modernity and discipline. There is a need to explore the extent to which formalization suits the state’s own ideals of governance and the extent to which these ideals are aligned with the needs of IE actors. As such, the primary objective of this research is to contrast the

ways in which the process of formalization and discipline effect business operations of IE enterprises using a case study of IE governance. I have chosen to ground this research on the case study of street food vendors on Yoawarat Road, Bangkok as this governance issue can be studied from the broader context of a Thai state that actively pursues ‘modern’ development by shaping the behaviour of its populace, including its ‘traditional’ vendors.

1.2 The Case of Street Food Vendors on Yoawarat Road, Bangkok

Governance Structure of Bangkok

Bangkok is managed by the governor the Bangkok Metropolitan Administration (BMA) which is divided 3 offices, 16 departments and 50 district offices.¹ (BMA 2017) The BMA is in charge of city management, but in reality, is powerless vis-à-vis the central government that has historically retained control over Bangkok’s policy process. (Puang-ngaam 2005) This results in a lack of clarity over functions with the local government. (Ibid.) Since the 2014 coup d’état the elected central government is replaced by a military junta, led by General Prayut Chan-o-cha. (Nation 2016) In October 2016 General Prayut exercised his power to remove the elected governor of Bangkok and appointed General Aswin Kwanmuang as the governor of Bangkok (Ibid.) asserting his control over BMA.

Under General Prayut’s governance there has been a crackdown on gangs and illicit activities in Bangkok for ‘peace and order’. (Bangkok Post 2017b, BBC 2014, Reuters 2017) The military has always been a part and parcel of Thai life but the current junta has entrenched themselves more prominently than before. (ibid.) Since taking power they have issued 358 orders ‘aimed to impose discipline on every aspect of Thai life’. (Reuters 2017) Including the discipline of: (1) businesses, through the enforcement of new labor laws, (HRW 2017) (2) education, system where soldiers have become part of primary school’s disciplinary program, (BangkokPost 2017a), (3) religion, through the establishment of a hotline to deal with misbehaving monks and (4) public space, by cracking down on unregulated activities including gangs and street vendors. (Reuters 2017)

Governance of Informal Economy in Bangkok

The IE makes up more than a quarter (28%) of all employment in Bangkok. (NSO 2016) Of those informally employed there are between 20,000 – 27,000 recorded vendors, of which nearly half (49%) sold food. (Nirathron 2006:19) Street food is defined as “food and beverages for sale to the public

¹ See Appendix A for structure of BMA

without having a permanent built-up structure from which to sell.” (Bhowmik 2005: 2256) Street food vendors has always been a pillar of Bangkok’s economy and main actors in the public eating habit that is well accepted across economic strata. (Nirathron 2006; Yasmeen 2000) In 1993, street food in Bangkok contributed to nearly 50% of the energy intake of adults (fewer than 40 years) and nearly 90% of the energy intake of children (aged four to six years). (FAO 1994a) Its prevalence is two-fold: rural-urban migration and a culture of public eating. Firstly, street vending has always been a survival strategy of immigrants, beginning with Chinese immigrants. Thai farmers saw their success and took up food vending for its quick cash turnover and low capital investment. (Nirathron 2006: 34) Secondly, there is a traditional culture of public eating; it is common to see friends and family engaging in public eating as a social activity. (Yasmeen 2000: 346)

There has been little consistency of policies addressing street vendors by governors of Bangkok in the past as the policy direction changes with each governor and their political inclination. (Kusakabe 2006; Nirathron 2006) The current junta is taking a multi-faceted approach. As of May 2017, vendors have been observed in three categories: (1) vendors in 446 areas who have been evicted, (2) vendors in 21 commercial areas who are given notice of evictions, and (3) vendors in tourist areas. (VoiceTv 2017) This paper is concerned with the state intervention of the third group of vendors. The junta has taken measures to ‘organize’ tourist areas as street food has been recognized as a part of Bangkok’s tourist attraction. CNN has awarded Bangkok as the best city in the world for street food two years running. (CNN 2017) This positive news is aligned with the state’s strategy for an economic recovery by strengthening its service sector, such as tourism. (WorldBank 2017) The travel and tourism industry in Thailand has significantly contributed 9.3% of the GDP and provided 6.3% of total employment in 2016. (Department of Tourism 2017) The state has been using the slogan ‘Amazing Thailand’ to market Thailand as a tourist destination that can offer natural beauty and authentic culture and people, as well as modern facilities, luxury accommodation and services. (Cohen 2001:158)

Governance of Street Food Vendors on Yoawarat Road, Bangkok

Yoawarat road (YR) is within the Samphanthawong district of Bangkok - an area better known as Chinatown. This area developed with the influx of Chinese immigrants to Thailand (previously known as Siam). (Sirisak 2015) Sampeng area within the Samphanthawong district was the center of Chinese Bangkok, that devolved to have a strong Thai-Chinese identify. (ibid.) The area not only became a center for commerce, but also of religion, gambling and grey entertainment. (ibid.) Vending in the area started as a food option for Chinese traders visiting Thailand and expanded to cater for late night customers.² [see Image 1] Vending in being ‘organized’ under government control, however, vendors have not been given a legal status. This does not fit with the formalization approach outlined in IE literature. Moreover, since they

² Based on personal Interviews with YR vendors during fieldwork

are not formalized, but regulated, it is unclear what benefits they receive and at what cost.

Image 1: Yoawarat Road at Night

Source: Author 2017



1.3 Research Question and Objectives

Using the case of YR I argue that the local government intervention, under the control of a military junta government, has qualitative differences with formalization intervention as conceptualized in IE literature. The focus is on disciplining the street food vendors and producing the government's ideal vision of YR as tourist attraction.

The main research question this paper will address is: ***“In what ways has local government shaped the business operations of street food vendors on Yoawarat Road, Bangkok?”***

The sub –questions are as follows,

- What measures has the local government adopted in YR to organize the street food vendors?
- Who are the vendors and what are the various categories of vending enterprises on YR?
- In what ways have street food vendors reconciled their informality and vulnerability with government conceptions of discipline and modernity in their business operations?

1.4 Data Collection and Sampling

My analysis relies on primary data collected in Bangkok between July and August 2017. A total of 10 stakeholders [see Table 1] were interviewed to understand the intervention from multiple perspectives.

Table 1: Interviewees	
Stakeholder	Sample
Street Food Vendor on YR	25pax.
Samphanthawong District Officer	1pax.
Board Member of Tourism Council of Thailand (TCT)	2pax.
Traffic Police	2pax.
Shop Owner on YR	5pax.
Tax Accountant	1pax.
Local Customer on YR	10 groups
Eastern Tourist on YR	10 groups
Western Tourist on YR	5 groups

I made sure to gather a representative sample of YR street vendors (25 out of 135) since they are the main subject of government intervention. All vendors are mobile vendors who have a permanent operating spot. Initially I choose to talk with vendors at random until I realized, based on ground research, that there was distinction between ‘self-employed with employees’ and ‘self-employed without employees’ enterprises. I then proceeded to incorporate a mix of both types of enterprises to reflect the heterogeneity of the street. The final sample has a mix of enterprise types with a wide range of 15 food items.

To build rapport I first acted as a customer and enjoyed a meal, snack or beverage before asking to talk with the self-employed vendor. I conversed with the vendors as they continued working.³ They were polite and none refused to talk with me. Those who were busy excused themselves to tend to customers. Therefore I had conversations ranging from 4 minutes to 40 minutes. A gradual approach towards sensitive questions was adopted. I first asked questions about the vendor’s enterprise and the transformation of YR before sensitive questions of income, effect of policies and relationships with the state. I also revisited YR on different days and times to observe the activities. Sundays was the best day to conduct interviews as there were fewer customers. Having built a rapport with the vendors, I was able to ask some additional questions on following visits.

Furthermore, this study is based on interviews with two types of bureaucrats: (1) the head district officer (HDO) from Samphanthawong district in charge of YR street food, and (2) board members of the Tourist Council of Thailand (TCT). Initially I had approached a random district officer on YR and asked permission to talk with him. He refused, though was kind enough to refer me to the HDO. The HDO spoke with me at length about the different aspects of the organization of YR and the rationale behind them. On a

³ See Appendix B for interview questions

different day, I tried again to talk with another district officer on YR but they all referred me back to the HDO, suggesting a clear hierarchy. I also approached the traffic police officers on YR, however they did not provide any valuable information. Unfortunately the district sanitation team was not seen on YR during the days of visit; vendors confirm that the team comes randomly.

To strengthen my argument from a state perspective, I used my network to reach out to a board member of TCT. My first contact, Mr. Chunhomlada, was only able to provide limited information as he focuses on jewelry & souvenirs. He referred me to his colleague, board member Mr. Ngoeycharoen, who oversees food & drinks who provided insights to the national promotion of street food.

To fill in information gaps addressed on ground, qualitative interviews were conducted with:

- ❖ *Shop owners on YR* –It was difficult to find shops whose owner was present and not an employee. The owners helped in confirming information I received from vendors; however, they were guarded and did not share details of their transactions with vendors.
- ❖ *Tax Accountant* – Through my network I was fortunate to contact an accountant (she chooses to remain anonymous) who helps vendors file taxes. She provided information on informal processes that are not documented in literature. However, her knowledge was limited as she herself does not interact with bureaucrats.
- ❖ *Local customers, Eastern and Western Tourists* - Customers of YR street food were purposively sampled to represent of their populace on YR. Customers arrived with their friends or family in groups and I approached them to discuss their reasons for visiting YR, their experience, as well as provoking them about food safety and other aspects of street food. The final sample consists of 10 groups of locals, 10 groups of eastern tourists (7 Chinese, 1 Indian, 1 Singaporean, 1 Hong Kong) and 5 groups of western tourists (1 US, 1 German, 1 Spanish, 1 UK and 1 French). As I do not speak Mandarin or Teochew (Chinese dialects) I asked my bilingual friend to assist me. I prepped him on the questions; he conducted the interviews and then translated them for me.

I acknowledge the limited amount of primary data with state officials and have supplemented the analysis with literature on street vending policies in Thailand and literature on IE tourism. I believe that the multiple perspectives captured in this research provide sufficient data to inform the process and effects of government intervention on YR.

The rest of the paper is structured as follows: in Chapter 2, relevant concepts used in this research are discussed then developed into an analytical framework. Chapter 3 presents a summary of past policies of street vending in Bangkok and introduces the motivations and measures for the current intervention on YR. Chapter 4 looks at the operational practices of vendors

and their enterprises in relation to governments ideas of modernity and discipline. Chapter 5 analyses the effects of intervention on YR vendors from modernity and disciplinary perspective and shows ways vendors have reconciled their informality and vulnerability with government control. Finally, chapter 6 concludes with implications for IE policy implementation and suggests future research.

Chapter 2 Formalization as a Strategy of State Construction

2.1 Adopting a European Modernity

European colonialism has influenced Southeast Asian state construction beyond government structure to all aspects of social life, including economic, cultural and intellect, drastically altering the traditional local culture (Winichakul 2011:21) In Thailand, the nation that was never a colony but colonized, European practices has been successfully normalized in everyday lives of Thais “ranging from etiquette to material progress, including new roads, electricity, new bureaucracy, courts and judicial system, law codes, dress codes, and white teeth” (Winichakul 2000: 529) These practices are so deeply ingrained in the everyday behavior that Winichakul (2011:29) goes so far as to question ‘Thainess’ as a true identity of Thais because of its inability to escape from western influence.

