

**The Management of Irregular Migration in Thailand:
Thainess, Identity and Citizenship**

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The candidate confirms that the work submitted is her own and that appropriate credit has been given where reference has been made to the work of others.

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Abstract

This PhD analyses and investigates, from a historical perspective, the way in which Thailand has dealt with different groups of migrant populations, and how this reflects the current dichotomy between legal and illegal migrants in contemporary Thai policies regarding irregular migration management. It is argued that these policies reflect notions of ‘Thainess,’ citizenship, race and ethnicity, the question of identities and issues related to inclusion/exclusion of the migration populations within the structure of Thai society. This thesis also examines how Thailand’s policies in irregular migration management reflect the economic and political interests of the government and employers.

This thesis also focuses on the recent Greater Mekong subregional economic cooperation and integration policies, by investigating how these policies will resolve or intensify the problems concerning the management of migrant workers, as well as other problems relating to human rights violations, and various forms of discrimination towards the migrant population in Thailand.

The concept and construction of ‘Thainess’ is critically analysed with the purpose of throwing light on the changes in migration management policies, and the related regulations and practices. This analysis enables us to examine and capture how the dynamism and fluidity of ‘Thainess’ varies through time, locality and economic status. It also explores how notions of Thai identity influence the ways in which policies on immigration and citizenship are constructed.

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Abbreviations

ACMECS	Ayeyawady-Chao Phraya-Mekong Economic Cooperation Strategy
ADB	Asian Development Bank
ASEAN	Association of Southeast Asian Nations
BOI	Board of Investment
CNS	Council for National Security
DOE	Department of Employment
DPA	Department of Provincial Administration
DSDW	Department of Social Development and Welfare
EOI	Export-oriented industrialisation
ESCAP	United Nations Economic and Social Commission for Asia and the Pacific
FDI	Foreign Direct Investment
FTUB	The Federation of Trade Unions – Burma
GDP	Gross Domestic Product
GMS	Greater Mekong Subregion
HRW	Human Rights Watch
ILO	International Labour Organisation
IOM	International Organisation for Migration
IPSR	Institute of Population Research, Mahidol University
ISI	Import Substitution Industrialisation
LOC	Library of Congress
MOU	Memorandum of Understanding
MFA	Ministry of Foreign Affairs
MOI	Ministry of Interior
MOL	Ministry of Labour
NESDB	National Economic and Social Development Board
NICs	Newly Industrialised Countries
NIEs	Newly Industrialised Economies
NSC	National Security Council
OSCE	Organisation for Security and Cooperation in Europe
RTG	Royal Thai Government
TNC	Transnational corporation
SEZs	Special Economic Zones
SPDC	State Peace and Development Council
TRT	Thai Rak Thai Party
TDRI	Thailand Development Research Institute
TRC	Thai Rice Company
UNHCR	United Nations High Commissioner for Refugees

Glossary of Thai Terms

Terms	Thai	English
<i>Chat</i>	ชาติ	Nation
<i>Chao khao</i>	ชาวเขา	Hill tribes
<i>Farang</i>	ฝรั่ง	Foreigners (Westerners)
<i>Jek</i>	เจ๊ก	Chinese (offensive)
<i>Kheak</i>	แขก	Indians, Muslims, guests
<i>Khwāmpen Thai</i>	ความเป็นไทย	Thainess
<i>Khwamsamakkhi</i>	ความสามัคคี	Unity
<i>Muang</i>	เมือง	Town or municipality
<i>Phrai</i>	ไพร่	Serf or commoner
<i>Phramahakasat</i>	พระมหากษัตริย์	King
<i>Phu Lee Phai</i>	ผู้ลี้ภัย	Refugee
<i>Sakdinā</i>	ศักดินา	Thai feudalism
<i>Satsana</i>	ศาสนา	Religion
<i>Sia din dan</i>	เสียดินแดน	Ceding territory
<i>Thai Islam</i>	คนไทยอิสลาม	Thai-speaking Muslims

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Note on Transliteration and Thai Names

This thesis adheres to the University of Leeds Romanisation system to transcribe Thai words. In the case of Thai proper names, I have complied with the English spelling that the persons or authors have used, or else appeared in literatures. With regard to Thai authors' names, I adhere to the Thai conventional usage which refers to people by their first names, rather than surnames.

Chapter 1: Introduction

1.1 The question of ‘national security’: an introduction to the irregular labour migration policy in Thailand

From the early 1990s, the influxes of irregular migrant workers from Burma¹, Laos and Cambodia to Thailand have received significant attention from the Thai government, which is seeking the most appropriate policy to ‘manage’ such a large mass of irregular migrant workers. The policy discussions and decisions have centred on finding the most acceptable strategy for settling the contradiction between the economic need for irregular migrant workers, and the anxiety that irregular migrants are potential threats to the ‘national security.’ To the Thai government, both grounds justify the urgency and necessity to ‘manage’ and ‘regulate’ the flows of irregular labour migration, as well as the irregular migrants themselves.

In order to manage and regulate irregular labour migration to Thailand, the Thai government has implemented a series of irregular migrant workers registration exercises since 1992. The aims of these exercises have been to temporary ‘legalise’ the use of irregular migrant workers in order to respond to increasing labour shortages in certain economic sectors, as well as to ‘regulate’ and ‘control’ the movements and activities of irregular migrant workers in the country (MOL 2006). To date, the policy has expanded to include international relations agreements (such as the Ayeyawady – Chao Phraya – Mekong Economic Cooperation Strategy [ACMECS] and the Greater Mekong Subregion Cooperation framework [GMS]), in order to systematise the migrant worker recruitment system *via* government-to-government process, and to solve the existing problems with the lack of identification document possessed by migrants. However, the underlying aim is still to regulate and control migrant workers to maintain Thai national security.

¹ The official state name of Burma is the Union of Myanmar. In 1989, the military junta promoted the change of the country’s name from Burma to Myanmar, despite the resistance from the Burmese opposition groups, arguing that the change of name was not approved by the people of Burma or any legislation. Countries, such as the United States and the United Kingdom, still use ‘Burma.’ In this thesis, the name ‘Burma’ will be used here in conjunction with the majority of literatures used.

