



THE RELATIONSHIP BETWEEN STATE LAW AND MONASTIC DISCIPLINE AMID SOCIAL CHANGE IN THAI SOCIETY

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Received 11 April 2026; Revised 22 May 2026; Accepted 22 June 2026

Abstract

Background and Objectives: For centuries, the principles of morality, cultural customs, and social structures in Thai society have been built on the foundation of Buddhism. At the same time, the Thai state has used legal authority over the Sangha in order to maintain public order, institutional accountability, and public confidence in religious institutions. Thus, Buddhist monks are subject to two interrelated systems: Monastic discipline and state law. In contemporary Thailand, rapid social and technological changes, particularly in digital communication and heightened public awareness, have raised expectations for transparency and good governance in religious organizations. This study aimed to examine the role of state law in regulating the Sangha, to analyze the relationship between state law and monastic discipline in Sangha governance, and to investigate the impact of social change on legal enforcement and the maintenance of monastic discipline in Thai society.

Methodology: This research used qualitative research. The data were collected through semi-structured in-depth interviews with thirty key informants, including government officials, ecclesiastical administrators, legal scholars, scholars of Buddhist studies, and civil society representatives. The participants were carefully chosen on the grounds of their knowledge and direct experience of the administration and governance of religion. Also, Sangha laws, regulations, governance policies, and academic literature pertinent to religion and public administration were used as documentary analysis. All interview data were transcribed and analyzed using qualitative content analysis and thematic analysis. The findings were categorized into themes on governance mechanisms, institutional accountability, legal authority, and social transformation.

Main Results: The study results suggest that the state law is very important in the regulation of the Sangha, especially in the areas of organizational management, temple asset administration, and maintenance of public order. Legal frameworks provide transparency, accountability, and institutional legitimacy. Monastic discipline remains the key method by which monks control their behavior, emphasizing morality, good conduct, and the observance of religious purity. The study concluded that state law and monastic discipline generally complement rather than conflict with each other. Monastic discipline is concerned with internal ethical standards



and spiritual integrity; State law is concerned with external accountability, social responsibility, and public interest. In cases where the behavior of monks affects society or is contrary to legal regulations, the power of the state is needed to maintain social order and carry out legal procedures.

Involvement to Buddhadhamma: The findings were in line with the Buddhist beliefs about morality, responsibility and harmony in society. Monastic discipline is ethical self-control, integrity, and spiritual responsibility; State law is justice, accountability, and collective welfare. Social and technological developments, in particular digital media, also contributed to public participation and scrutiny of temple administration, and increased transparency and responsiveness in state institutions and the Sangha.

Conclusions: Today's good governance of the Sangha in Thailand must balance state law, monastic discipline, and societal expectations. Transparency, public confidence, and the continued relevance and stability of Buddhism in Thailand require cooperation between the state, the Sangha, and the public. At the same time, linking legal systems to Buddhist ethics can increase institutional legitimacy and foster sustainable governance in the face of continuing social and technological changes.

Keywords: Public Governance, State-Religion Relations, Buddhist Monastic Discipline (Vinaya), Religious Regulation, Thailand

Introduction

Buddhism has traditionally been a key influence on Thai society, affecting moral values, cultural traditions, and social life patterns. The Sangha has long served not only as a religious institution but also as a social and cultural basis in the local communities. In the context of the modern Thai state, however, Buddhism is intimately tied to legal and administrative structures designed to preserve public order and institutional stability. Thus, the state-religion relation in Thailand is not only about the issue of belief or ritual practice but also of governing, regulating, and public legitimacy (Fox, 2013). Existing research on state-religion relations has suggested that state engagement with religious institutions often reflects broader issues of social order and institutional governance within modern societies (Stepan, 2000). This relationship is quite evident in Thailand in the Sangha Act and the centralized administrative structure of the Sangha. Such legal provisions give the state power to control the management of the temple, its finances, and some elements of the church administration. The monastic discipline (Vinaya) still governs the behavior and moral duties of the monks. Thus, monks are part of two interrelated regimes: The religious regime of the monastic discipline and the legal regime of the state. This confluence of religious and legal authority is especially relevant in cases of public accountability, disciplinary control, and institutional governance (Sandberg, 2011). The Sangha Act and the centralized administrative structure of the Sangha in Thailand are clear manifestations of this relationship. These legal instruments empower the state to supervise temple administration, financial management, and elements of ecclesiastical governance, whereas monastic discipline