The modern construction of Thailand is popularly understood to be a result of state elites making Siam look ‘non-barbaric’ compared to its Asian colonized counterparts to block its own colonialization from the British and French. (Chaloemtiarana 2009; Winichakul 2000) This discourse is challenged by prominent scholars Winichakul (2000; 2011) and Chaloemtiarana (2009) who are among a group of Thai scholars that view modernization as a strategy of state control. This is illustrated in the elites adoption of European ‘siwilai’, or civilization, and ‘charoen’, or progress, to describe a vision for Siam even though only few understood its meaning. (Winichakul 2000: 531) The majority use the terms synonymously to “indicate a sense of transformation into the new age and modernity, as opposed to tradition, the ancient or the bygone era.” (Ibid.) Moreover elites adopted modern institutions as a means though which to shape behavior. For example the modern bureaucracy was adopted as an efficient administrative institution but also as a mechanism legitimize elite rule; hence, “early education policy concentration on turning royalty and nobility into the modern bureaucrats”. (Mead 2004:67)

More importantly, modernity was not appropriated but localized through ‘transcultural processes’. (Winichakul 2000:529). This process is occurring in the everyday lives of Thais and has accelerated with globalization. One aspect of the Thai economy that expresses transcultural processes is the state’s intervention in the tourism sector. An evaluation of the Thai tourism system reveals a trend of the state positioning itself as an intermediary in resolving fundamental incongruities between traditional and modern values and beliefs to increase the appeal of tourist attractions. (Cohen 2008:17) The result has been Thai culture and activities oriented to ‘farangs’, a widely-used term for ‘white’ tourists of North Americans and European origins. (Cohen 2008, Kaosard 1994)

The 'Bang Fai Paya Nak' or naga-fireballs event is a studied example of a transcultural process planned by the state. 'Bang Fai Paya Nak' is the occurrence of glowing balls shooting up from the Mekong River once a year. The mystery of the lights attracted foreigners and the controversy over the source of the light increased the event's popularity. (Eoseewong 1992, Kaosard 1994) The local government intervened to increase the appeal of the activity for foreigners.(Ibid.) This resulted in changed appearance and rituals aligned with a western understanding of authentic festivals. (Ibid.) In the past, locals gathered by the river bank with their family, friend and neighbors to watch the fireballs. Now the event starts with a procession of officials in traditional wear followed by a number of rituals, as well as an expansion from a one night affair to four days. (Ibid.) Most notably the activity itself is not staged; it is the merge of a local activity with tourists. (Cohen 2008) Similarly, street food is not contrived; it is a local activity that has started to attract tourists 'seeking authentic experiences'. (Cohen 2002:269) The government intervention of street food must be understood as embedded within the socio-cultural context of transculturation where western modernity is adopted as a tool of state control and an output to symbolize a 'siwilai' nation.

2.2 Producing a Reality

This paper adopts Foucault's conceptualization of discipline as it contributes to the analysis of state intervention within institutions. In particular, the principle of enclosure and disciplinary power assists in the analysis of the nature of intervention and the mechanisms achieve its goal.

Foucault questioned 'progress' and looked into the historical evolution of the dominant institutions in exercising power over society. (Gordon 1991) He noted a shift in the nature of power by comparing the penal system between 1757 and 1837. (Gordon 1991, McKee 2009) The execution of 1757 is a public spectacle of physical torment and a visual display of power; in contrast, the 1837 penal system is an internalization of punishment that is done through the reduction of mind. (Ibid.) This 'gentler' way of punishing criminals by placing them in prisons, rather than torturing them or killing them, was recognized by Foucault as an instrument of more effective control (Ibid.)

This new understanding of power as 'internalized' and existing throughout the social body at the most micro level is in contrast to the hierarchical and top-down power of the state. Discipline, or the shaping of behavior, is understood as one of the mechanism of power which may complement other forms of power but the logic of operation is different from legality or military. (Hannah 1997:171) Rather than visible or put on display, disciplinary power is made invisible. (ibid.) Foucault studied disciplinary power inside certain spaces such as the prison, schools, monasteries, military barracks and factories. (Deacon 2002, Gordon 1991, Hannah 1997, McKee 2009) These spaces adopt the principle of enclosure and disciplinary power to transform "the confused,

useful or dangerous multitudes into ordered multiplicities.” (Foucault 1979: 148 as cited in Gordon 1991)

The principle of enclosure includes t four techniques to effectively discipline the populace. Enclosure and partitioning are the first two steps for “turning a heterogeneous mass of humans into homogenous social order.” (Hopper&Macintosh 1998:129) Enclosure is necessary to contain individuals for surveillance. However on its own it is not enough to achieve discipline, it is therefore necessary to partition the enclosure to distribute individuals into his/her own space for control. (Deacon 2002, Hopper&Macintosh 1998) Each individual ‘cell’ is then converted into a functional space where surveillance and monitoring can be done on every person and collective action is removed. (Ibid.) Lastly, everyone is assigned a rank in the hierarchy and identified by their position. (Ibid.) The first three techniques of enclosure, partitioning and functionality of locations are useful for the analysis of street vending spaces. The technique of ranking is less relevant to this research as the intervention is only concerned with one actor.

Within these disciplinary spaces ‘techniques of correct training’ are used to control individuals. Firstly, surveillance is used to change behavior by taking over the body and the mind. Foucault uses the example of Jeremy Bentham’s Panopticon to explain that control can be achieved through observation. (Gordon 1991, McKee 2009) The Panopticon is a prison designed as a circular structure with a watch-house in the center from which a guard can observe the inmates in the perimeter. The inmates, however, cannot view the guards hence do not know when they are being observed. This produces the effect of constant surveillance which is internalized by inmates and changes their behavior. (Ibid.) A second form of control is normalization; similarly, control is not achieved through coercion but a covert discipline mechanism of internalization. Certain types of behavior become normalized and other types of behavior become viewed as abnormal. (Rose et al. 2006) Those who wish to assume normality or ‘fit’ with society will work on it themselves to avoid shame. (Ibid.) Norms, rather than law, thus brings about control through self-governance. The last technique of control unites surveillance and normalization. Examination is the constant checking by an authority figure done with the aim of documentation. A database is established which makes it possible to compare and classify individuals to know if the individual has been normalized or trained according to desirable features. (Hopper&Macintosh 1998) Most importantly, together the effects of power produce a ‘reality’ or ‘rituals of truth’ in the disciplinary spaces that is engineered by the state. (Foucault 1979, as cited in Deacon 2002)

Numerous studies have built on Foucault’s conceptualization of discipline in their analyses of power in diverse formal institutions. (Deacon 2002) However, his conceptualization of discipline has not been widely applied to informal institutions. One of the few studies that apply a Foucauldian disciplinary lens to IE looks evaluates the reallocation of street vendors from Belo Horizonte, Brazil into a formal market place. (Pádua Carrieri & Murta 2011) The paper argues that reallocation was implemented as pretext for disciplining vendor’s behavior, made possible by a private market place enclosure where techniques of control can be adopted. (ibid.) The present

research is concerned with the same set of IE actors but a government intervention that leaves vendors on public space yet disciplines them to produce a reality.

2.3 Defining Formal-Informal Enterprises

The IE is an important phenomenon for local development as, “informal employment is as high as 82% of non-agricultural employment in South Asia.” (Vanek et al. 2010 in Chen 2012: 3) Its size and heterogeneity explains the multiple and continuously evolving definitions. The four historical schools of thoughts provide a view on the nature and linkages of FE with the IE. The dualist school views IE as compromised of fringe activities, not related to and a subordinate form of the FE. (Chen 2012, Hart 1973) This dualist model became synonymous with modernization theory which assumes that the IE will disappear with the growth of the ‘organized’ economy. (Chen 2012; Williams&Round 2008) With IE showing no sign of decreasing, the structuralist school of thought emerged with the understanding of IE as a set of activities that is embedded within the capitalist system. (Portes&Haller 2010, Tokman 1982) IE according to structuralist’ is intrinsically linked with the FE by providing for it. In contrast, a legalist approach understands the growth of IE as a result of excess regulation in the mainstream economy. (Chen 2012) De Soto (1989) understood the restrictions as a result of inequality between urban elites and migrants, with urban elites blocking access to the FE. For this school of thought, IE competes with the mainstream economy and there are only sporadic links between the two. (Chen 2012) Lastly, the voluntarist school of thought views IE to be made up of entrepreneurs who deliberately seek to join the IE to reap benefits of operating informally creating distinct regulated and unregulated spaces. (Ibid.)

The varied degree of linkages with the FE across IE activities has inspired a rethinking of the concept. The ‘continuum model’ challenges the dichotomous view of the FE-IE economy and embraces the complexity of IE beyond the classical approaches. (Sindzingre 2006; Chen 2012, 3; Williams&Round 2008; Guha-Khasnabis et al. 2006) Based on this view there is the FE on one end and the IE on the other end of a continuum with many categories in-between where informal workers and enterprises exist. The ILO (2004:3) provides expanded definitions of IE enterprises that is reflective of the continuum model as: any enterprise producing some goods or services for sale or barter, with ownership by individual or household that is not constituted as a separate legal entity, lack of financial separation from household activities, not registered under specific forms of national legislation and are non-agricultural activities.

The paper operationalizes the characteristics associated with FE-IE enterprises into three dimensions: (1) economic, (2) political, and (3) social. [see Table 2] Table 2 shows the two extremes of formal and informal enterprises. The gradient from left to right, white to grey in color, indicate fluidity in the continuum space. An enterprise can be an extreme or have a mix

of characteristics with varying degrees of formality and informality. The economic dimension relates to the activity of producing goods, emphasizing the financial aspects including revenue generation and sustainability. The political dimension is mainly linked to the legality of the enterprise and the features that derive from its legal status, or the lack of. The social dimension focuses on the entrepreneur, their motivations and household. This paper will use the FE-IE enterprise characteristics outlined in Table 2 to note shifts in YR street vending enterprise characteristics after government intervention.

Table 2: Operationalization of Formal-Informal Enterprise Characteristics		
Source: Author's construction		
Key characteristics of formal and informal enterprises		Source
Formal Enterprise	Informal Enterprise	
Economic Dimension		
Sustainable/Predictable income	Irregular Income	Chen 2012, Hillenkamp et al. 2013, Sindzingre 2006;
Principal source of income	Multiple sources of income	Chen 2012, ILO 2004, Sindzingre 2006
Documented finances (managed through formal institutions)	Undocumented finances (managed informally)	Chen 2012, ILO 2004
High productivity	Low productivity	Tokman 1982
Political Dimension		
Difficult entry	Low entry	ILO 1972, Sethuraman 1981
Visible	Hidden	Chen 2012, Bhowmik 2005
Permitted & registered	Not permitted & unregistered	Chen 2012, Hillenkamp et al. 2013; Sethuraman 1981
Regulated & monitored	Not regulated & monitored	Chen 2012, ILO 2004, Sethuraman 1981
Tax paying	Tax evading	Chen 2012, Hart 1973
Legal status	No/ambiguous legal status	Chen 2012, ILO 2004, Hart 1973
Rely on written & legal contracts to operate	Rely on informal channels to operate	Chen 2012, Sindzingre 2006
Protected by membership in association	No membership in a formal association	Bhowmik 2005, ILO 2004
Social Dimension		
Motivations of capital accumulation	Motivations of survival	Chen 2012, Hillenkamp et al. 2013, Sindzingre 2006
Separation between household and business	No clear separation between household and business	Hillenkamp et al. 2013, ILO 2004, Sethuraman 1981

2.3 Conceptualizing Formalization from a Disciplinary Perspective

The FE continues to be viewed as an 'ideal' for modern development. In pursuit of this ideal governments intervene either by removing all activities not in the FE or in attempts to bring these activities into the FE. As such, enterprises have been always been studied as subjects of these eviction or formalization policies. This paper, instead, takes a disciplinary perspective to government interventions of IE. This connection of discipline and IE has been insufficiently explored in IE literature with only few examples and applications. This paper contributes to this field of IE studies by analyzing enterprises along the continuum as subjects of discipline for the construction of a modern state.