National security appears to be the dominating force behind the irregular labour migration policy formulation. Its significance was made visible during the course of the preliminary fieldwork for this thesis in 2005: the interviews with Thai government officials from the Ministry of Labour and the Ministry of Interior revealed that in the view of the Thai government, the most prevailing rationale behind the launch of the irregular migrant workers registration was national security maintenance. Along with the registration, migrant workers were to be provided with ID cards, and in the early registration exercises, there are restrictions prohibiting them from travelling outside designated areas as well as from changing employers (Martin 2003). It is clear that the ultimate aim of the registration exercise is to closely monitor the movements and activities of migrant workers. Although the restrictions were weakened during 2001-2006, the *coup d'état* in September 2006² resulted in an even tougher control over migrant workers that existed prior to this period. The provincial decree on migrant workers was first introduced in December 2006 in Phuket province, which forbids migrant workers from Burma, Laos and Cambodia to own or use mobile phones, to use motorised transport, or to travel outside their residences between the hours of 8 pm to 6 am (Sutthida 2007).

Historically, Thailand has always been relatively strict when it comes to immigration. This can be seen from the fact that, to date, Thailand is still not a signatory to the 1951 UN Convention relating to the Status of Refugees or its 1967 Protocol, but allows displaced persons to reside in the UNHCR camps on humanitarian basis (UNHCR 2006). This means that, despite the establishment of various UNHCR camps within the country, displaced persons residing within the camps are seen to be doing so illegally under Thai law, which also implies that ultimately, they will be either sent back to their countries of origin or to a third country.

It was not until the early 1990s that Thailand decided to lessen its stern immigration policies to allow for the employment of unauthorised migrant workers. Nonetheless,

² The *coup d'état* in 2006, initiated by the Council for Democratic Reform and the Council for Democratic Reform under the Constitutional Monarchy, took place on 19 Tuesday 2006. The aim was to oust Prime Minister Thaksin Shinawatra claiming that his policies 'created serious rifts' within Thai society (Roth 2006). As a result of the coup, the martial law was declared, the parliament was dissolved and General Surayud Chulanont was appointed as an interim Prime Minister.

despite the registration, the registered migrants are still seen as ‘illegal aliens’ under the Thai Immigration Act of 1979. Various policy mechanisms have been put in place to ensure that *permanent* settlement of migrants is not going to be allowed. For instance, the registration of irregular migrant workers policy clearly states that registered migrant workers are only permitted to reside and work in Thailand on a ‘temporary’ basis. Should Thailand no longer require migrant workers, they would subsequently be deported. More significantly, provisions with regard to permanent residency and citizenship acquisition are left untouched by the policy. The temporary nature of work permits provided by the registration, and the lack of permanent residency and citizenship provision, show that the Thai state deliberately prevents migrant workers to either permanently reside in the country, or to integrate into Thai society and become ‘citizens.’

Existing academic research on irregular labour migration in Thailand often focuses on the economic aspect of the management of labour migrants. A study by Martin (2003), for instance, holds that the influx of unskilled migrant workers from Burma, Laos and Cambodia can be explained purely in terms of the labour shortages in unskilled and labour-intensive economic sectors resulting from Thailand’s rapid economic growth since the late 1970s. Yongyuth (2004) also argues that the influx of irregular migrant workers results from the economic disparities and drastic wage differentials between Thailand and the migrants’ countries of origins. Undeniably, the demands of irregular migrant workers may *partially* emerge from the Thai rapid economic expansion, which has transformed the country into one of the world’s major export-manufacturing countries. As Warr (1995: 645) argues, the 1990s saw the end of Thailand’s ‘cheap labour’ era: with the increase in Thai wages, the Thai export industries, which require a large pool of labour resources, turned to migrant workers in order to reduce their production costs and maintain their competitiveness. By this, it can be seen that in the contemporary era, the Thai state is now faced with the dilemma between needing migrant workers to maintain the current rate of Thai economic growth, and the anxiety that the existence of migrant workers weakens ‘national security.’

1.2 Research questions

This thesis is, therefore, an attempt to link the two conflicting realities. Unlike the existing studies in irregular labour migration in Thailand, which focus mainly on the economic and logistical aspects of the policy, this study provides an analytical framework that is centred around the notion of ‘national security’ that underlies the Thai state’s ongoing endeavours to maintain Thailand as an ethnic homogeneous society. This thesis argues that the irregular labour migration has to also be understood in relation to the historical context in which Thailand, as a nation-state, was constructed, as well as in relation to the ideology that ‘Thai hegemony’ and the homogeneity of Thai identity or ‘Thainess,’ are essential for ‘national security’ and sovereignty to be protected.

The core question of the thesis is: what are the implications of ‘Thainess,’ Thai identity and citizenship on the past and present policies in irregular migration management and on other relevant immigration policies? In order to answer this question, this thesis seeks to analyse and investigate the historical process by which Thailand has dealt with different groups of migrant worker populations, and to show how these reflect the relationship between the construction of Thainess and the related immigration policies; the policy decisions regarding the inclusion and exclusion of migrant populations; and the ethnic relations within Thai society. This thesis will also answer the questions: how has the concept of ‘Thainess’ been constructed? And, how does the concept of ‘Thainess’ influence the irregular labour migration policy decision? The concept and construction of ‘Thainess’ will be critically analysed by investigating its origins from the historical formation of Thailand into a modern nation-state. This analysis will provide an in-depth understanding of how Thailand has developed around the belief that ‘Thai hegemony³’ is an integral component of the Thai nation-state, without which ‘national security’ is at risk. The analysis will lead on to show how such a perception has contributed to the way in which the Thai state allows discriminatory treatment towards migrant workers. It is argued that ‘Thainess’ plays an important

³ The concept of ‘hegemony’ will be discussed in section 1.5.

role in encouraging and aggravating discrimination against migrants, by perpetuating the political ideology that ‘Thai hegemony’ is to be preserved by Thai ethnic homogeneity and the adherence to Thai collective national identity.

Finally, this thesis will examine the more recent incorporation of international relations policies, such as the ACMECS and the GMS economic cooperation frameworks, and whether they would help resolve or intensify the existence of discrimination; labour and human rights abuses; and citizenship issues that have arisen from the policy in irregular labour migration management.