(Vinaya) continues to guide the conduct and ethical responsibilities of monks. Thus, monks are positioned within two overlapping systems: The religious system of monastic discipline and the legal system of the state. This overlap of religious authority and legal authority is particularly important in issues of public accountability, disciplinary control, and institutional governance. These legal mechanisms provide the state with the right to oversee the administration of the temple, the financial management, and some of the ecclesiastical governance, while monastic discipline (Vinaya) continues to govern the conduct and ethical responsibilities of monks. Monks are thus part of two overlapping systems, the religious system of monastic rules and the legal system of the state. This overlap of religious and legal authority becomes particularly important in cases of public accountability, disciplinary control, and institutional governance. (Sandberg, 2011).

One issue that arises from this relationship is the tension between religious autonomy and state intervention. The discipline of the monastic order is mainly concerned with spiritual conduct, moral integrity, and internal regulation within the Buddhist order. On the other hand, state law is concerned with legal responsibility, social order, and the protection of public interests. As Thai society continues to evolve socially and institutionally, the interaction between these two systems has become increasingly complex and important. The former mainly involves the spiritual behavior, moral quality, and internal control of the Buddhist community, while the latter concerns legal liability, social order, and the safeguard of public interests. The interaction of these two systems has become more complex and significant as the Thai society is changing socially and institutionally. Recent years have seen a growing public interest in religious institutions, especially as a result of social and technological change. The proliferation of digital media and the rapid dissemination of information have increased public demand for transparency and accountability (Campbell, 2013). In Thailand, controversies over temple finances, alleged misconduct by monks, and disputes over temple administration have often received extensive public attention through online media and digital communication channels. These incidents have raised questions about the effectiveness of existing Sangha governance mechanisms and the ability of state law and monastic discipline to uphold public trust and institutional legitimacy (Schonthal, 2017). As a result, the governance of the Sangha is increasingly shaped not only by legal and religious principles, but also by growing public expectations in a rapidly changing digital society. The rapid flow of information and the explosion of digital media have raised public expectations for transparency and accountability (Campbell, 2013). In Thailand, online media and digital communication channels have often been used for public discussions of temple finance disputes, allegations of wrongdoings by monks, and temple management conflicts. These incidents have called into question the efficacy of existing mechanisms of Sangha governance and the efficacy of state law and monastic discipline to maintain public trust and institutional legitimacy (Schonthal, 2017). In this context, the governance of the Sangha is increasingly shaped not only by legal and religious principles but also by rising public expectations within a rapidly changing digital society.



While Buddhism, religious governance, and state-religion relations have been considered in a range of settings in previous scholarship, there have been comparatively few empirical studies that have specifically addressed the interaction between Thai state law and monastic Vinaya, particularly in times of contemporary social change. Most contemporary scholarship treats legal regulation, monastic discipline, and Sangha administration in isolation, with little attention to how these regulatory systems intersect in an increasingly digital and socially connected environment. Moreover, there has yet to be enough analysis of the way the Sangha Act and existing ecclesiastical governance structures respond to contemporary challenges in Thailand surrounding accountability, public scrutiny, and institutional legitimacy. The gap in the literature signifies the need for a more integrated study of the links between state law, monastic discipline, and social transformation in contemporary Thai society. Therefore, this study examines the relationship between state law and monastic discipline in the context of ongoing social change in Thailand. The present study investigates the functions and mechanisms of state law in the regulation of the Sangha, the interrelationship between state law and monastic discipline in the administration and disciplinary maintenance of the Sangha, and the effect of social change on the enforcement and preservation of monastic discipline in Thailand. This study attempts to contribute to the discussion of religious governance in contemporary Thai society by providing a more holistic perspective of the interrelationship between legal regulation, monastic discipline, and institutional change in a time of social and technological change. The findings may also offer useful insights for developing governance approaches that balance religious autonomy, legal accountability, and public legitimacy in the Thai context.