The 104th Session (2015) of ILO conference adopted the ‘transition from the informal to the formal economy’ as recommendation to states. This form of intervention is being critiqued for being a one stop solution, or ‘simple formalization’, rather than a process of improving the livelihoods of IE actors. (Chen 2012:15, Hillenkamp et al. 2013) Formalization policies implemented largely address only the legality aspects of an enterprise, such as registration and taxes, which are costly for the enterprises without providing the benefits and protections of formality. (Chen 2012:15) Moreover, the underlying assumption of the policy is that the FE has greater benefits for enterprises and entrepreneurs than the IE. (ibid.) This assumption is contested. Features of informality, such as lower labor and regulatory costs, are contributors to the enterprises’ success. (Cross 2000:44) Formalization overlooks these elements in its implementation and does not compensate with benefits and protections of FE, thus worsening IE actors position of vulnerability. (Chen 2012, Cross 2000, Hillenkamp et al. 2013, Ferragut&Gomez 2013)

Chen (2012) recognizes these shortcomings of formalization and proposes a ‘comprehensive’ approach to formalization that provides IE actors benefits of FE. The comprehensive approach is a framework for policy makers to implement formalization closer to its theoretical ideal. The comprehensive approach⁴ stresses aspects of an informal enterprise that are not improved with simple formalization including “providing business incentives and support services to informal enterprises; securing legal and social protection for the informal workforce, recognizing the organizations of informal workers, and allowing their representatives to take part in rule-setting, policymaking, and collective bargaining processes.” (Chen 2012:15)

Cross (2000) provides an alternative view to formalization by applying a modernity and disciplinary lens on his decade of work on street vendors and IE. He finds that across his work the ‘problem’ of IE is, “not in the phenomenon occurring in the streets, but in the preconceived notions of the “appropriate” use of public space.” (43) The cases of formalizing the traditional brick and tile baking enterprises in Rwanda and the reallocation of street vendors in Ecuador illustrate this perspective. In both cases IE actors were subjects of government intervention to implement the ‘modern’ economic growth based on large-scale investments and orderliness of public space respectively. (Ansoms & Murison 2013, Ferragut&Gomez 2013) In both cases the policy had a differentiated effect on IE actors. Few were able to cope with the high costs of formalization; while majority remained in a position of vulnerability as no measures were put into place to improve their livelihood. (Ibid.)

Cross (2000) then critiques formalization as theorized for ignoring the benefits of informality in its pursuit of modernity and proceeds to offer the solution of ‘suspended spaces’ (46). These are specific zones where informality and semi-formality are allowed to operate under a largely self-regulating system under the control of the state. (Ibid.) For Cross (2000) this is a superior solution to re-allocation of street vendors as space provides enterprises the

⁴ See Appendix C for outline of comprehensive approach

benefits of informality while being recognized and included within as the government's regulatory system.

Similar to Cross (2000) I take a modernity and disciplinary perspective to state interventions of IE. However, instead of proposing a new solution like Cross (2000) has done, I propose that the formalization policy, as being implemented, should be re-conceptualized as a 'hybrid' policy. I argue from a disciplinary perspective that both the processes of comprehensive approach and formalization as implemented achieve the construction of a modern state through control of IE actors. However, the comprehensive approach manufactures modernity using a legal mechanism. By moving IE into a formal regulatory space, actions of IE actors must be in accordance to the set rules of the legal system that is fixed by the state. In contrast, formalization as currently implemented achieves modernity through disciplinary mechanisms, without formalizing all aspects of the IE enterprise – hence, a hybrid.

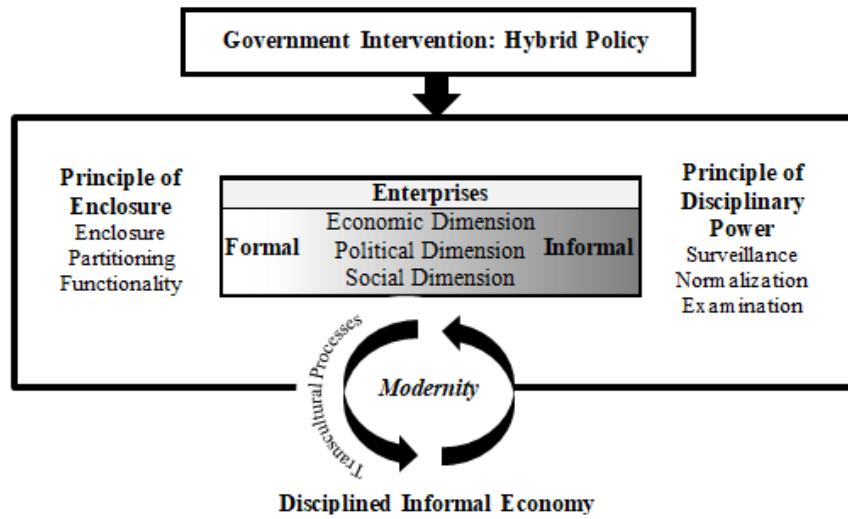
Table 3 summarizes the current conceptualization of formalization in literature and the reconceptualization that this paper proposes from a disciplinary perspective.

Table 3 Government Intervention of FE-IE Enterprises from a Disciplinary Perspective Source: Author's construction		
Type of Intervention	Current conceptualization	Reconceptualization
1) 'Hybrid' policy or formalization as implemented	Aim to provide IE entrepreneurs and enterprises benefits of FE but falls short of this goal. Instead regulates the IE enterprises thus providing only the costs of formality (Chen 2012, Hillenkamp et al. 2013)	Control over space and bodies to construct a modern state through disciplinary mechanisms resulting in a disciplined informal economy
2) Comprehensive approach to formalization	Aim to improve the vulnerability of IE enterprises by moving them into FE (Chen 2012)	Control over space and bodies to construct a modern state through legal mechanisms resulting in a growing formal economy

2.5 Analytical Framework

Figure 1 illustrates the hybrid policy and its creation of a disciplined IE. In the center of the illustration is the subject of the policy - the enterprises. The enterprises are understood as existing along a FE-IE continuum and are operationalized into three dimensions: economic, political and social. Surrounding the enterprises is the measures taken by the government from a disciplinary perspective to control their business operations including the principle of enclosure (enclosure, partitioning & functionality) and the principle of disciplinary power (surveillance, normalization & examination). The transcultural processes are embedded in the action of the state. This results in modernity simultaneously being used as a pretext for discipline as well as an outcome along with a disciplined IE.

Figure 1 Analytical Framework
Source: Authors' Construction



Chapter 3 Government Intervention on YR Street Food Vendors

3.1 Past Government Interventions on Street Vending

With the establishment of the ‘modern’ Bangkok Metropolis in 1972 the BMA prioritized ‘orderliness’ on public space. (Nirathron 2006) Over the years policymakers have maintained their view of vendors as the main cause of pedestrian congestion and road traffic despite local views of street vending as an integral part of their lives and a lack of evidence that street vendors cause traffic problems. (Kusakabe 2006, Bhowmik 2005) It became apparent early in the governance of Bangkok that evicting vendors was not a sustainable solution as they always returned. Yasmeen & Nirathron (2014) attribute their return to the limited wage jobs available in the FE and a market demand for street food vendors based on a culture of public eating. The policy direction moved towards tolerating vendors by creating special zones and licenses to control their numbers. (ibid.)

It was not until the beginning 1990’s that BMA embraced vendors for local development. This policy shift came at a time of economic recession where vendors are seen as a solution to unemployment and the increasing cost of living. (Ibid.) From this time onwards the BMA was seen as compromising with vendors by allowing them to sell in permitted zones and reducing on the crackdown of vendors outside these zones. (Nirathron 2006) The BMA also launched cleaning and food safety policies for vendors in 1992 including the ‘Cleanliness and Order of the City Act’, the ‘Public Health Act’ and the ‘Traffic and Land Transportation Act’, aimed at regulating vendors activities. (Nirathron 2006; Kuskabe 2006) Moving into the 21st century vendors were repositioned as ‘means for economic self-reliance’ and thus engaged with for a more inclusive local development that aimed to reduce poverty. (Yasmeen&Nirathron 2014:13) This shift is demonstrated with government actions to regulate vendors by increasing vending areas from 494 in 2004 to 726 in 2008, establishing of the Peoples’ Bank Project to support petty enterprises and the ‘Regulation of Bangkok Metropolis on Selling in Public Spaces’ in 2002 - which added guidelines for vendors including dress code, personal hygiene and care for cooking utensils.⁵ (Nirathron 2006: 23, Yasmeen&Nirathron 2014:14)

The guidelines of food safety in the 1992 and 2002 acts are in line with recommendations by international organizations to improve street food safety according to scientific standards. There have been two prominent collaborations of the Thai government with international organizations - the Food and Agricultural Organization of the UN (FAO) from 1991-1993 and the World Health Organization (WHO) in 2011. The studies confirmed the

⁵ See Appendix D for summary of BMA policies for street vendors

importance of street food for the population's nutrition but also highlighted 'defects' of Thai street food including: (1) personal hygiene of food handlers, (2) waste management and (3) presence of chemical and biological contaminants. (FAO 1994b, WHO 2012) The international guidelines for food safety have been adopted by BMA including the establishment of a specific policy for street food, standards and guidelines, training materials, capacity building programs, food testing facilities, and inspection& monitoring. (WHO 2012) Arguably these guidelines alter the nature of the vendors from their traditional way of operating to one denoted by modern science.

During this time the government made no attempt to move vendors into the FE. Instead they created permit zones which are reflective of Cross's (2000:46) 'suspended spaces' for vendors to operate informally but under a regulatory framework. Theoretically this would allow the BMA to reconcile a modern view of public space with traditional activities; however, zones were ineffectively implemented. (Kusakabe 2006:15) Aspects that were formalized are related to regulation of their business. By not providing benefits of a legal status, coupled with inconsistent enforcement and sanctions, vendor's position of vulnerability did not improve. The most common form of exploitation is rent-seeking by officers in exchange of rights to sell and extortion by powerful gangsters for protection or permission fees from vendors (Ibid.) Furthermore, the changing regulations are not communicated effectively to vendors, such as prohibition areas as well as prohibition days that have changed without consultation and communication with vendors. (Kusakabe 2006:16) Conceivably their vulnerability even worsened as ineffective policy implementation provided new channels for exploitation.

Lastly, the legal system has thus far been the mechanism for BMA to exercise power over public space. Each new governor expresses their policy direction through the law where a lack of compliance by vendors results in sanction in the form of warning, fines, threat of eviction, prohibiting vendors to sell, and/or arresting vendors. (Yasmeen&Nirathron 2014:8, Kusakabe 2006:13) This is illustrated by the high number of arrests for example in 1996 fines accumulated to 19.6 million and nearly 53,999 arrests, and in 2000 fines were 20.7 million with approximately 68,000 arrests. (Yasmeen & Nirathron 2014: 9) By putting their power on display through these visible and potentially violent sanctions the BMA is able to control the populace. This exercise of sovereign power stands in contrast to the nature of disciplinary power where control is made invisible.

3.2 Motivations of Current Intervention on YR

The current junta views vendors as a nuisance and has superseded existing regulations of licenses and permit zones to evict vendors from the streets of Bangkok. (CNN 2017, Voice TV 2017) At the same time, the government recognizes YR street food as a tourist attraction which brings in revenue for the nation. According to the board members of TCT, street food is a viable

avenue to make the tourism industry in Bangkok more competitive. The state's commitment to this attraction is reflected in the establishment of a 'Street Food' department in TCT in 2015 for the promotion of Thai street food around the world.⁶

The motivation to 'organize' YR stems from a perceived need to improve the tourist attraction to be consistent with a western oriented concept of street food. This theme of 'improving the tourist experience' is reoccurring across local and international newspaper articles⁷, my interviews with bureaucrats, and conversations with YR vendors. TCT board members and the HDO believe that the 'attractiveness' factor of street food can be, and need to be, facilitated for 'farangs'. This perspective is supported by studies of the nexus of IE and tourism. The studies show that IE is a valued aspect of the tourist experience; however, enterprises often do have had to adopt their operations, either voluntarily or involuntarily, to remain competitive. (Khan 2007, Timothy&Wall 1997, Tsai&Wong 2017) Moreover, Williams&Martinez-Perez's (2013:804) research to understand rationale for consumption of goods and services from the IE in the European member states debunks the popular view that consumers who buy from IE are motivated by low cost. The research revealed that in less than half of the transactions from the IE low cost was the sole motive. (Ibid.) This is confirmed in Khan's (2007) study of street food vendors in Thailand where customers considered multiple factors, other than costs, as reasons to buy from street food. These studies suggest that government intervention can improve the attractiveness of street food vendors on YR.