1.3 The terminology

The term ‘irregular labour migration’ was first utilised in Thai immigration policy discussion when it appeared in the Bangkok Declaration on Irregular Migration (1999). The term ‘irregular migration’ is a generic term used by most international organisations, for instance the International Labour Organisation (ILO), the International Organisation for Migration (IOM), the Organisation for Security and Cooperation in Europe (OSCE) and the United Nations High Commissioner for Refugees (UNHCR). The primary reason that these organisations have chosen to use the term ‘irregular migration’ is to avoid using the term ‘illegal migration’ (Koser 2005). Because the notion of illegal migration has been criticised for implying the criminality of the migrants, ‘irregular migration’ appears to be more appropriate in the complex context of the contemporary international migration phenomenon. The IOM defines an irregular migrant as:

a person without legal status in a transit or host country owing to illegal entry or the expiry of his/her visa. The term is applied to non-nationals who have infringed the transit or host country’s rules of admission; persons attempting to obtain asylum without due course; and any other person not authorized to remain in the host country (IOM 2004: 36).

‘Irregular labour migration’ in the current Thai context refers to the coming of migrant workers from Burma, Laos and Cambodia during the period from the 1990s to the present. It is estimated that the number of irregular migrant workers (both

registered and unregistered) from these countries currently residing in Thailand could be as high as two million (MOL 2007).

Along with the international organisations, Thailand uses the term ‘irregular labour migration’ to describe the large influxes of labour migration from neighbouring countries. Even though the term ‘irregular migrant’ does not alter the legal status of irregular migrant workers, in the sense that they are still legally viewed as ‘aliens’ under the 1979 Immigration Act, Thailand has provided a flexible policy that permits the migrant workers who enter the country ‘illegally’ to register and work in the country. Thus, the term ‘irregular migrant workers’ is used in the policy discussion to avoid the criminalisation of the registered migrant workers and the victims of human trafficking/smuggling. It also reflects the Thai government’s permissive immigration policy, which under certain circumstances, grants amnesty to undocumented/unauthorised migrant workers and allows them to work in Thailand.

1.4 The Policies

The thesis focuses on the policy of irregular labour migration management which started in 1992 through the launch of the irregular migrant workers (from Burma, Laos and Cambodia) registration exercise. Irregular labour migration management in Thailand was instigated by the Thai government through two necessities – the necessity to acquire cheaper labour supplies through irregular migrant workers and the necessity to ‘control’ and ‘regulate’ the irregular. However, from the initial findings during the field visit in Thailand (November 2005), a Thai Ministry of Labour official revealed that the actual reason behind the government’s decision to adopt an amnesty programme that allowed illegal migrant workers to register with the Thai authorities and apply for a one-year work permit with the Ministry of Labour was owing to the recommendations from the National Security Council (NSC) and the Police Department. These two agencies claimed that a number of illegal migrant workers have committed crimes and since the Thai government does not possess any type of records of their identities, it is virtually impossible to trace them. In their view, the registration exercises are not aimed as much to ‘legalise to decriminalise’, but more likely to ‘legalise’ to make it more easy to ‘criminalise.’

The registration of the irregular migrant workers would make it more convenient for the law enforcement agencies to 'regulate' the irregular.

Since 1992, the Thai government has opened the opportunity to legalise the use of irregular migrant workers and issue temporary work permits to illegal migrant workers through a series of irregular migrant worker registration exercises. Rules and conditions of each registration are constantly altering so as to serve different economic and social conditions of the country. The numbers of registered migrants of each registration are fluctuate, and this is due to various reasons, such as the excessive registration fees, the duplication of registration exercises conducted by the Ministry of Interior and the Ministry of Labour (Martin 2003) and the lack of certainty regarding the future prospects of irregular migration management policy. More importantly, as the Thai government has made it clear that the work permits issued to the registered migrant workers are only temporary, the irregular migrant workers would eventually be faced with deportation once the irregular migration management policy comes to a halt. Skeldon (2003) has commented on the lack of a long-term and consistent irregular migration management policy that;

Technically, for those who registered or were registered by employers, the migrants were still 'irregular' in the sense that they were in the country illegally, but they were given a permit that allowed them to work legally, which seemed a very Thai compromise to a complex situation. (2003:31)

In addition to this, despite of the fact that under the registration, the Thai government pledges that registered migrant workers are to be protected by the Thai Labour Protection Act of 1998, which would give them the same rights and entitlements to protection in the same way as their Thai counterparts. In practice, this has been completely ignored as the majority of migrant workers (registered or not) are not provided with basic labour rights, legal minimum wage or ensured that they are protected from any forms of abuse or discrimination (See Caouette and Pack 2002, Piyasiri 2002, Kritaya 1998). The gap between the reality and what is stated in the policy is problematic and needs to be understood from a more comprehensive analysis which takes into account economic, political and societal factors that contribute to the lack of enforcement ensuring that migrant workers' rights are protected.

Since 2002, the irregular labour migration policy has gone beyond the domestic management of migrant workers. The incorporation of international relations mechanisms is initiated. Through bilateral agreements with the sending countries, the recruitment of migrant workers is done through the official cooperation. This is to ensure that recruitment is systematised and that irregular migrant workers become 'documented' in a sense that they would have travel documentations and identity cards. The work permit is limited to 2 years with one time renewal. After that, the worker would not be allowed to return to work in Thailand. Chapter 6 is an attempt to critically analyse these policies by examining that which stakeholders are benefiting from these strategies.

1.5 Theoretical frameworks

As mentioned earlier, the thesis endeavours to provide an original analysis of the current irregular labour migration phenomenon in Thailand. By connecting the advent of irregular labour migration to the historical construction of Thailand, as a nation-state, and Thainess, it is hoped to illustrate the way in which the irregular migration policy has been formulated with the conception that the benefit of the Thai people ought to come first. It is a patriotic rhetoric which has been frequently used by the government officials, as gathered during the fieldwork. By this, the theoretical approach that has been used in this thesis is based on the critical analysis of the origin and meaning of Thailand as a 'nation-state.'

The theoretical discussion of various approaches to the understanding of a nation-state is thoroughly explored in chapter 2. The thesis, however, adopts Benedict Anderson's 'imagined communities' (1991) framework to deconstruct the establishment of the Thai nation-state. Based on this approach that, like other nations in Southeast Asia, the Thai nation-state is argued to be invented or fabricated by various forms of political mechanisms, such as nationalism and the creation of 'national collective identity.' Mirrored by Thongchai Winichakul's approach in his book *Siam Mapped: a history of the geo-body of a nation* (1994), the meaning of Thailand as a nation-state is seen to be 'artificially created' and along with it,

‘Thainess’ has emerged and the consequences of which is the creation of who is to be included or excluded in the particularity of the Thai nation-state or, as Thongchai calls it, ‘the Thai geo-body’.