Objectives

This study aimed to examine the role of state law in regulating the Sangha, to analyze the relationship between state law and monastic discipline in Sangha governance, and to investigate the impact of social change on legal enforcement and the maintenance of monastic discipline in Thai society.

Methodology

1. Research Design: This study used qualitative research methodology to examine the relationship between state law and monastic discipline in the context of social change in Thai society. The study aimed to understand people's perceptions and interpretations of the interaction between legal authority and religious authority in governing the Sangha, and therefore, a qualitative approach was deemed appropriate. The research did not measure variables quantitatively but focused on participants' experiences, views, and interpretations in their social and institutional contexts (Creswell & Poth, 2018). The study was conducted from an interpretive research paradigm. The paradigm was based on the assumption that individuals create meanings in relation to social phenomena and institutional practices. The research was carried out for six months, from June to November 2025. During this period,



the researcher conducted interviews, reviewed documentary materials, transcribed data, and performed thematic interpretation.

2. Selection of Key Informants: Using purposive sampling, we identified and recruited 30 key informants with direct experience and relevant expertise in Sangha administration, religious governance, legal regulation, and monastic discipline. Participant selection was based on the following criteria for inclusion. In particular, each informant had to have a minimum of five years of professional experience in a relevant area and possess (Or Have Possessed) responsibilities related to religious administration, legal governance, Buddhist studies, or public administration. Participants were divided into five groups to provide a wider range of perspectives. They comprised 6 government officials involved in the administration of law and religion; 8 ecclesiastical administrators who supervised the governance of the Sangha; 5 legal professionals working on public or religious law; 7 scholars working on Buddhist studies and public administration; And 4 civil society representatives working on issues of religious accountability and transparency. Participants were accessed through institutional coordination, professional contacts, and referral-based recruitment. This approach made it possible to reach individuals with specialized knowledge relevant to the objectives of the study. But the researcher acknowledged that the use of purposive and referral sampling may have introduced a degree of selection bias, particularly since participants who were more accessible or more willing to talk about sensitive governance issues were more likely to participate.

3. Research Instruments and Data Collection: The main tool for data collection was a semi-structured interview guide developed based on research objectives and a review of related literature. The interview guideline comprised open-ended questions on three broad themes: The role of state law in the regulation of the Sangha, the relationship between legal authority and monastic discipline, and the impact of social change on religious governance and accountability. The interview questions were reviewed by three specialists in qualitative research, Buddhist studies, and public administration to improve clarity, relevance, and content validity prior to data collection. Data collection was through in-depth semi-structured interviews, face-to-face or through online communication platforms, depending on the convenience and availability of participants. Each interview lasted between 45 and 90 minutes, typically. All interviews were conducted in Thai, audio-recorded with the permission of the participants, and transcribed verbatim for the analysis. Field notes were also written during and after the interviews to capture contextual details, observations, and non-verbal cues that might assist with interpretation. The data collection was carried out in a number of well-defined stages. First, the researcher contacted potential participants and scheduled interview appointments. Second, informed consent was obtained prior to each interview. Third, interviews were held and recorded. Fourth, the recordings were transcribed and checked for accuracy. The transcripts were finally organized and prepared for coding and thematic analysis. Documentary research was also employed to corroborate and triangulate the interview findings. The relevant



documents were the Sangha Act, ecclesiastical regulations, public policy documents, legal materials, and academic studies on governance and religion (Bowen, 2009).

4. Adequacy of the Sample Size: The number of 30 informants was considered appropriate for the qualitative inquiry, as the aim of the study was to gather rich and detailed data from participants representing different institutional sectors. Previous qualitative research has shown that interview-based studies generally reach sufficient depth and thematic saturation with an estimated sample size of 20 - 30 participants (Vasileiou et al., 2018). Data collection was continued until thematic saturation was reached, i.e., no new information or themes emerged from the interviews. Thus, the adequacy of the sample was not only evaluated in terms of quantity, but also in terms of depth, consistency, and repetition of the collected data (Saunders et al., 2018). Previous qualitative studies have suggested that interview-based studies generally achieve adequate depth and thematic coverage with 20 - 30 participants (Vasileiou et al., 2018). Interviews were conducted until thematic saturation was achieved, in that additional interviews did not produce substantially new insights or emerging themes. Sample adequacy was therefore assessed not only numerically, but also based on the depth, consistency, and repetition of the data collected (Saunders et al., 2018).