The bureaucrats have a conception of YR as a tourist attraction that is 'neat', 'organized', 'clean', 'easy to get around' and 'safe'.⁸ These elements are in stark contrast with the nature of Bangkok's traditional street food vending. The HDO says, "we [the district] want to organize to raise the standards of Thai street food to meet international standard so when foreigners compare it to their own country they see that it is a good standard and tell their friends."⁹ The HDO could not elaborate on what the defined as 'international standards' other than explaining it is what foreigners expect from a restaurant. Whereas Mr. Ngoeycharoen views organization of YR from a marketing point of view, he says, "if people think its dirty or get diarrhea they will not come back and tell their friends not to come back"¹⁰. Dodging questions on differential treatment for locals and foreigners, Mr.Ngoeycharoen cites an example where regulation is necessary, namely vendors using dirty water in one bucket to clean dishes.

All three bureaucrats are regular customers of YR and recommended me their favorite YR eateries to try during fieldwork. This confirmed that the motivations behind the organization of YR are tourist oriented as bureaucrats

⁶ Personal Interviews with TCT board members: 01/08/2017

⁷ Local and international news has actively been following the event of street food vendors being banned in Bangkok. They are too numerous to list there. One can easily find them with a google search especially in local news websites VoiceTV and BanMueng or international news CNN and BBC to begin with

⁸ Personal Interviews: 01/08/2017 (TCT board members) and 04/08/2017 (HDO)

⁹ Personal Interviews: 04/08/2017

¹⁰ Personal Interviews: 01/08/2017

enjoy YR street food the traditional way. Moreover, the bureaucrats used the term ‘farang’ when talking about the overall tourist experience. When I questioned them about improving the attraction for eastern tourists they were unconcerned. The bureaucrats view eastern tourists as having tried street food in their home.¹¹ This is consistent with Cohen’s (2008) observation that the preferences of ‘farangs’ shape Thai tourist activities.

3.3 Measures Implemented on YR to Build a Tourist Attraction

The local government has implemented measures that reflect their ‘organized’ and ‘clean’ conception YR as a tourist attraction. According to the HDO, and confirmed by vendors, intervention by the current local government started since early 2017 and strict enforcement was achieved by mid-2017.

Table 4 lists the measures implemented by the Samphanthawong district on YR street vendors. The measures are categorized by (1) new and past measures, and (2) visible and invisible aspects. This intervention is highly impactful because previously the measures were not effectively enforced as compared to now and there are numerous new measures. Moreover, on the ground I observed some measures by being a customer and comparing my experience with previous visits. Other measures were ‘invisible’, I did not observe them but were told of them by the vendors or the HDO. The visible measures are relatively more important than invisible measures as they are signals to a customer walking by.

Table 4: Measures Implemented by Samphanthawong District on YR Street Food Vendors Source: Author’s construction based on fieldwork		
	Visible aspects	Invisible aspects
New Measures	<ul style="list-style-type: none"> • Designated team of district officers • Designated traffic police • Recycling bins • Designated pedestrian walking lane (disallowing chairs and tables on this lane) • Disallowing dish washing on the streets • No foam containers • Communication channel for pedestrian to the district (Signs with QR Code) • Enterprise sign and menu in three languages (Thai, English and Chinese) 	<ul style="list-style-type: none"> • Medical check-ups for food handlers
Past Measures	<ul style="list-style-type: none"> • No vending on Mondays (cleaning day) • Permit zone • Timing of street vending (6pm to midnight) • Dress code (apron, cap and gloves for food handlers) 	<ul style="list-style-type: none"> • License to operate • Random contamination checks on food • Cleaning/Garbage fee • Designated sanitation team

In particular, the new measures which are visible create a discipline consistent with a modern interpretation of street food. A designated team of officers is needed for surveillance of this manufactured reality. According to the HDO, district officers are responsible for upholding the street food reputation of Bangkok and “warn them [vendors] to make sure that they

¹¹ Personal Interviews: 01/08/2017 (TCT board members) and 04/08/2017 (HDO)

follow this [measures] so that the whole street has a standard.”¹² The HDO shared that previously there were district officers assigned to street vending but none for daily patrolling. The taskforce is also extended to traffic police officers and a team of sanitation officers. The 10-12 district officers have a twelve hour shift from 6pm to 6am for six days a week (excluding Monday when vendors are not operating). The officers ensure all vendors are closed before heading back to the district office between midnight and 1am.¹³ From field observation, however, district officers are not always present. They have not been spotted on Sundays. Moreover, their numbers dwindle by 10.30pm on less busy days (Tuesday, Wednesday and Thursdays) and when it rains.

New and visible measures of adding recycling bins, designated pedestrian walking lane, disallowing of dish washing and banning of foam containers discipline vendors into embracing signals of ‘modernity’ for the western tourists. For example, recycling bins are a new western trend and their presence portrays Bangkok as a ‘modern’ urban city that is environmentally friendly. Conversations with the HDO revealed that the district officers implementing the policy do not fully understand the rationale behind the measures being implemented. On the topic of environmentally friendliness the HDO comments that, “YR must be environmentally friendly that is why have switched everyone from using foam to plastic.”¹⁴ This statement occurred to me as being odd; I searched online and found that switching from foam containers to plastic was advised due to chemicals in foam that contaminate food. Similarly the HDO cited the rationale of disallowing dish washing on the street as making the street look cleaner whereas TCT board member Mr.Ngoeycharoen cited the reason as food safety because the water is not changed often so the dishes remain unclean.¹⁵ Arguably both rationales are applicable. The discrepancy, however, suggests that the HDO has enforced the measures without being properly trained. This indicates that there are multiple layers of discipline involved where the HDO and other district officers themselves have been disciplined by the central government to enforce the measures on YR.

Overall the measures are concerned with the pedestrian experience and food safety according to the state’s ideal image of YR street food as a tourist attraction. Like the Bang Fai Paya Nak traditional activity that was modified with a western orientation, (Kaos-ard 1994) YR street food has undergone transcultural processes to a point where it still retains its authenticity to an outsider but is fused with practices of western modernity. The state has asserted itself as an intermediary between the fundamental incongruities of modern and traditional aspects of a street food experience. They have resolved the incongruities by choosing aspects of modern and traditional measures to be implemented. This reality has been manufactured by disciplining the vendors with the objective of increasing the appeal of YR as a tourist attraction for local economic development.

¹² Personal Interview: 04/08/2017

¹³ Personal Interview: 04/08/2017

¹⁴ Personal Interview: 04/08/2017

¹⁵ Personal Interviews: 01/08/2017 (TCT board members) and 04/08/2017 (HDO)

Chapter 4 Getting to Know YR Street Food Vendors

4.1 Who are the Vendors?

Vendors on YR are established second generation vendors from Greater Bangkok whom operate visibly in the middle of the urban city. They stand in contrast to Hart's (1973) view of IE workers as low-skilled immigrants pursuing activities for survival in the fringe of urban cities. Sethuraman (1981) critiques Hart's (1973) assumption of majority IE workers in fringe or squatter areas of an urban city. He sees this as less relevant in cases outside of the Kenyan context (Ibid.) and this is confirmed by YR street vendors.

Furthermore, the characterization of IE workers as poor (Sethuraman 1981) does not hold true for majority of YR vendors. There are conflicting studies on the profile of Bangkok vendors. On the one hand, street vending in Bangkok has been viewed as an activity for the poor because it is a "low value-added, low profit, low-skilled operation which offers little opportunities for sustainable employment growth." (Walsh 2014, 186) On the other hand, Yasmeen and Nirathron's (2014) study on Bangkok vendors identified a rise of middle-class vendors, although they do not define middle class. In a separate study Nirathron (2005) has explored the success of Bangkok vendors and reflect on two important findings; namely the heterogeneity in their success and their ill-fitted representation as the 'community of the poor'. (438) Majority of the vendors in Nirathron's (2006) study reported adequate and sustainable earnings. In addition, the high variation in stock value shows that a range of capital is needed to engage in food vending. (Ibid.) The heterogeneity of vendor's class and success in literature is reflected in the group of YR vendors. While there is a lack of information to classify vendors by class, the heterogeneity of YR vendors can be perceived from their life stories, the range of goods from low value products (such as fruits, noodle, and dessert) to high value products (such as crab, shark fin soup and birds nest soup) and a range of enterprise sizes. To illustrate this heterogeneity Box 1 presents two extreme profiles of YR vendors. Case 1 of the 'khanom wan' vendor shows vending as an activity for a middle-class Thai with high capacity for capital accumulation and case 2 of the 'kanom thuay' vending as a survival activity for the poor.

Box 1 Profile of Two Yoawarat Vendors

Source: Author's construction based on personal interviews during fieldwork

This box presents two extreme cases of YR vendors to illustrate the heterogeneity of vendors.

Case 1: 'Khanom Wan' Vendor

The vendor is Thai female who married a Chinese trader. The vendor lives on YR and joined the trade more than 30 years ago as a hobby to cater to Chinese visiting relatives in Bangkok. She is well-dressed, with her hair and make-up in place and adorns a gold chain on her neck. Her business has grown steadily and its success is reflected in the exterior of her mobile cart which is outfitted with large LED signs. While she talks to me her staff of six employees tends to customers.

A crowd of customers were seen standing and eating dessert in front of her mobile cart every day that I visited YR for fieldwork. The enterprise even has a delivery service for regular customers using 'LINE', a local phone application similar to 'Whatsapp'. The vendor has been trying to improve her social media following but has not been successful. After the interview the vendor asked if I could 'check in' on facebook to help advertise her business.

In addition, her son attends a university in China. When he returns she and her husband will be opening a Chinese dessert business for him in another part of Bangkok. She prefers this business for him compared to a formal wage job she wants him to own his own business. When provoked about the vulnerabilities of the business she counters that you can make 'good money' with what she does.

Case 2: 'Kanom Thuay' Vendor

The vendor is Thai female dressed shabbily in a loose clothing and a big apron. Her mobile cart is very simple with no appliances, screens, and other gadgets like other carts around YR. It is a plain cart stacked with trays with barely enough light to see the dessert. There are no customers in front of her cart. She prepares the food and sells it buy herself. She says that tourists did not help her increase her business because tourists do not like too sweet desserts. She relies on locals and mainly regular customers.

When asked why she would not consider quitting she says that on some months she can earn better than her daughter who works at a convenience store for 12,000 (309 euros) per month. She understand that her daughter does not want to become a vendor because it is labor-intensive occupation and it uncomfortable in the Bangkok heat. She does not have a car to pick her and her cart. With no other family member to help her, she physically drags the mobile cart to and from home (not in Yoawarat area) every night.

Moreover, majority of vendors have voluntarily chosen vending as a livelihood strategy. A high proportion has taken over from their parents. Available literature on street vending in Bangkok does not include this populace of vendors. Nirathron (2006:15) cites rural-urban migration as a reason for the persistence for street vending. Whereas Bhowmik (2005:2256) situates Bangkok's IE workers as those who were earlier in the formal sector and had to leave. This is illustrated in the rising number of street vending after the 1997 Asia Financial crisis. (Ibid.) These descriptions of IE workers fit the story of the grandparents and parents of YR vendors but not the current generation.

Some YR vendors have kept the same trade as their parents, such as a two-brother team who continues to sell 'ba-mee', and a two-sister team who continues to sell 'phad thai'. Others have taken over the business from their parents but explored new opportunities. The 'kway teow lord' vendor whose grandparents and parents sold clothes on YR worked at a restaurant before taking over the business. The rise of department stores around Bangkok led to a drop in sales. The vendor capitalized on her cooking skills to change the business to sell 'kway teow lord' which integrated better with the growing YR food hub. Aligned with Sethuraman's (1981) findings on IE workers, YR vendors have acquired skills their trade outside of the formal school system. Some YR vendors worked in the formal sector previously. A 'khanom wan' vendor worked in a factory before marrying her now husband who owns the vending enterprise, she says "I consider myself lucky to get to move and work here"¹⁶ as she prefers to work in the open-air where it is 'lively'.