‘Thainess’ also has an important implication for how the Thai state regards the existence of non-Thai populations as potential threats to national security. Connors (2005: 525) uses the Gramscian approach by arguing that the Thai enduring effort through the protection of ‘Thainess’ truly links to the maintenance of Thai cultural hegemony, as he writes;

Thai-ness is shaped by its association with hegemonic projects of nation building by Thai elites. It aims to call forth loyalty and commitment to the nation, to ensure identity between people and the nation, and to provide a common political language that excludes nonbelievers (ibid).

The connection between Thai nation-building, the creation of Thainess and the current policy in irregular labour migration needs to be critically analysed in order to understand the way in which the Thai state develops the perception that non-Thai populations are threats to national security. Chapter 5 will illustrate how the Thai state has dealt with different groups of migrants as well as ethnic minorities by focusing on either preventing them to integrate and become Thai citizens or forcing them to renounce their own ethnic identity and embrace ‘Thainess.’ Such a case may be proven to be rather successful for the case of the Chinese immigrants. However, the drastic contradiction is seen in the case of the Malay Muslims in the three Southern provinces. The consequence of the forced assimilation that the Thai state has enforced upon the Malay Muslims is the continuing discontent and emergence of violent insurgencies.

By adopting an analytical approach to deconstructing the meaning of the Thai nation-state and the significance of Thainess to the preservation of Thai hegemony, it is hoped to be able to view the contemporary phenomenon of irregular labour migration in a different light. It would unveil the possible outcomes of ethnic resistance and insurgency of migrant workers resulting from the discrimination as reflected in the policy and practice of irregular labour migration management.

In addition to this, the term hegemony is deployed in a very specific manner in this thesis. The approach to the understanding of ‘hegemony’ is primarily based on Antonio Gramsci’s writings about ‘cultural hegemony.’ He characterised hegemony as:

‘the spontaneous’ consent given by the great masses of the population to the general direction imposed on social life by the dominant fundamental group: this consent is ‘historically’ caused by the prestige (and consequent confidence) which the fundamental group enjoys because of its position and function in the world of production (Gramsci 2006:88-9).

The interpretation of Gramsci’s definition of ‘hegemony’ is not absolute, as the concept is contested and can be construed differently in various historical, political or geographical contexts (Lears 1985). From the above statement, it can be seen the key element in Gramsci’s notion of hegemony concerns the power over the masses exercised by the dominant groups, which are frequently the ruling elites. According to Lears (1985: 568), Gramsci’s interpretation of hegemony refers to a process by which “ruling groups *impose* a direction on social life; subordinates are manipulatively persuaded to board the ‘dominant fundamental’ express.” This understanding of ‘hegemony’ emphasises social and political structures and the relationship between the ruling groups and subordinated classes; through ‘power’ and ‘domination’, the ruling class⁴ subordinates other groups (Joseph 2002). Therefore, in the context of this thesis, ‘hegemony’ is seen as a strategy which the ruling class uses in order to create unity in terms of belief, perception, ideology and development direction, but one which prioritises the interests of the elites. As Gramsci writes;

In my opinion, the most reasonable and concrete thing that can be said about the ethical State, the cultural State, is this: every State is ethical inasmuch as one of its most important functions is to raise the great mass of the population to a particular cultural and moral level, a level (or type) which corresponds to the needs of the productive forces for development, and hence to the interests of the ruling classes. The school as a positive educative function, and the courts as a repressive and negative educative function, are the most important State activities in this sense: but, in reality, a multitude of other so-called private initiatives and activities tend to the same end – initiatives and activities which form the apparatus of

⁴ The ruling class can be any particular class, class fraction, social group, civil society or the State (Robinson 2005).

the political and cultural hegemony of the ruling classes (Gramsci 2006: 89).

The above statement is directly relevant to the analysis in this thesis. According to Connors (2005), ‘hegemonisation’ or the process in which ‘political and cultural hegemony’ can be achieved, has been deployed by the Thai state since the beginning of the nation-building era. Hegemony and the process of hegemonisation, hence, are viewed as a strategy or apparatus to create a consensual and collective set of social, political and cultural norms, which would unite different positioned groups by encouraging them to collectively conform to a particular set of ideologies. The discussion in Chapter 4 on the Thai nation-building project will shed further light on ways in which the restructuring of social and cultural norms, the public administration and education systems as well as the creation of the trinity of Thainess were all part of a successful process of hegemonisation.

Connors (2005: 232) provides a comprehensive explanation of the role of ‘hegemony’ in the Thai nation-building processes:

This hegemonic purpose is the true vocation of Thai-ness. Although not reducible to this purpose, Thainess is shaped by its association with hegemonic projects of nation building by Thai elites. It aims to call forth loyalty and commitment to the nation, to ensure identity between people and the nation, and to provide a common political language that excludes nonbelievers. Conceived thus, the politics of Thai-ness is a political process of giving meaning to things. Cultural hegemony has been attained when a large section of the population comes to interpret life, relations, politics, and identity through the prism of Thai-ness. Marginalized and dissident elements that withstand the lure of propagated identity, often find, as Gramsci warned, that behind hegemony lies the armor of coercion.

Special attention should be focused on Connors’ statement that the aim of ‘hegemony’ is ‘to provide a common political language that excludes nonbelievers.’ This links to another recurrent theme in the thesis which concerns the inclusion or exclusion of different groups within the Thai nation, which results in the creation of ‘the other.’ The process of hegemonisation unifies or embraces those groups who agree to (or are allowed to) conform to the collective identities and ideologies promoted by the state. At the same time, it will ‘exclude’ those who do not comply with these imposed collective identities, as well as those who do not fit in ethnically, religiously or culturally.