5. Data Analysis: The collected material was analyzed using a systematic multistage qualitative content analysis combined with thematic analysis. First, all the interview transcripts and documentary material were read several times to get familiar with the data. Then, open coding was performed to extract meaningful statements, recurring ideas, and important concepts pertinent to the research questions. This was followed by axial coding in which related codes were associated and organized into higher-level conceptual categories. Finally, selective coding was used to combine the categories into key themes that represented the relationships among state law, monastic discipline, governance mechanisms, and social change. The coding was performed manually and not with the use of qualitative analysis software, such as NVivo. In the course of the analysis, the researcher engaged in a constant comparative process across participant groups and documentary sources to identify similarities, differences, and recurring patterns. Themes were reviewed and refined through multiple iterations until they achieved conceptual clarity and internal consistency. The results were then contextualized in relation to theories of public governance, state-religion relations, and Buddhist monastic administration in order to explain the larger institutional dynamics in contemporary Thai society.

6. Trustworthiness and Research Ethics: To increase the trustworthiness of the research, several strategies were used, which include credibility, dependability, confirmability, and transferability. Credibility was enhanced through triangulation and member checking. Interview data were cross-checked with documentary evidence to confirm consistency between data sources. Selected participants were asked to review summaries and interpretations of the findings to ensure accuracy of the researcher's interpretation. The findings were found to be dependable by maintaining a detailed audit trail of the steps of data collection, the procedures



of coding, the decisions of analysis, and the processes of interpretation. Confirmability was established through researcher reflexivity and through a constant awareness of possible personal bias in interpreting the findings. Reflexive notes were kept throughout the study to enhance transparency and to reduce subjective bias in the analytical process. To enhance transferability, a description of the research context in detail, characteristics of the participants, institutional settings, and the governance structures associated with the Sangha in Thai society was provided. This contextual information allows readers to judge the extent to which the findings may be relevant to other settings or related studies. The research process was carefully observed for ethical considerations. Participants were told about the aim of the study, that they could volunteer to participate, and that they could withdraw at any time with no adverse consequences. To protect confidentiality and anonymity, pseudonyms and coded identifiers were used instead of the participants' real names. All research data were securely stored and used exclusively for academic purposes in line with accepted research ethics guidelines (Neuman, 2014).

Results and Discussion

1. Role and Mechanisms of State Law in Governing the Sangha: The findings revealed that state law functioned as a central institutional mechanism for regulating Sangha governance in Thailand. Participants reported that legal frameworks played an important role in organizing ecclesiastical administration, supervising temple asset management, and maintaining public order. Government officials emphasized that legal regulations established administrative standards and strengthened accountability mechanisms, particularly in relation to financial management and institutional transparency. Ecclesiastical administrators similarly indicated that state law facilitated coordination between the Sangha and state agencies in areas involving organizational administration and conflict management. The findings further showed that participants viewed legal intervention as particularly necessary when issues affected public interests, including financial misconduct, corruption, and disputes concerning temple administration. Informants consistently reported that legal enforcement contributed to preserving institutional credibility and sustaining public trust in Buddhism. However, many participants emphasized that legal authority should remain limited in matters directly related to monastic discipline and religious practice. Several informants additionally identified bureaucratic complexity, institutional fragmentation, and sensitivity surrounding religious authority as constraints affecting the effectiveness of legal enforcement procedures.

Discussion: These findings suggest that Sangha governance in Thailand reflects a model of institutional interdependence rather than strict separation between religion and the state. The coexistence of legal authority and religious authority demonstrates that state law functions primarily as an external governance mechanism supporting administrative accountability and public legitimacy, while monastic institutions preserve moral and spiritual authority. This interpretation supports Fox's (2013) argument that state-religion relations frequently operate through negotiated