Most importantly, vendors would not formalize their enterprise given the opportunity. When asked to leave their occupation and move into the formal sector they disprove of the idea. This is in contrast to Chen's (2005) understanding of self-employed workers in the IE whom, "associate operating outside the legal regulatory framework with costs rather than benefits." (4) For Chen (2005) self-employed workers in IE would want to formalize citing the example of "street vendors who now pay a mix of legal and illegal fees would welcome the security that comes with being legally recognized" (4) On the contrary, YR vendors associate formality with costs and informality with benefits. This is consistent with Cross's (2000:41) observation that features derived from informality contribute to the enterprise's success and "allow them [entrepreneurs] greater freedom and flexibility". Majority YR vendors would not formalize due to the costs of formality to the business, such as high rent and other expenses, and costs to themselves, in particular their reduction in autonomy. The population of vendors in Nirathron's (2006) study cited similar reasons for going into food vending; the top two reasons are more income followed by a desire for autonomy.

It surprised me that vendors characterized their livelihood as autonomous. What I see as an outsider is a vulnerable and labor-intensive livelihood choice. I inquired into the daily lives of vendors to help explain their definition of autonomy and apprehension towards being controlled, but secure, in a formal setting. A day in a life of a vendor starts in the afternoon prepping food in their homes. Towards evening they pack and transport their goods and mobile cart to YR where they set up their station. They work standing constantly till midnight where they then transport everything back home and start washing the dishes. Some vendors choose to sleep and then head to buy produce in the early afternoon; others head out to buy produce and then to bed before waking up in the afternoon to restart their day. This shows that vendors have a set routine and are self-regulated in following a plan that allows them simultaneously run their business and their household. While Chen (2005) views this as a burden noting that the, "the self-employed must take care of themselves and their enterprises as well as their employees (if they hire others) or unpaid contributing family members (if they run a family business)," (4) the

¹⁶ Personal Interview: 18/07/2017

‘ba-mee’ vendor referred to his time as ‘flexible’.¹⁷ He can decide what he does during the day and then at night he and his brother together have a set routine of operating their business. This shows that there is a ‘stability’ and ‘predictability’ (Hillenkamp et al. 2013:3) to the lives of the vendors. This stability stems from their own self-management which competes with the government’s need to control the populace and public space.

Lastly, YR vendors are not organized as a community. They do not have any form of leadership among themselves, nor are they membership of any local or national union, despite the large number of street vendors in greater Bangkok facing problems with authorities and law. This is common across street vendors in Asia, where trade unions of street vendors are few and larger unions are not interested in including street vendors. (Bhowmik 2005)

4.2 Categorization of YR Vending Enterprises

WIEGO (2017) categorizes those employed in the informal sector as: (1) self-employed workers in their own informal enterprises, (2) employers in the informal enterprise, (3) employees of informal enterprises and (4) contributing family members. YR vendors interviewed are self-employed in their own enterprise and also have contributing family members to different degrees. A high proportion of vendors are also employers.

This paper categorizes YR street food vending enterprises into:

1. Self-employed with employees (SEWE)
2. Self-employed without employees (SEWOE)

This categorization does not attempt to incorporate the heterogeneity of YR enterprises but provides a simple classification of the main qualitative difference based on fieldwork that is useful for analysis.

4.3 Common Enterprise Characteristics

Firstly, SEWE and SEWOE share a formal enterprise characteristic of sustainable income. Majority of vendors have had a sustainable income on YR for more than 25 years. They are confident in predicting their income for the week based on the number of dishes they have sold in the past. They understand that profits are better on Thursday through to Saturday, and are less on Sundays, Tuesdays and Wednesdays, thus plan supplies accordingly. Moreover, rainy days deter customers and they make fewer profits. On busy days productivity of vendors is high, none were sitting free and no vendor had the time to stop working even when talking with me. Other days, the business

¹⁷ Personal Interview: 18/07/2017

operations are slower; this was observed on the Sunday that I was on YR nearer to 10pm. This suggests that studies characterizing IE enterprises by low levels of productivity (Sethuraman 1981, Tokman 1982) has not taken into consideration the nature of street food vending.

To remain profitable vendors are self-disciplined in safeguarding their reputation which is defined as the taste and quality of their food. The taste and quality of food is perceived as important because vendors believe the best form of marketing is word-of-mouth. One way vendors ensure quality of their food by making arrangements with suppliers. Majority of vendors head down to 'Pak Khlong Talaat' a 24-hour wholesale market in Bangkok that sells fresh vegetables, fruits and flowers, at dawn. Many vendors get their dry ingredients delivered to the YR from suppliers. An SEWOE selling 'khao niao mamuang' says, "I always taste the mango first. If it is not sweet I do not sell it." Similarly, a SEWE vendor with 10 workers selling 'khao pad poo' is willing to give her workers expensive crab leftovers, resulting in a loss for her business for the day, but refuses to sell stale crab to customers. This self-discipline has guaranteed the good quality of food throughout the years even though vendor's knowledge is not based on a scientific notion of food safety.

Despite a sustainable income, the enterprises are vulnerable due to their ambiguous legal status. YR vending enterprises have a license which shows that they are regulated like the FE, but this license does not give them a legal status. The license is the identification of the enterprise owner and a number which gives the vendor permission to continue operation on YR. This creates a barrier to entry for new comers, a characteristic of the FE. Without a legal status, the vendors pay personal tax, not business tax, based on income that they reveal (further elaborated in Chapter 5). It is unclear the proportion of vendors who pay tax and the amount income they declare as vendors were cautious to answer questions on tax. From an interview with a 'phol la mai sod' the assumption can be made that all vendors pay some amount of income tax to be able to continue operating.

A cost of having an ambiguous legal status is minimum social protection. The government has increasingly added to the social protection schemes for informal workers but these programs are still limited. (Nirathron 2009:4) Social protection schemes have expanded to include social insurance, labor protection, public assistance and social services to informal workers, however, the workers have to pay an annual fee to be registered as 'self-insured' and eligible for the schemes. (Ibid.) More relevant is the vendor's vulnerability to the constantly changing government regulations. They are no longer surprised by the new measures. A 'hu chalam' vendor who has been selling on YR for over 30 years says, "the rules changes all the time depending on who is in power. This government [junta] makes it even harder to make a good profit".¹⁸ Vendors have not resisted government intervention as they believe they fear not being allowed to operate at all. With a resigned air vendors on YR explain that they do not resist as they cannot afford to lose this source of income. Careful not to endanger their enterprise, a 'khanom wan thai' vendor says, "if we do something wrong then we cannot sell here [YR]. We have no choice but

¹⁸ Personal Interview: 18/07/2017

to comply with what they ask. We have to tell ourselves it is better than not getting to sell.”¹⁹

Lastly, all vendors are vulnerable to exploitation by district officers. Vendors could not explain the legal mechanisms of how they secured the location in the beginning; citing they did not know as they were not the ones who set up the enterprise or citing it as an organic process of setting up and repeatedly using the same location with others moving in around them. One day they were given a license by the district. However, this did not provide them security. To secure their operational space and utilities (electricity and water) vendors still had to rely on individual and informal arrangements with the district officer and the shop owners whose shop they are vending in front of. This confirms Kusakabe (2006:16) finding that BMA did not effectively manage street vending licenses. During license implementation there was room for district officers to exploit vendors. As a result vendors had to self-manage their operations with stakeholders. Some vendors will pay a fee to both the shop owner and the district officer, some vendors pay only to the shop owner or district officer, and few pay to none for the use of public space. The amount of fee is also negotiated individually ranging from 300baht to 500baht a month (approx.8 to 13 euros a month).

4.4 Distinctive Enterprise Characteristics

SEWE enterprises are more inclined towards FE characteristics than SEWOE enterprises. Typically, SEWE enterprises are operated by more than one permanent family member and the profits are the principal income of the household. SEWE sell products which require an elaborated mobile cart with customized features, a space to store produce, ingredients and other necessities, manpower to help with meal preparation and serving, and lastly seating space for the customers. [see image 2 for example of SEWE] Within the SEWE category there is a mix of procedure of hiring employees through informal and formal contracts.

On the other hand, SEWOE are operated by a single vendor, some with a part-time family member, and generate subsistence earning. Similar to the sample of subsistence earning vendors in Nirathron's (2006) study, majority SEWOE vendors are elderly and have children whom are independent. With limited manpower, they have chosen the type of product that they can handle by themselves (such as bird's nest, dessert or fruits) For instance, despite old age and having two grown up children who can support her, the 'rang nok' vendor chooses to continue working after 28 years to remain independent especially in her ability to take care of her expenses and medical bills. [see Image 3 for example of SEWOE]

¹⁹ Personal Interview: 10/08/2017

Image 2 SEWE ‘Hu Chalaam’ Vending Enterprise

Source: Author



Image 3 SEWOE ‘Rang Nok’ Vending Enterprise

Source: Author



Furthermore, there are differences in the driving motivation of SEWE and SEWOE enterprises. Unlike SEWOE whom are motivated by security, a high proportion of SEWE are looking to grow their enterprise for greater capital accumulation consistent with enterprises in FE. Nirathron's (2006) study revealed the amount of selling space and marketing to cope with competition as two variables of highly successful vendors. Similarly, YR vendors have identified space as the biggest constraint to expansion. Vendors are constrained to the space allocated to them based on when they first came to set

up on YR. If they had chosen a spot and it was 2 meters wide and other vendors set up on their left and right then they are constrained to that space – no longer able to expand. Few have solved the problem creatively. The ‘bamee’, ‘kha nom wan’, ‘phol la mai’ vendors decided to share a large area of tables for customers. The ‘kha nom wan’ vending enterprise is determined for her son to become a vendor but will find him another location due to limited space on YR. Moreover, SEWE are being creative in their marketing ideas. Some vendors have dabbled into online marketing to increase their social media presence as a basis for attracting customers. A ‘khanom pang ping’ has a large social media following resulting in a long line of customers waiting to order. The marketing has been so successful that the vendor has established a queue system. Other SEWE enterprises have noticed this success and are trying to emulate the marketing model.

This chapter has contested the view of vendors as ‘chaotic’ and ‘poor’ by describing a system of “norms, rules, and social forms, which coexist, and in many cases, compete with those recognized by state bureaucracy, shape the practices of production, financing, exchange and consumption of the popular actors that constitute the ‘informal economy’.” (Hillenkamp et al.:3) The vendors are disciplined in adhering to the routine they have set for themselves that privies their autonomy while allowing them to sustain and grow their income. This chapter has argued that the populace of YR vendors is unlike the IE workers portrayed in literature, in that they have an established identity and livelihood in the city center of Bangkok which they attribute positively to informality. While they differ in the type of enterprise, SEWE and SEWEO, they strongly identify FE with costs to their enterprise and to their own flexibility. The conception of self-management in their operational practices and use of space competes with the government’s idea of modernity and discipline. Moreover, their ambiguous legal status leaves them vulnerable to changing government regulations and exploitation by district officers but vendors have not resisted authority for fear of not being allowed to operate.

Chapter 5 Effects of Government Measures of YR Vending Enterprises

5.1 Effects of Government Measures for the Control of Society on YR Vendors

The BMA, which is controlled by the military junta, has aggressively pursued goals to revive and regulate the economy. At a macro level the push for a vibrant tourism economy has increased the number of foreigners coming into Thailand by 8.9% between 2015 and 2016. (Department of Tourism 2016) The increased traffic, coupled with a government effort to promote street food, has been acknowledged by YR vendors, especially the increase in Chinese tourists, in the past 2 years. YR vendors being “accepted and legitimized as a valued aspect of the guest experience,”²⁰ (Timothy&Wall 1997: 337) provides them with greater income security.

Secondly, the government has taken steps to regulate the foreign workforce. The new labor laws²¹ target employers with a substantial fine for every undocumented migrant worker. (HRW 2017) Accounts of sanctions being enforced have scared SEWE vendors who hire migrant workers. Two vendors expressed their concern over the increase in transaction costs. The ‘hoy tod’ vendor chooses to let go of his one unregistered foreign employee while the ‘hu chalam’ vendor paid for the registration of her 10 Cambodian workers. She found registration to be a necessary investment as she could not find local employees willing to do the labor-intensive work required. A commitment to this long term investment suggests that her profits are significant and sustainable. Majority of enterprises have local employees and have not been affected. They continue operating using a mix of enforceable and informal contracts.