This linked to the important concept of 'the other' based on Edward Said's seminal work *Orientalism* (1978). This focuses on the contestation of the Western world's understanding of the 'Orient,' which, according to Said, is constructed through lengthy processes of interchange of knowledge in various discourses, including literature, politics, economics both through academic writings and, most important of all, 'colonial experiences' (Said 2003: 2-4). Through all of these exchanges of knowledge, the meaning of 'the Orient' is shaped and defined in the eyes of the West, formulated by assumptions, imaginations, leading to a Western-centric notion of the "orient" as the "other". As Said writes:

I myself believe that Orientalism is more particularly valuable as a sign of European-Atlantic power over the Orient than it is as a veridic discourse about the Orient (which is what, in its academic or scholarly form, it claims to be)...Orientalism, therefore, is not an airy European fantasy about the Orient, but a created body of theory and practice in which, for many generations, there has been a considerable material investment. Continued investment made Orientalism, as a system of knowledge about the Orient, an accepted grid for filtering through the Orient into Western consciousness, just as that same investment multiplied – indeed, made truly productive – the statement proliferating out from Orientalism into the general culture (Said 2003: 6).

This statement illustrates how, for Said, the creation of 'Orientalism' and the construction of the Orient is a recurrent project in which the ideas about the Orient are inserted to the consciousness and the mind of people in the Western world. Referring back to the earlier discussion on 'hegemony,' it can be argued that the process of hegemonisation contributes to the construction of "the other" as inferior, which appears to legitimate their domination by those groups driving the process and constructing the boundaries between the West (or the elite) and the other (or lower classes). According to Said:

[t]he hegemony of European ideas about the Orient, themselves reiterating European superiority over Oriental backwardness, usually overriding the possibility that a more independent, or more sceptical, thinker might have had different views on the matter (Said 2003: 7).

Said's theoretical framework is useful for the analysis in this thesis. The discussion of the Thai nation-building processes in Chapter 4 will illustrate how the process of Thai hegemonisation plays an important role in constructing the meaning of 'Thais'

(i.e. Thai people) against 'the other.' The case of the Chinese is a good example, since from the beginning of the Thai modern nation-state formation, it is not only *Thainess* which has been redefined, but also *Chineseness* that has been (re)constructed. The state propaganda that imposes negative ideas about the Chinese, such as the well-known work of King Rama VI's describing Chinese as the 'Jews of the East,' was widely deployed, creating a view of the Chinese in Thailand as inferior, a view which still holds considerable sway in modern Thai society. Additionally, over time, the Thai state has used various strategies in order to maintain its hegemony by excluding the non-desired others. Chapter 5 is dedicated to a discussion of the ways in which Thailand has dealt with different groups of indigenous ethnic minorities as well as migrants. Various immigration policies of the state have used 'labelling' as a strategy to define 'the other' and exclude them from integration into the Thai nation-state. Chapter 5 will explain how different labels and terminologies used (such as the hill tribes, the Chinese, displaced persons, or irregular migrant workers) work as a device for the Thai state to retain its dominance over the 'others.'

1.6 Defining research terrains

In this thesis, the research terrains that will be touched upon are: 1) economic and political history in Thailand; 2) historical development of immigration and ethnic relations in Thailand and; 3) citizenship, identity and Thainess.

1.6.1 Economic and political history in Thailand

The irregular labour migration in Thailand is a phenomenon, which originated from the continuum processes and the impacts of economic, political and developmental policies. Thailand has adopted an export-oriented policy since the 1970s and transformed itself from an agricultural base into an industrial base. From this time onwards, the Thai government has put 'economic development' as its top priority, as can be seen from the 'National Economic and Social Development Plans' (from 1961-present). As a result, Thailand became one of the fast-growing Asian economies, with an increasing expansion of wealth, especially in the capital, Bangkok. However, there are also negative consequences of the focus on economic

development which are as visible as the benefits, and even much more long-standing. These include: the growing disparities between the rich and the poor and between different regions; money politics and corruption; consumerism; and materialism (Baker and Pasuk 1998) [This argument is discussed in Chapter 3]. The emphasis on the economic development of the country and the motivation to prevail in the global market competitiveness has created social, if not national, norms for thirst for profits. As a result, a number of unjust strategies that allow the manipulation of the irregular migrant workers, the violation against the labour rights of the rural Thai workers, and the breach of labour protection and human rights laws, have been taken to be justifiable on the grounds that the prosperity of the Thai economy has to come first, even though such prosperity may not bring better livelihoods to the majority of the people in the country, but rather be restricted to a small percentage of the population: the elites and the entrepreneurial classes.

Coupled with the political intervention to strengthen the hegemony of the Thai state and the maintenance of Thainess, a number of political and social policies have been put in place, resulting in the justification of certain discriminatory treatments against the non-Thai populations in particular. Such as the case of the irregular migrant workers, the open-door policy that the Thai government has allowed to provide them with the temporary working permits is, for the most part, to benefit the Thai employers, who can reduce their production costs by legally employing migrant workers as a supply form for cheap labour. In addition to this, with no rights to create labour unions, the migrant workers have no bargaining power to negotiate with their employers. The restrictions in occupations that the irregular migrant workers can occupy also reflect how the Thai government has made it rather clear that the irregular migrant workers can only occupy the least attractive forms of employment. These kinds of discriminatory acts are justified, and seen as acceptable, owing to the perceived utter necessity for Thai economic growth. The discussion of Thai economic and political development in relation to irregular labour migration policies will be presented in chapters 3 and 4.

1.6.2 Historical development of immigration and ethnic relations in Thailand

As mentioned earlier, the management of irregular labour migration is not a recent phenomenon, as claimed by the Thai government. Historically speaking, Thailand has seen several influxes of labour migration from the beginning of the Thai Kingdom to the present day. The analysis of the way in which Thailand has dealt with different groups of migrants (see chapter 5) will reveal how Thailand sets the criterion for groups to be assimilated. The assimilation of the Chinese immigrants will be analysed in order to deconstruct the rationales behind the assimilation of the Chinese, and the flexibility of 'Thainess,' which happened with the Chinese immigrants. It will be argued that the Chinese immigrants were allowed to assimilate and attain citizenship because of their economic power. The analysis will challenge the static notion of 'Thainess,' by arguing that Thainess was modified in the decision to integrate the Chinese communities. Thus it is argued that Thainess is so artificial that frequent double-standards and inconsistencies are exhibited through the way in which Thailand chooses different immigration policies and citizenship provisions to accommodate different groups of migrant populations. The decision appears to be made through the economic and social status of the migrants: if the immigrants, such as the Chinese, have economic power and wealth, which creates a bargaining power and privileged social status, they are more inclined to be given the opportunity to assimilate and become Thai citizens. On the other hand, the irregular migrant workers, who have no wealth or social status, are, as a result, not given the same opportunity to assimilate.