cooperation rather than adversarial separation. The findings contribute to broader governance debates by demonstrating that legal legitimacy and religious legitimacy can coexist within a shared institutional framework. Similar patterns have been identified in studies of religious governance in South and Southeast Asia, where state institutions selectively intervene in religious administration to maintain social order while preserving institutional autonomy (Schonthal, 2017). However, the present study further demonstrates that contemporary Thai society increasingly expects religious institutions to comply with standards of transparency and accountability commonly associated with modern public governance systems. This indicates that Sangha governance is becoming progressively influenced by public-sector governance principles, particularly institutional responsiveness and administrative transparency. From a policy perspective, the findings suggest the need for clearer coordination mechanisms between ecclesiastical authorities and state agencies. Institutional fragmentation and bureaucratic delays may weaken public confidence in religious governance, particularly in high-profile cases involving public resources or allegations of misconduct. Strengthening administrative coordination and legal clarity, therefore, appears essential for sustaining institutional legitimacy in contemporary Thai society.

2. Relationship Between State Law and Monastic Discipline in Sangha Governance:

The findings indicated that monastic discipline (Vinaya) remained the principal ethical framework governing the conduct, integrity, and spiritual responsibilities of monks, whereas state law primarily addressed issues concerning public accountability and legal compliance. Participants consistently described the relationship between these two systems as complementary rather than conflicting. Informants reported that Vinaya regulated internal moral conduct and religious legitimacy within the monastic community, while state law provided external mechanisms for institutional regulation and social responsibility. The analysis further revealed that participants clearly differentiated between ecclesiastical authority and legal authority. Monastic discipline was perceived as essential for preserving the ethical foundations and spiritual identity of Buddhism, whereas state law was viewed as necessary for regulating the social and administrative dimensions of religious institutions. Informants additionally emphasized that legal intervention became particularly significant when monks' actions generated broader social consequences, including criminal offenses, financial irregularities, and disputes involving temple assets.

Discussion: These findings suggest that Sangha governance in Thailand operates through the interaction of two interconnected normative systems: Religious discipline and legal regulation. This supports Doe's (2018) argument that religious law and state law frequently coexist as overlapping systems of governance, particularly in contexts where institutional legitimacy and public accountability intersect. Rather than functioning in opposition, the two systems appear to regulate different dimensions of institutional life, thereby contributing collectively to governance stability. The study contributes theoretically through the concept of "Dual Normative Governance," which explains how legal legitimacy and religious legitimacy coexist within Buddhist institutional administration. This framework extends previous scholarship that has often examined legal



regulation and monastic discipline separately. The findings demonstrate that Sangha governance depends not only on legal enforcement but also on the preservation of moral authority and religious legitimacy within the monastic community. The findings additionally challenge assumptions that state intervention necessarily undermines religious autonomy. Instead, the Thai case demonstrates a governance structure in which selective legal intervention strengthens public accountability without fully subordinating religious authority to state control. This pattern resembles Bhargava's notion of "Principled Distance," in which the state selectively engages with religious institutions to maintain social order while preserving religious legitimacy. The study, therefore, contributes to international discussions on governance in Buddhist-majority societies where ethical authority and legal authority operate simultaneously within institutional governance structures.

3. Impact of Social Change on Law Enforcement and the Preservation of Monastic Discipline: The findings revealed that rapid social and technological transformation significantly influenced the governance environment of the Thai Sangha. Participants consistently reported that digital communication technologies and social media platforms increased public scrutiny of temple administration and monastic conduct. Informants indicated that controversies involving monks and religious institutions became more visible through online communication channels, resulting in increased public demands for transparency, accountability, and institutional responsiveness. Government officials reported that digital communication intensified pressure on state agencies to respond more rapidly to allegations involving monks and temple administration. Ecclesiastical leaders similarly acknowledged that contemporary society increasingly expected higher standards of ethical conduct, administrative transparency, and institutional accountability from religious institutions. Civil society representatives further emphasized that online public participation functioned as an informal mechanism of accountability, shaping perceptions of institutional legitimacy and public trust.