Moreover, the government’s crackdown on illicit establishments²² across Bangkok has had a negative effect on YR vendors’ night business. Vendors recall a time when they sold to affiliates of gambling, prostitution and other illicit establishments in the Chinatown area till 4am on weekends until their produce finished. The ‘ba-mee’ vendor complains, “my business has reduced because the government has removed all the gambling spots that use to be around this area so there are less customers coming after hours.”²³ With the operation hours limited to midnight vendors have to plan more carefully; the ‘khao phad poo’ vendor grumbles, “if we do not close down the district officer will come and close it down for us. If I have left over crab I cannot keep

²¹ In particular the ‘Decree Concerning the Management of Foreign Workers’ Employment’ enacted in June 2017 (HRW 2017)

²² There are no longer gangs operating on YR as all gangs have been removed across the city, (BBC 2014, Reuters 2017) there were also no mentions of gangs in conversations with vendors.

²³ Personal Interview: 04/08/2017

selling. I cannot serve it the next day because it is no longer fresh and will ruin my reputation. I have to give it my workers if they want to eat it. It is a lot of loss for me.”²⁴ Vendors are forced into replacing their own practices of food preparation with a methodological or ‘modern’ process of planning to reconcile their informality and government control. Additionally, the government has controlled the vendors’ customer base by replacing traditional night dining locals with tourists. Arguably, the increased in business from tourists is offset by the removal of night customers therefore not significantly benefiting vendors’ revenue. With vendors packing up at midnight and no other businesses operating after hours, YR sleeps like it never has before.

Additionally, the government’s pursuit of control over public space extends to YR. The government cannot relocate vendors to a formal market place as it would change the nature of ‘street food’ which is attracting tourists. Even though street food is innately a functional space as vendors must be visible for customers, hence consequently the state can observe the business operations, it is not an effective disciplinary space because the activities is not confined to an area. To imitate the structure of a formal market place the government has enforced a permit zone which is reflective of the fortress like structures in Foucault’s studies. This zone is necessary for effective surveillance because YR is a typical Bangkok road with a system of alleyways that split from the main road called ‘sois’ making the road hard to police. The zone implemented has clear ‘start’ and ‘end’ confining vendors to a 300 meter stretch between 6pm and midnight. The confinement has had no direct effect on the legality of vendors already operating from within the space but covertly ensures that their behavior can be disciplined with greater efficiency of surveillance. The building of an enclosure also ensures that other techniques of control can be effectively employed on vendors.

Moreover, the enclosure is reflective of Cross’s (2000:46) ‘suspended spaces’ which he perceives as an alternate solution IE. YR street food is a space assigned to informal enterprises but under the formal regulation of the government. Within the space the government can produce a reality that they consider ‘appropriate’ for the public space - a western-oriented conception of YR tourist attraction.

Furthermore, within the enclosure vending areas are partitioned into cell-like structures through the enforcement of licenses. According to YR vendors district officers have ‘always’ had a list of their names and come around to check their identification randomly, some cite the duration of checks as once a month. HDO confirms the use of this ‘list’ by his team to ensure that the vendors have not leased out their space. This ‘space’ is the limited area vendors can operate from. Although no strict walls barricade their area, vendors are squeezed by other vendors on either side of them, a shop house behind, and a road in front - effectively partitioned into a cell like structure. The enforcement of licenses institutionalized the confinement of space reflecting Foucault’s technique of partitioning individuals. Vendors’ autonomy is reduced by replacing informal arrangements for their space with formal institutions controlled by the government. Moreover, the use of registered numbers further

²⁴ Personal Interview: 10/08/2017

individualizes vendors, giving the state power over individual operations and limits the possibility of collective action.

Lastly, a team of district officers patrol the enclosure to discipline vendors. The common perception among vendors for the strong presence of the state on YR is the international recognition of Thai street food. The 'Pa Thong Ko' vendor describes the rationale of state presence saying, "now with the hype of street food the state is back."²⁵ Vendors are not distraught or frightened by the officers; from observations some vendors are seen chatting and joking with officers like old companions. However, vendors complain that the presence of officers "makes it harder to earn a living" (hoy tod vendor)²⁶ as officers are there to warn vendors when they operate outside of regulatory measures. When asked about the number of officers present the vendors cannot recall their exact numbers, majority replying 'a lot'. Conceivably, the 10-12 district officers patrolling 135 vendors are not able to keep a watch on every action of the vendors, especially not when the officers are also seen chatting or eating supper. This illusion of an authority figure always watching is reflective of Bentham's Panopticon, a space that Foucault cited as an ideal model for discipline because it leads to self-discipline. The effect of the YR vendors feeling watched is the reduction in their autonomy to operate. YR vendors have altered their traditional way of operating to be in accordance to government measures because they are unsure when they are actually being watched.

This part of the study shows that government measures to discipline society has positively affected YR vendors by increasing their income security but this is counteracted with the increased transactions costs and more importantly the reduction in autonomy. The government has effectively disciplined vendors inside an enclosure using techniques of partitioning and surveillance. Similar to a comprehensive approach to formalization, this government intervention has reduced vendors' autonomy by replacing some informal institutions of vendors with formal institutions that they control. To achieve these formal institutions the government has used techniques of control in compliment with legal mechanisms. Moreover, by transforming the enclosure into a 'suspended space' the government has been able construct their vision of YR as a tourist attraction without formalizing every aspect of the enterprise.

²⁵ Personal Interview: 04/08/2017

²⁶ Personal Interview: 22/07/2017

5.2 Effects of Government Measures to Construct a Tourist Attraction on YR Vendors

Improving the Pedestrian Experience

The government has organized a dedicated walking lane for pedestrians [see Image 4] which has limited the enterprises' seating areas and altered the character of YR. The space has been divided into Foucault's 'useful spaces', (Hannah 1997:171) each site its own specific function: vending, walking and road. This increases the effectiveness of supervision and the transparency of the space. Vendors operations are now confined to the limited pavement space. Vendors explained that previously they would extend their seating area onto the road freely after 11pm once the traffic had reduced. For vendors, assigning an area for walking and an area for vending has altered the atmosphere. A 'khao phad poo' vendor illustrates this point saying, "sitting on the road is the charm of Yoawarat. My customers from Hong Kong want to sit on the road. Where does the district want my customers to sit now?"²⁷ However, this alteration in customer experience can only be identified by vendors and veterans of YR street food as a quick glance would suggest that there are still plenty of seats on the street to dine on. I also noticed the pedestrian walk as a new feature but did not notice the reduction in seating area until the vendors pointed this out. This idea of designated walking area is not authentic of Thai street vending which is characterized by the overcrowding of pavements obstructing pedestrian's paths. (Yasmeen&Nirathron 2014) Like others local, I have always navigated around vendors and their customers on her daily routes around the city.

This orderliness of walking space confirms that 'modernity' is being entangled within the constructed YR enclosure but still retaining its 'authenticity' to attract locals and tourists, creating an unusual hybrid between the traditional and modern. Khan's (2007:197) study on marketing capabilities of street vendors in Thailand show that they have their own "valuable, rare, imitable, and non-substitutable capability and competencies in operating over formal restaurant." Khan's (2017: 197) study names four marketing capabilities of vendors from the customers point of view, namely: (1) convenient location, (2) flexible business hours, (3) fulfil customer food requirements, (3) cooking demonstrations. Two of the four, namely fulfil customer food requirements and cooking demonstrations, were mentioned by YR customers. Locals spoken to were not able to pinpoint many changes on YR apart from the designated spaces for walking and vending. They are attracted to YR for its variety and taste of food, as well as being a good dinner spot with friends and colleagues. Eastern and Western tourists cited coming YR for the 'atmosphere' which consists of street dining, a variety of local dishes along with the local crowd. Few western tourists also mentioned watching the vendors prepare the food as attractive; the Spanish couple says, "I know the food is freshly made because I

²⁷ Personal Interview: 10/08/2017

can see my dish being cooked.”²⁸ This illustrates government control over space without formalizing the ‘traditional’ aspects of street dining.

Image 4 Dedicated Pedestrian Walking Lane on YR

Source: Author



The dedicated walking lane has had a differentiated effect on YR enterprises. Generally, seating is more important to SEWE vendors than SEWOE vendors as they sell meals that are meant to be eaten sitting down. The removal of seating space affected the volume of sales at any one point. [see Box 2 for example] In contrast, SEWOE enterprises were not affected as they require little or no seating space. The SEWOE ‘rang nok’ vendor removed her table but kept two chairs in front of her mobile cart which do obstruct pedestrian walking. The discipline to keep seating area away from pedestrian walking has been achieved through surveillance and normalization. Vendors feel watched stopping them from putting their tables up for fear of getting caught. Moreover, operating only from the pavement has become the normalized by the district. Walking down YR there is no obstruction on the pedestrian walking. If one vendor were to obstruct pedestrian walking with seating they would be the odd one out. The vendors need to fit-in has self-internalized their discipline. This shows that the government has been able to influence the vendors mind by changing the way in which they self-manage their operations.

To reduce the effects of fewer seating vendors had to find creative solutions including using plastic take-away dishes so customers can walk and eat as well as relying on regular customers’ understanding to make space or buy take-away. These regular customers have adapted along with vendors. They still buy the food for take-away usually by calling in advance to make an order and drive-by to pick up the food. On YR capitalizing on the relationships with customers is one way vendors have reconciled their informality with government control over space. This confirms Nirathron’s (2006) and Walsh’s

²⁸ Personal Interview: 04/08/2017

(2014) study revealing the importance of maintaining relationships with regular customers. In Nirathron's (2006:52) study with Bangkok vendors a lack of regular customer has been even cited as a reason for low profits. It is likely that the traditional norms of building relationships with customers will become less relevant as the customer base shifts to tourists.

Box 2 Effects of dedicated pedestrian walking lane on SEWE enterprise

Source: Author's construction based on fieldwork

I experienced the limited seating area when dining at the 'kway teow lord' vending enterprise.

The 'kway teow lord' vendor had to reduce from five tables (accommodating up to 15 customers) to 2 tables (accommodating a maximum of 6 customers). When the researcher dined a tourist family approached the vendor and wanted to have a seat but there was none available. This caused a ruckus as the vendor tried explaining to the tourist that the seats were temporarily occupied if it would be okay to have their food in plastic container. Due to a language barrier she explained by pointing and lifting the plastic bowls to show communicate.

In response to hearing this the Thai couple at the vendor's second table decided to quickly finish their meal and free up space. She expressed gratitude to her regular customers for their understanding. Later during the interview she complained that the government does not take into consideration that her food is hot soup and customers need to have a place to sit otherwise they will not buy from her.

Furthermore, vendors have been disciplined to create signs in three languages for the benefit of tourists. [see Image 5] Signs and menus have been part and parcel of Thai street vendors but adding two additional languages, English and Chinese makes it a tourist oriented measure. This measure fills the policy gap Khan (2017) identified in his study of marketing capabilities of street vendors in Thailand. Khan (2007) reflects that 'various policy strategies such as business development support services' are needed to help vendors improve their marketing (198). The local government normalized signs in three languages in their construction of a 'modern' standardized street market for tourists. This shows that vendor's autonomy to decide on the image of their mobile carts has reduced. Moreover, while vendors do see the logic behind signs of three languages, the lack of complaint regarding costs indicates that the government actions have effectively coerced vendors' mind, creating a disciplined vendor. Surprisingly, vendors did not see an improvement in sales due to the signs and Western and eastern tourists did not mention this as an added convenience to their street food experience.

Lastly, a formal communication channel is introduced to YR customers with undetermined success. There is a sign with a QR code (in three languages) attached to some vendor carts. [See Image 6] In English the sign reads: 'Please scan the QR code below for notification about food hygiene or suggestion'. Conceivably this channel is another avenue for the state to monitor vendor's activities. It employs Foucault's technique of surveillance and examination using modern age technology. Rather than a watchman in Bentham's Panopticon to watch subjects, the local government has constructed a virtual platform to achieve the same results. Ideally with the virtual platform vendors are under the watchful eye of customers who have a direct connection to

district officers. They are unaware which customers will complain and thus self-internalize the ‘appropriate’ behavior. It is also a form of examination as it is random and document the individual behavior of vendors. The evaluation of its success requires a longer period of enforcement as the HDO could not confidently explain the platform to me and the vendors are not bothered by its presence.