During the interview with the Ministry of Labour officials in November 2006, the officials claimed that 'Thailand has never experienced with such a large influx of foreign immigrants before, therefore the contemporary irregular labour migration is a *new* challenge which Thailand still has to search for the best policy to effectively manage these populations' (MOL official 2006). This statement appears to be rather inadequate as the officials may have the long history of foreign migration flows to Thailand starting from the beginning of the Thai Kingdom to the present day. Chapter 5 will contest the image that the Thai government has presented of Thailand as a nation of ethnic unity, and will argue that the rejection of the reality of ethnic (or

religious) diversity will inevitably result in the aggravation of ethnic conflicts in Thai society.

The historical analysis will explore how the different migratory flows to Thailand have impacted on Thai immigration policies and the way in which ethnic relations and identity politics are formulated. This includes analysing how the arrival of different groups of immigrants influences the construction of Thainess. I will unpack the context in which Thailand has often seen foreigners, particularly the Burmese, as potential threats to national security. The stigmatisation of the Burmese will illustrate how Thailand deploys the memories of wars and conflicts, and uses those memories as a political strategy in a form of propaganda to solidify Thai patriotism and nationalism.

1.6.3 Citizenship, identity politics and Thainess

Since the central focus of this thesis is the implications of Thainess, identities and citizenship for the management of irregular migration, I will seek to answer the question of how 'Thainess' had important implications on the formulation of past Thai immigration policies, as well as on the current policy on irregular migration management. The originality of this thesis lies at the heart of this argument. As indicated earlier, the issue of irregular migration management is often linked to the economic discussion of the push and pull factors of irregular migrant workers and the structural change of the Thai labour market. This economic approach veils the actual political rationalisation behind the formulation of the policy. Thai nationalism and the maintenance of Thainess, it is argued, are key elements in the formulation of the irregular migration policy. By deconstructing the meaning of 'nation-state' and the implications of 'the making of' national identity through nationalism (which is examined in the theoretical analysis in chapter 2), the management of irregular migrant workers policy will be viewed in a different light. It is argued here that the dominance of Thainess and Thai nationalism reflects the way in which the Thai irregular migration management, as well as other immigration policies administering different groups of migrants and ethnic minorities, are responsible for the exclusion of provisions for permanent residency or citizenship within the policies, which has

consequences for the social and political stability of Thai society, as well as Thailand's relationships with its neighbours.

1.7 Research Methodology

Due to the interdisciplinary nature of the thesis, various types of research methodologies have been used. As Findley and Li (1999) argue, since the study of contemporary migration phenomenon is moving increasingly closer to the sphere of social theory, quantitative research methodology alone would provide only limited access to other facets of the experiences of migration and the life of migrants (Findley and Li 1999). The mixing of research methods derives from the postmodernist epistemological stance for accessing information, as Findley and Li (1999) explain:

Postmodernism, when interpreted as method, also points the researcher to consider adopting flexible research practices in order to capture the multiplicities of meaning associated with migration and place (1999:50).

Specifically, postmodernism is not a research methodology, but a philosophy that provides multiple opportunities for research to 'try' and 'explore' different and innovative methods. Postmodernism has particularly enthused feminist researchers, who claim that the positivist epistemological stance in research methodology creates limitations in accessing and unveiling 'facts' and 'the truth' (Wolf 1996). More importantly, postmodern research methodology has provided me with a valuable framework. As Foucault states '[t]ruth is a historical product and therefore no knowledge is absolute' (quoted in Hollway 1989: 41). This thesis, therefore, is an attempt to present a possible analysis and analytical framework which might deconstruct to the source for solutions to the problem of irregular labour migration in Thailand.

On methods

As the nature of this PhD thesis is to critically analyse and investigate the Thai irregular migration management policy within historical and political context of the

construction of the Thai nation-state, I adopt research methodologies proposed in *Finding out Fast: Investigative Skills for Policy and Development* (Chataway *et al.* 1998). As Chataway *et al.* (1998) point out, it is pivotal that a policy researcher seeks for appropriate, pragmatic research methodologies and techniques that would fit within the timetable of PhD research. This thesis has used six main research techniques considered to be most suitable for policy-oriented research:

1. *Conceptualising policy-related investigation* – this is how a researcher can conceptualise the ongoing policies by questioning the possibility for exploring other policy options, research methods and research questions, as well as theoretical approaches that would enable the formulation of better policy. Regarding this matter, Chataway *et al.* (1998) stress the importance of setting boundaries for creating a focused investigation and conceptual framework. The boundary can be used as a research conceptual strategy, as well as a tool that helps to ‘separate, simplify and focus on what is important in a particular situation and what is less important and can be ignored’ (Chataway *et al.* 1998: 41). The boundary can be geographical location, target groups, researcher’s roles and relevant stakeholders. This thesis limits its boundaries to investigate only the policy regarding the irregular migration management of migrant workers from three countries (Burma, Laos and Cambodia).

2. *The use of literature study* – Since this thesis focuses on the analysis of policies relating to irregular labour migration, the research was conducted through the analysis of unpublished documents or *grey materials*⁵ (O’Laughlin 1998: 107). However, the problem with ‘grey materials’ is their validity and reliability, as they may be ‘the product of an explicitly political process’ (*ibid.*). Thus, O’Laughlin emphasises the importance of the ability to interpret institutional discourse. Policy and research reports written by governmental and non-governmental organisations are influenced by the preconceptions and values of the organisations themselves. Even though such research reports may be produced by external researchers, the commissioned organisations still have the ‘power’ to dismiss conclusions they do not like. The politics of policy formulation processes are complex and involve a number of issues that one needs to be aware of in engaging with the policy, such as the

⁵ Grey materials are ‘unpublished documents which are available from various organisations such as governmental or non-governmental agencies’ (O’Laughlin 1998: 107).

suppression of the voiceless population and the dominance of the ruling groups (for instance politicians, senior government officials, business owners).

Nonetheless, this is not to say that grey materials should not be used in policy-oriented research. They can be utilised as valuable sources and can provide useful implications to the study, but it is important to be aware of the hidden agendas that may influence the production process of such reports.