Discussion: These findings suggest that digital transformation has substantially altered the relationship between religious institutions and society by expanding participatory forms of governance and public oversight. This supports Campbell's (2013) argument that religion in the digital era becomes increasingly exposed to public visibility and social scrutiny. However, the present study extends existing scholarship by demonstrating that digital media in Thailand functions not only as a communication platform but also as a decentralized governance mechanism influencing institutional accountability and legitimacy. The findings also challenge modernization theories, suggesting that social transformation necessarily weakens religion in contemporary society. Instead, the study indicates that modernization and digitalization increase societal expectations regarding ethical leadership, transparency, and accountability within religious institutions. This interpretation aligns with Subrahmanyam's (2019) argument that changing relationships between the Sangha and society reshape public understandings of religious legitimacy in modern Thailand. From a practical perspective, the findings imply that religious institutions can no longer rely solely on traditional hierarchical authority structures



to maintain legitimacy. Instead, Sangha governance increasingly depends on transparency practices, responsive communication, and effective engagement with public concerns in digital environments. Consequently, governance reforms involving digital communication management, transparent financial reporting, and public accountability mechanisms appear increasingly necessary for sustaining institutional trust in contemporary Thai society.

Integrated Discussion: The findings collectively demonstrate that Sangha governance in contemporary Thailand operates through the interaction of state law, monastic discipline, and evolving societal expectations. State law provides institutional structure, legal accountability, and administrative oversight, whereas monastic discipline preserves ethical legitimacy and religious integrity. This interaction contributes theoretically to the concept of "Dual Normative Governance," which explains how legal legitimacy and religious legitimacy coexist within Buddhist institutional administration. The study also demonstrates that social transformation and digital communication technologies increasingly shape public expectations toward religious institutions, thereby strengthening the importance of participatory governance, institutional transparency, and public accountability. Unlike conventional models of secular governance that emphasize institutional separation between religion and the state, the Thai case illustrates a cooperative governance structure in which religious and legal institutions remain institutionally interconnected. Overall, the study contributes to international scholarship on religious governance by demonstrating how Buddhist institutions adapt to rapid social and technological change while attempting to preserve moral authority and institutional legitimacy. The findings further suggest that sustainable Sangha governance depends not only on legal enforcement or monastic discipline individually, but also on the capacity of religious and state institutions to negotiate changing societal expectations within increasingly transparent and participatory social environments.

Originality and Body of Knowledge

This study has contributions to the literature on state-religion relations and religious governance in three interrelated dimensions: Conceptual, empirical, and contextual contributions. Conceptually, the study develops the idea of "Dual Normative Governance," which refers to the co-existence and interaction of state law and monastic discipline (Vinaya) in governing the Sangha. Theoretically, the concept is grounded in the state-religion governance theory and institutional legitimacy that shows how legal accountability and religious legitimacy work complementarily, not in conflict, in the context of Thai Buddhism. Moreover, the research theorizes "Participatory Governance" as the increasing involvement of citizens and civil society in the monitoring of religious institutions through digital communication, public discourse, and social accountability tools. The study also validates the use of the PESTEL framework by showing its applicability in analyzing the influence of political factors. The conceptual framework is shown in Figure 1.



Figure 1 Thai Sangha Governance Analysis

Conclusions and Recommendations

This study demonstrated that the governance of the Thai Sangha in the context of rapid social and technological transformation depends on the effective integration of state law, monastic discipline (Vinaya), and public expectations. The findings confirmed that state law functions as a formal mechanism for institutional accountability, administrative regulation, and public order, whereas monastic discipline remains the primary ethical framework governing the conduct, integrity, and religious legitimacy of monks. Rather than operating in conflict, these two systems were found to function in a complementary manner that reinforces both legal and moral legitimacy within Sangha governance. The study contributes theoretically by advancing the concept of "Dual Normative Governance," which explains how legal authority and religious authority coexist and interact within Buddhist institutional administration in Thailand. Practically, the findings highlight the increasing importance of transparency, digital accountability, and collaborative governance among state agencies, ecclesiastical authorities, and civil society in maintaining institutional credibility and public trust. The study further suggests that strengthening inter-agency coordination, improving transparent financial and administrative practices, and developing governance and digital communication competencies among religious and governmental actors are essential for sustainable Sangha governance in contemporary society. Future research should expand comparative investigations across Theravāda Buddhist countries



and employ quantitative or mixed-method approaches to further examine public perceptions of religious legitimacy, institutional accountability, and the influence of digital governance on religious administration. Overall, the study underscores that the long-term sustainability and legitimacy of Buddhism in Thai society depend not solely on legal enforcement or monastic discipline, but on the adaptive capacity of religious and state institutions to respond effectively to evolving societal expectations.

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