Image 5 ‘Phad Thai’ Enterprise Sign in Three Languages

Source: Author



Image 6 District Communication Channel

Source: Author



As a local accustomed to eating street food I had not thought about its safety until this study. My view is reflected in other local customers of YR who are also not concerned with food safety and choose where to eat based on past experience and recommendation. Eastern tourists were not worried about food safety and are more concerned with the taste of the food. They choose a vendor based on their preferred food item rather their perceived hygiene. This is reflective of my interviews with bureaucrats who are not concerned with the experience of Eastern tourists, only the western tourists. Western tourists were worried about food safety and had taken precautions to prevent getting sick such as having probiotics before the trip, only drinking sealed bottled water and using hand sanitizer. Moreover, western tourists choose which vendor to eat at based on a few factors. Firstly, if the vendor and their cart look clean and the raw ingredients look fresh. Secondly, they assess whether the eatery is crowded with locals. Thirdly, they would go to a specific vendor if they have taken the time to read about YR on food blogs. This suggests that there is merit in adopting 'modern' food safety measures on YR but only for 'farangs'.

There are four food safety measures aligned with the western oriented government image of YR that vendors have been disciplined to adopt. The first, and most problematic, is the prohibition of dish washing on the street. This measure has increased vendors' transaction costs including time, manpower, and money associated with transporting the dishes to be washed. Vendors have addressed the problem by limiting their use of utensils and providing disposable alternatives. Some vendors have even shifted their cost to customers which I faced during two dining experiences. When ordering 'bamee' the researcher asked for the soup to be put in a separate bowl, the employee taking the order explained to the researcher that the use of additional bowl would cost an additional 10 baht (0.25 euros, 25% cost of the total dish). The employee continued to apologize and explain that it is because they are not allowed to wash dishes on the roadside anymore. Similarly, there was no free Chinese tea provided to customers in little cups at the 'khanom wan' enterprise unlike previous trips. The vendor explained that they wanted to eliminate the extra work of transporting the glasses to be washed. Both vendors were apologetic and explained the necessity of these actions.

Secondly, YR vendors have a dress code of an apron, a cap and gloves for food handlers as modern symbols of cleanliness. A high proportion of vendors did not find the dress code as necessary. The 'Pa Thong Ko' vendor says, "it is just 'colorful'. I have been here for 23 years without it. I have become so famous without it."²⁹ Some have worn an apron, cap or both before the district required it of them and were not affected by the new regulations. Vendors were also offended by the insinuation that they do not clean their hands. "I am a professional. How could I serve food to people if my hands are dirty?"³⁰ a 'Phad Thai' vendor exclaimed when I asked her about wearing gloves. Few SEWE built on this measure to boost their brand image by ensuring all

²⁹ Personal Interview: 04/08/2017

³⁰ Personal Interview: 08/08/2017

workers, regardless of their contact with raw food, have on an apron and cap with the name of the enterprise for marketing purposes. The dress code does not change vendors cooking practices; they simply are modern symbol of cleanliness. Moreover, they reduce vendor's autonomy in deciding their own image. They also remind vendors of the watchful eye of the government every time a vendor puts on his/her apron to 'fit' the contrived reality on YR. This illustrates the effectiveness of Foucault's disciplinary mechanisms in creating self-surveillance and self-discipline. Moreover, the locals, western and eastern tourists did not notice the change in dress code. A German man living in Bangkok for the past 3 years has brought along his visiting friend to YR for dinner; he did not notice the change in dress code of the vendors despite visiting YR around once a month.

Thirdly, the registered vendor and the food handler have had to spend time to get a medical checkup. They have to have the certificate with them at all times as the district can check on this. Fourthly, the state conducts random bacteria checks. By asking for the medical certificates and doing the bacteria checks at 'random' the state employs Foucault's mechanism of surveillance and examination. Similar to the Panopticon, vendors do not know when the authorities are watching effectively changing their behavior. Checking is a way of examination by classifying individuals and comparing them to the ideal desirable features of scientific notions of food safety.

The government has effectively disciplined vendors, which has successfully manifested as self-discipline, to produce a reality of YR street food as 'organized' and 'safe' to increase its appeal as a tourist attraction. Overall the autonomy of vendors in deciding their business operations has been reduced by techniques of control of surveillance, normalization and examination that have little to do with the promoted benefits of formalization processes. Aspects of 'modernity' are being achieved on YR that is replacing vendor's traditional norms and practices. Vendors have to rely on their unique marketing capabilities as a community such as street dining and local food variety to attract customers. They also rely on their relationships with regular customers to reconcile their informality and government control. This case reflects Winichakul's (2000, 2011) and Chaloeontiarana (2009) understanding of the Thai state as controlling the populace through imposition of an ideal vision based on European notion of progress through transcultural processes.

5.3 Unchanged characteristics of YR vending enterprises

The unaffected aspects of vendors' enterprises provide significant findings regarding the nature of government intervention. It is unclear whether the intervention has improved the revenue for vendors as vendors cited better profits starting two years ago with the influx of tourists. It can be ascertained, however, that the intervention did not improve the vendor's position of vulnerability vis-à-vis the state. Vendors confirmed that there have been no changes to their legality with this intervention; in fact no changes have been made since they got their licenses more than 20 years ago. The unchanging and ambiguous tax paying procedure is a testament of the prevalence of informal

institutions as a result of a lack of legal status. Vendors themselves shared little about paying income tax as this is a sensitive subject. Similarly, the HDO dodged questions on taxes saying, “If they do or do not pay taxes it is not our job. It is the job of the fiscal department.”³¹

An accountant who helps her local community of 20 vendors arrange their tax payment is able to shed light on the informal procedure. She explains that the enterprises are not registered and thus the taxes are paid under personal income tax, instead of business income tax like restaurants. She explains that formally an income is declared by the vendors themselves and a tax of 10 % is collected like other formal enterprises. In reality before the form is submitted a fiscal officer comes to the vendors and they negotiate on an amount to be paid. The fiscal officers are acquainted with the enterprises and know which enterprise are more profitable and would negotiate accordingly. She explains that this is still lower than 10% of the real total income of the vendors. For this accountant’s area, the vendors payable tax ranges from 3000-5000baht (78-130 euros) every 6 months with a separate fee paid to officers of 500 baht (13 euros) - this amount has varied little across the years. This process is assumed to be similar on YR. This informal tax paying procedure is a benefit of informality as vendors pay lowered tax rates than would a formal enterprise.

Moreover, the institutions for documenting finances are not in place for YR vendors to be able to accurately declare their income. Vendors have an informal practices of tracking their income in terms of their sales, for example the ‘kway teow lord’ vendor could not tell me how many plates she brings to YR on a daily basis but used her hand to indicate how large the pile of plates should be sold to have a good sales day. Other are seen marking the number of dishes sold on a piece of paper. While others calculate by the amount they have left, like the ‘kanom thuay’ vendor who says, “today has been a slow day, it is already 10pm and I have only sold 3 trays [out of 5].”³² Moreover, vendors do not keep records of their transactions with the suppliers and employees nor do they differential money used for the business and the household. The ba-mee vendor exclaims, “it all goes into the same pocket.”³³ These practices have not changed with government intervention.

Lastly, vendors continue to make individual arrangements with the district officers and shop owners for their operation space and utilities. [see Box 3 for examples] This is surprising as the government has strictly controlled over every aspect of social life but has turned a blind eye to district officers being paid fees for the use public space. Contrary to interview with vendors, the HDO claims that vendors do not have to pay a fee to the district to secure a spot but have to make individual arrangements with the shop they are selling in front of. When challenged that the area is a public space, the HDO retained his position that vendors have to ask permission to use the space because it disturbs the shop behind. The shop owners confirmed that they have known the vendors for a very long time and ‘allow’ them to operate as their business is shut at that time of night either for free or for a rent. The practices of exploitation by district officers and shop owners confirm vendor’s position of

³¹ Personal Interview: 04/08/2017

³² Personal Interview: 18/07/2017

³³ Personal Interview: 08/08/2017

vulnerability has not changed with government intervention. However, vendors prefer these informal arrangements to paying high rents in formal institutions like department stores.

This section has shown that there is a system of informal institutions that shape the business operations left unchanged by government intervention. The unchanged legal status, financial documentation and informal contracts to secure a space and utilities are characteristics that are invisible to the outsider. These are characteristics that do not contribute, or hinder, the government's vision of YR as a tourist attraction. Moreover, this section has shown that vendors still retain some autonomy in their business operations. The informal of tax practices and arrangements for space and utilities are aspects that contribute to their enterprises' success. Unlike with formalization, these aspects are not being removed. The intervention creatively reconcile government need for control over public space and vendor's body and mind, with the vendors' need for autonomy and lowered transaction costs that are essential for the enterprises' success.

Box 3: Vendor's Informal Arrangements to Secure Space

Source: Author's construction based on personal interviews during fieldwork

A steam bread vendor, a shark fin soup vendor and a wrap-noodles vendor illustrates the importance of relationships with shop owners and district officers for the operation of their business.

The 'Khanom Pang Nueng' Vendor

The vendors are an old couple who have worked on YR for more than 35 years. In their years on YR they have seen many district officers come and go. They say, "before they [the district officer] knew us, they see we are old, they know we have many children and grandchildren, they saw that we did not earn that much so they were kind did not take money from us. It changes every generation of new district officials." Currently they pay a 300baht (8 euros) fee to the district officer. They also pay 300 baht (8 euros) fees to the shop owner every month to use their electrical cables.

The 'Hu Chalaam' Vendor

The vendor pays 300baht to the shop owner and 500 baht (13 euros) to the district officer monthly. The fee to the shop owner is for electricity. She explains the reason the shop owner has not increased their fee since she set up her business is because, "we have known each other for so long. We have 'nam-jai'. We help them clean up and carry their things when they need help." 'Nam-jai' is a Thai concept where a person is happy to sacrifice for friends and extend hospitality to strangers.

The 'Kway Teow Lord' Vendor

The vendor does not pay any fee for her space, she explains, "my grandfather and the shop have known each other for so long. It has been three generations and we have known each other for so long. Even the district officials know us." She makes individual arrangements for electricity with a different shop owner few doors down and pay the shop owner a stipulated amount monthly. (she did not mention this amount)

5.4 Comparison of a Comprehensive Approach and Hybrid approach to YR street food

Table 5 summarizes the effect of government intervention on the formal-informal enterprise characteristics of YR vendors. The table also highlights the differentiated effects on SEWE and SEWOE enterprises. Overall, the objective of YR intervention has not been to formalize the enterprises. This is confirmed by only 3 enterprise characteristics (out of 15) that are moved towards the formal enterprise extreme. In the economic dimension there is greater sustainable of income for vendors. In the political dimension there is high barrier to entry for new vendors and stricter regulatory environment. The remaining FE-IE characteristics of the YR vending enterprises have been unchanged. This shows that the intervention on YR vendors is qualitatively different from a comprehensive approach to formalization which aims to move all informal characteristics of enterprises to the formal extreme and provide the enterprises with benefits associated with FE.

By achieving total control over the space and bodies, yet only formalizing few aspects of the enterprises, this government intervention has been able to realize their vision of YR as a tourist attraction using a hybrid approach. Where comprehensive approach to formalization seeks to achieve discipline through a legal system, this hybrid approach has achieved discipline by creating an enclosure within which techniques of control are adopted.