3. *The use of 'people as informants'* – Another methodology used in this thesis is the semi-structured interview. The interviews that were conducted in the fieldwork took place in 2005 and 2006. (More details on fieldwork reports can be found in appendix 4.) The first stage of fieldwork conducted in 2005 involved a series of interviews with government officials from: the Ministry of Labour; the National Economic and Social Development Board; the Ministry of Interior; the Ministry of Foreign Affairs; and the Ministry of Social Development and Human Security. The interviews were informative and useful for the thesis. However, one problem that arose was that the officials refused to talk about specific issues. As O'Laughlin (1998) points out regarding the institutional power relationship, informants have the power to disclose only that information that they wish to. In the interviews conducted for this thesis, the officials tended to provide information that would not contaminate the reputation of the Thai government. For instance, most of them refused to talk about issues regarding the human rights violations of migrant workers, or the alleged corruption scam within the Ministry.

4. *The use of quantitative data* – It is commonly acknowledged that quantitative data has a vital role in policy analysis and formulation (Mukherjee and Wuyts 1998). Indeed, quantitative data is crucial in this study, as it gives preliminary background on the current situation of irregular migration to Thailand. The results of the irregular migrant workers registration exercises from 1992 - 2008 provide useful data regarding the degree of success of the Thai government's strategies in regulating irregular migrant workers, and the public response to these strategies.

However, I believe that quantitative data should be used as the starting point for gaining a preliminary overview of the researched topic, even though conclusions

cannot be drawn from quantitative data by itself. Mayer argues that, 'data themselves are not knowledge. Data need to be interpreted and put into context before they become useful knowledge' (Mayer 1998: 290).

One of the problems I encountered whilst researching this thesis was the inconsistency of data provided by the Thai government agencies, such as the Ministry of Labour and the Ministry of Interior. This does confirm the unaccountability of the data and made me question the policy formulation processes that the Thai government used in irregular migration management during the past few decades, and whether its failure may largely be a result of the inaccuracy of the data provided for the policy makers.

5. Positional Analysis -- It may be viewed as an advantage for this research since I have worked for the Ministry of Labour for three years. My years at the Ministry have enabled me to understand the overall issues of irregular migration management as an insider. Being an insider might be seen as a comparative advantage in terms of the facilitation it offers when communicating with the informants in the Ministry of Labour. However, often, my positionality made me feel somewhat uncomfortable when having to overtly disagree with the Ministry's policies or strategies. This dilemma of being an insider in conducting research is well-addressed in feminist research methodology discussion. Wolf (1996), for example, elucidates this issue that:

Some examples of insider's problems include the concealment of information, crossing caste lines, the restricting expectations of others, and over identification and merging and the resultant lack of privacy (1996: 15).

Being aware of this, I decided to leave the Ministry before pursuing this research, hoping that my outsider position would make it easier for me to critically investigate the Ministry's policies in irregular migration management, as well as enable me to have the external view of the MOL's policy context.

More importantly, being a Thai national examining the question of Thainess and Thai nation-state is quite a daunting task. This research started off with an aim to

investigate the irregular labour migration policy with respect to economic policy. However, after preliminary research in 2004, I came to realise that the problems with irregular labour migration policy required an in-depth analysis of the formation of the Thai nation-state and 'Thainess,' which creates the ideology that the Thai national security can only be established by the existence of Thai hegemony. However, the investigation of the meaning of 'Thainess' has proven to be a journey of deconstructing the beliefs and attitudes that I have been inculcated with. To take as an example, in school, I was taught the historical story of how Burma invaded Siam in the 18th- 19th centuries which caused so much anguish to Siam. Like many other Thai nationals, the story of the Burmese invasion during those periods influences the perception that Thai nationals have towards the Burmese. Preliminary research in Thailand in 2005, interviewing Thai officials and discussion with Thai people in general, revealed that the common justification that the Thai officials made with regard to the policy in irregular labour migration management was that the 'benefits of the Thai people have to come first.' It goes without saying that Thailand is not alone in taking the protection of the rights and benefits its own citizens as the nation's top priority. However, even if there is a good justification for nations to give primacy to protecting the benefits of their own citizens, this does not *in any way* justify the abuses of rights or discriminatory behaviours towards non-citizens.

It seems that the fact that the Thai officials often assert that the policy should lie at the heart of protecting the benefits of the Thai citizens reflects the nationalistic or – as more aptly put by the Thai state – the 'patriotic' (or *Rak Chat* in Thai) sentiments that dominate the mindset of the Thai people. This has led to an investigation of the meaning of 'Thainess' and the constraints that it has imposed on Thai society. However, being an insider, conducting research on the 'identity' that has had significant impact on my thoughts and beliefs, is challenging. Often, during the course of the research, I had to think outside the 'box' and to question and challenge the institution of my own 'nation' and 'national identity,' the institution that I have always been taught to revere. Although it has not been an easy journey, I hope this thesis will provide an alternative way of looking at the issue of irregular labour migration that will encourage positive changes to the policy to be made, which would enable Thailand to be a more accommodating place for all.

6. *The fieldwork* -- The thesis, mainly based on secondary sources, is informed by findings gathered from 3 research fieldtrips between 2004 and 2007. Each fieldtrip took around 1-2 months and had different purposes. The reason that I decided to split the field research into four short trips was because the policy on irregular labour migration has been constantly changing, so it was important to track these changes and ensure that the updated policy amendments discussed in the thesis are up to date. The most important research visits were those in 2005 and 2006, when I was able to carry out interviews with key informants from government and industry. I present below a summary of these research visits which explains their purpose, the research methods used, and the selection of information sources and interviewees, outcomes and encountered difficulties.

My research is informed by my experience as a policy and planning analyst at the Ministry of Labour between 2001 and 2004. I was able to observe the construction and changes in the policy process. I witnessed the process of the “amnesty registration exercise “ which commenced in 2001, and observed the fall in the number of registered migrant workers in Thailand between 2002 and 2004, a trend which led me to question the efficacy of this policy. The questions I started with were: what was the reason behind the shortfall? Why did the migrant workers decide not to register or renew their working permits? Was it because the migrant workers did not get any benefits from registering with the Thai government? These preliminary questions were the basis of the research study in this thesis. During this period I was also able to collect preliminary information relating to the relevant policies, legislations and frameworks on irregular labour migration, which are mostly in the form of ‘grey materials.’ However, the first research questions that I came up with at that early stage were very different to the ones that I ended up addressing. Partly, deriving from my years as a MOL government official, I initially saw the issue as a one-dimensional problem involving the logistical difficulties of effectively ‘managing’ or ‘regulating’ the irregular migrant workers.