Table 5: Summarizing the effects of government intervention on FE-IE characteristics of YR vending enterprises			
Source: Author's own analysis			
Key characteristics of formal and informal enterprises		Effects of Government Intervention	
Source: Authors construction based on IE literature			
Formal Enterprise	Informal Enterprise	SEWE	SEWOE
Economic Dimension			
Sustainable income /Predictable income	Irregular Income	Greater sustainability of income - recognition as tourist attraction increased income security	
Principal source of income	Multiple sources of income	No change, remains principal source of income for the household	No change, remains a source of income for the household
Documented finances (managed through formal institutions)	Undocumented finances (managed informally)	No change, finances continue to be managed informally.	
High productivity	Low productivity	Not change, low productivity during the slow days (Sunday, Tuesday, and Wednesday) and high productivity on Thursday, Friday and Saturday.	
Political Dimension			
Difficult entry	Low entry	Changed from low entry to difficult entry as licenses are being enforced	
Visible	Hidden	Continues to be visible but with improved pedestrian experience and efficiency of surveillance. Impact is different:	
		Affected, requires larger seating area and space for expansion	Not affected, does not require space for expansion
Permitted & registered	Not permitted & unregistered	No change, permitted and registered	
Regulated & monitored	Not regulated & monitored	Change to being heavily regulated and monitored	
Tax paying	Tax evading	No change, tax remains an ambiguous process	
Legal status	No/ambiguous legal status	No change, vendors continue to have an ambiguous legal status	
Rely on written & legal contracts to operate	Rely on informal channels to operate	No change for majority. Change for few SEWE who hire immigrant workers and now use formal contracts.	No change, relies on individual arrangements to operate
Protected by membership in association	No membership in a formal association	No change, not protected by any trade unions or associations	
Social Dimension			
Motivations of capital accumulation	Motivations of survival	No change, majority are motivated by capital accumulation	No change, motivated by own survival
Separation between household and business	No clear separation between household and business	No change, the enterprises are family run and use family resources at different stages of operation	

Chapter 6 A Hybrid-Approach to Informal Economy

This paper has studied the effect of government intervention on street food vendors of YR using a modernity and disciplinary lens. It has showed the qualitative differences between formalization policies as theorized and the proposed hybrid approach. This paper has also unraveled the mechanisms used to construct an enclosure of western modernity and discipline within the embedded social-cultural context of transculturation.

By drawing explicit linkages between discipline and governance of IE, this paper critiques formalization policies as they are being implementation and evaluated. Adopting a disciplinary lens, this paper has been able to extract itself from the FE-IE continuum to evaluate the intervention from a broader political, economic and social context. The findings from YR are aligned with the numerous studies evaluating formalization policies which show that intervention does not provide benefits to IE actors nor changes their position of vulnerability. Instead, this paper argues intervention is intended to construct and sustain sovereignty over a modern state. This is achieved through a 'hybrid' approach that employs disciplinary mechanisms that is able control the body and minds of IE actors without formalizing them.

As such this research recommends interventions to be labelled as 'hybrid' policies so that they can be evaluated from a broad context. By taking into consideration the surrounding and embedded institutions, evaluations will more accurately reflect the realities of policy implementation and their effects on IE actors. This will lead to pragmatic recommendations that work towards reducing the gap between policy design and implementation in pursuit of an inclusive local economic development.

This study also contributes to the literature of IE, in particular IE enterprises of street food vending. YR vendors stand in contrast to IE workers portrayed in literature. Findings from YR street food vendors suggest that informality is not a hindering factor but rather contributes to the vendor's livelihood because it is part of their authenticity as a tourist attraction. This suggests a need for more inclusive policy design where IE institutions are not viewed as a backward or subordinate form of operating but as an 'alternative' practice that does work.

Another key finding is aligned with Thai scholars who understand policy as being western orientated. The measures imposed on YR exemplify the tension between western modernity and traditional practices in Thailand. It is disheartening to see western preferences being adopted with no perceived benefits to locals. There is also a need for the government to rethink its western oriented approach to tourism as the Chinese middle class has been a large contributor to the economy over the past two years.

The analysis presented in this paper is situated in the political context of a military junta, where there is an emphasis on social control of all aspects of life. This could have led to the government intervention on YR having greater inclination towards discipline and the use of disciplinary mechanisms for control of the populace. There is a need to conduct comparative case studies in states with more democratic governance to confirm the findings in this paper. The comparative case should also be conducted in a state that has adopted 'modern' development and has a sufficient populace of vendors. A possible case is Indonesia – a more democratic Southeast Asian country also influenced by European colonialism with a growing number of vendors currently being addressed by government policies.

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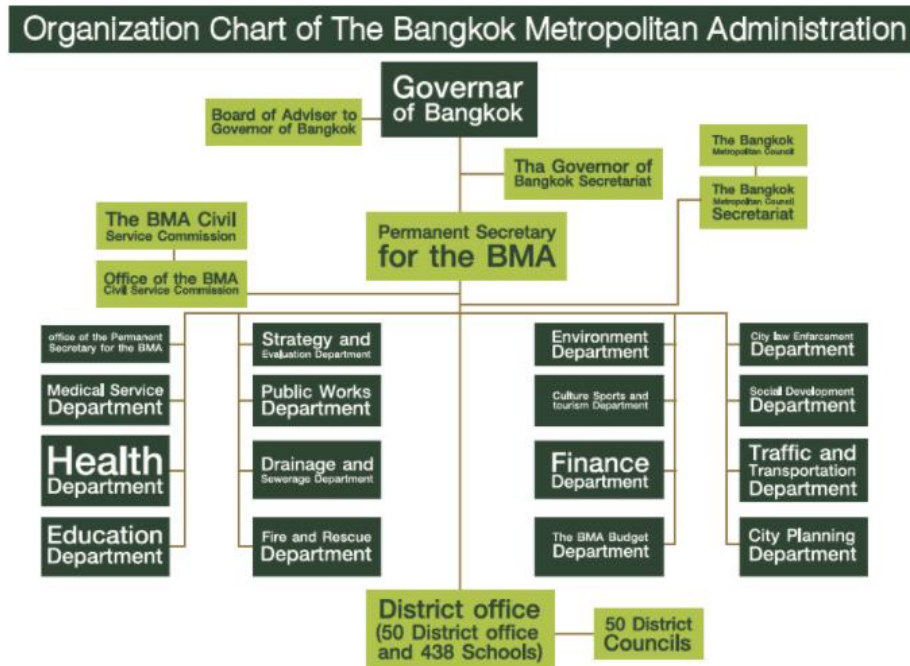
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Appendix A: Structure of Bangkok Metropolitan Administration

Source: Bangkok Metropolitan Administration (2017)



Appendix B: Interview Questions

The following is only a guideline to my conversations with YR vendors. On the ground questions were adapted as seen fit.

Introduction

My name is Suthida and I am a university student studying tourism in Bangkok. I want to understand more about YR and your street food vending business. The interview will take 15 to 20 minutes and I am happy to wait while you tend to customer. Everything that you say will be kept confidential, the information you share will be aggregated and your name will never be revealed. The questions in this interview are not sensitive; I am only interested in your thoughts about your own business. Is it okay to proceed? Do you mind if I take a photo of the stall or you?

Warm-up and demographics. Please share with me a bit about yourself...

- What food is the street vendor selling (observe)
- How many people are working in the business? What is there role and gender? (observe)
- Gender of interviewee (observe)
- Where are you from?
- How long have you been a street vendor?
- Have you always been selling on this spot? If not, where were you before? How many years have you been at YR?
- How many family members work in this business (including helping out)?
- How many are hired workers outside of the family?
- How many hours do you work?
- Do you have any other job? Or activity?
- How many people does this business support? If not clear ask: Is it able to support your family? Do other members of your family work and doing what?

Transition of YR

- Why did you choose to locate your business at YR?
- Why do you think people choose to eat at YR?
- Having been at YR for X years [add number of years] have you noticed any change in the street? If yes, what changes and have they been beneficial for you?
- Approximately how many % of your business is from tourists vs locals
- Has it changed since X years [insert number of years] you have been at YR? If yes, what changes have you noticed? why do you think there has been a change? If no/same, what about any other types of changes you has noticed?
- Why do you think tourists come to YR? If not mentioned, probe on price, atmosphere, and experience.

Impact of Transition on Business strategies

- How happy are you with how your business is doing? Why?
- Why do you think people choose to eat from your stall?
- Probe: There are multiple vendors on this street selling X [insert food here] what differentiates your stall?
- Have you made any changes to your business since it started? (probe: changing the food type, adding more workers, changing signs to English, adding more chairs, making it look cleaner etc.)
- Why have you made these changes? Has it been beneficial?
- You mentioned earlier that YR has changed [add details from earlier] how has this impacted your business?

Appendix C: Outline of Comprehensive Approach to Formalization

Source: Chen 2012, 16

1. Formalization of Informal Enterprises

- registration and taxation:
 - simplified registration procedures
 - progressive registration fees
- appropriate legal and regulatory frameworks, including:
 - enforceable commercial contracts
 - private property rights
 - use of public space
 - occupational health and safety regulation
- benefits of operating formally:
 - access to finance and market information
 - access to public infrastructure and services
 - enforceable commercial contracts
 - limited liability
 - clear bankruptcy and default rules
 - access to government subsidies and incentives, including procurement bids and export promotion packages
 - membership in formal business associations
 - access to a formal system of social security

2. Formalization of Informal Jobs

- legal recognition and protection as workers
- rights and benefits of being formally employed:
 - freedom from discrimination
 - minimum wage
 - occupational health and safety measures
 - employer contributions to health and pensions
 - right to organize and bargain collectively
 - membership in formal trade unions

Appendix D: Summary of BMA's policies on Street Vending

Source: Kusakabe 2006, Yasmeen&Nirathron 2014

Governors	Policy Direction and Measure	
	Negative	Positive/New Solution
Dr. Chamnan Yhuwaboon 1973	- Forced vendors out of their spaced through clean-up campaign	- Made an exception and allowed vendors to sell in permitted zones - Warned or advised vendors before arresting them
Mr. Wisootyothaphiban 1973-1974	- Low enforcement	- Made an exception and allowed vendors to sell in permitted zones
Mr. Siri Santabutre 1974-1975		
Mr. Sai Hutacharoeon 1975		
Mr. Thamanoon Thien-Ngoen 1975-1977		
Mr. Chalor Thamasiri 1977-1979	- Focused on intensive laws - Established the City Police Office to monitor and control vending activities	- Made an exception and allowed vendors to sell in permitted zones - Sought buyers' cooperation in not buying in prohibited areas - Made an exception and allowed vendors to sell in permitted zones - Promoted cleaning campaign to clean selling areas
Mr. Chaowat Sutlapa 1979-1981	- Focused on intensive laws	
Admiral Thiam Makaranontha 1981-1984		
Dr. Asa Meaksawan 1984-1985		
Major General Chamlong Srimuang 1985-1992	- Focused on intensive laws by arresting both buyers and vendors - Prohibited vendors from selling on Wednesdays	- Compromised with vendors - Made an exception and allowed vendors to sell in permitted zones - Issues safety and cleaning policies to take care of vendors and buyers - Set up the Sanitary Office to take care of vendors and buyers
Dr. Krisada Arunwong 1992-1996	- The Public Health Act of 1992 authorizes BMA to designate areas	- Allowed vendors to sell in permitted areas - Compromised with vendors by not

	<ul style="list-style-type: none"> prohibited from vending. - Focused on intensive laws by arresting both buyers and vendors - Prohibited vendors from selling on Wednesdays 	<ul style="list-style-type: none"> arresting them - Launched safety and cleaning policies - Had days off for cleaning of selling areas
Dr. Pichit Rattakul 1996-2000	<ul style="list-style-type: none"> - Focused on intensive laws 	<ul style="list-style-type: none"> - Compromised with vendors - Had provision for permitted areas - Maintained safety and cleaning policies - Had days off for cleaning of selling areas
Mr Samak Suntaravej 2000-2004	<ul style="list-style-type: none"> - Intensive law enforcement by arresting vendors and buyers - Prohibited vendors for selling on Mondays (cleaning days) 	<ul style="list-style-type: none"> - Did not restrict vendors selling activities on Wednesdays , instead prohibited selling on Mondays for cleaning - Had provision permitted area for vendors - Focused on clean environment - Enactment of BMA Regulation on Cleaning Fees for Fixed Vending (2005), cleaning fees was reduced to 100 baht per month for 1 m2 selling area. - Areas permitted for selling increased from 494 areas in 2004 to 667 areas in 2008.
The Honorable Sukhumbhand Paribatra 2009-2013	<ul style="list-style-type: none"> - Focused on intensive laws by arresting both buyers and vendors 	<ul style="list-style-type: none"> - Reduced cleaning days to 2 days per month. - The campaign “Street Vending: Charms of the City” started in 2011. - BMA and the Metropolitan Police Bureau came to accept that street vending is here to stay. - Locations permitted for selling increased from 667 areas in 2008 to 726 areas in 2013. The areas are currently occupied by 21,065 fixed vendors.