The first fieldtrip in 2005 turned those questions around. After one year of an in-depth research on the history of migratory movements to Thailand (as presented in chapter 5), it became clear that the management of irregular migration is not a recent phenomenon in Thailand. Historically, the Thai state has coped with different groups

of migrants, as well as indigenous ethnic minorities, and there are similarities in the policies developed concerning all these groups, particularly since the period of nation-state building (which commenced during the reign of King Vajiravudh r.1910-1925). Particularly striking is the efforts made by the Thai state in different periods to maintain its hegemony by asserting that the presence of non Thai populations within the country (be they Chinese immigrants, politically displaced persons or ethnic minorities) are potential threats to national security. This analysis shifted the focus of the thesis and created a new set of research questions. Instead of simply concentrating on the logistical and economic aspects of irregular labour migration, this thesis has pursued answers to the more fundamental political question of how 'Thainess' and the Thai nation-state may have contributed to the policy problems I had observed, and the challenges the growth of migrant labour posed to the emerging situation of multi-ethnicity in Thai society.

The aim of the 2005 fieldtrip was to collect all relevant information relating to the past and present policies in irregular migration management. I carried out a series of semi-structured interview sessions with related governmental agencies, namely the Ministry of Labour, the Ministry of Interior, and the Ministry of Foreign Affairs (See Appendix 5) to construct an overall picture of the policy relating to the management of irregular migration. The interview with the officials from the Department of Employment in the MOL has proven to be more relevant to the core analysis of the thesis, since it covered irregular labour registration policies, the regulations and results of the registration exercises, plans for future policy changes and links to related policy initiatives including MOUs with neighbouring countries. The information from MOL officials is mainly discussed in Chapter 6. I also carried out in-depth interviews with the Ministry of Interior and the Ministry of Foreign Affairs. The interview with the Ministry of Foreign Affairs was important because it established the role of the MFA ensuring that the foreign labour migrant recruitment system is compatible with developments in the international relations sphere, which includes not just the Memoranda of Understanding between Thailand and the sending countries (Laos, Cambodia and Burma), but also the ACMECS and the GMS economic cooperation strategies. This is explored in depth in Chapter 6.

Unfortunately, the Ministry of Interior officials refused to grant me an interview, although they did provide documentation relating to their policies on ethnic minorities, displaced persons and the hill tribes. The reason given for denying an interview was that ethnic relations and assimilation policies were 'sensitive' matters that involve 'national security' issues. However their very refusal to talk to me revealed the fact that the Ministry of Interior considers both 'immigration' as well as 'ethnic relations' as important national security matters.

Despite the difficulties with accessing certain information which was deemed 'sensitive' to the Thai state authorities, the 2005 fieldwork was beneficial and informative, and the analysis of the data collected allowed me to understand the complexities of each ministry's responsibilities and tasks, and the extent to which these ministries coordinate their policies. However, more significantly, this field research also revealed the contradictions and problems in the current policy on managing the irregular labour migrants. Partly this is because of the lack of clarity in the division of responsibilities and decision-making roles between the different ministries. For example, despite the MOL's 2006 policy paper which stated unambiguously that the MOL has responsible for the overall policy of irregular migrant workers, according to the MOL official I interviewed, the MOL was only an implementing agency whose main responsibility was the implementation of the irregular migrant worker registration exercise, and that long-term policy decision-making is chiefly directed by the National Security Office (MOL official 2005). This is because issues relating to foreign immigration are deemed by the Thai government as a delicate 'national security' matter (MOL official 2005). This view is reinforced by the Ministry of Interior's refusal to give me an interview. The frequent reference to 'national security' as a justification to regulate the irregular migrant workers led me to a realisation that in order to clearly comprehend the irregular labour migration policy formulation processes, it is important to deconstruct of the meaning of 'national security' in Thai policy context.

The second fieldtrip in August –December 2006 was concerned with understanding changes in previous policies and to observe the way in which the political problems and the coup (September 2006) would trigger further changes in the policies. The field research was carried out in Bangkok and Samutsakorn and involved

documentary research and semi-structured interviews. Further interviews were conducted with officials from (1) Ministry of Labour, (2) Ministry of Foreign Affairs, (3) National Economic and Social Development Board, (4) National Security Office (pending upon permission from the NSO), (5) Ministry of Interior, (6) UNHCR, (7) IOM, and (8) CARE International, Thailand. There had been a range of changes in the immigration-related policies; it is expected that the registration exercises that have been implemented for several years may be halted, because national security concerns mean that the number of foreign workers should be limited. However, at the same time, the interim government was also concerned with the economic performance of the country which could be weakening, in the face of a decline in international investors' confidence. From this perspective migrant workers are still deemed necessary to fill the labour shortages in key occupations, such as food-processing and fisheries.

This fieldtrip enabled me to make a detailed investigation of the following issues:

- 1) the current changes and the prospect of policies regarding the registration exercises as well as the foreign relations policies, such as the Ayeyawady-Chao Phraya-Mekong Economic Cooperation Strategy (ACMECS), the Great Mekong Sub-regional cooperation framework;
- 2) the outcomes of the past registration exercises in June - August 2006 and the Ministry of Interior's recent initiative to register the dependents (i.e. spouses and children) of migration workers in the country;
- 3) changes and developments in citizenship laws as well as policies regarding 'assimilation' and the 'reconciliation of differences' that the interim government has been put forward to primarily solve the problems with the Muslim South insurgencies.

In addition to this, I visited four seafood processing factories in Samutsakorn, in August 2006 in order to investigate the system of wages and the 'piece-rate' system, particularly as applied for migrant workers, not Thai workers. This issue has not been raised in the policies in migration management, yet the 'piece-rate' system that most food processing factories utilise does not abide by the Labour Protection Act (1998). The different pay regimes utilised in these factories is an illustration of the gap

between the policies and what is actually happening in practice (further details of the interview report with the factory managers are in Appendix 4).

The final fieldtrip took place in 2007. I was invited to participate in an action research project entitled 'Gender, Cross-Border Migrant Workers and Citizenship: a Case Study of the Burmese-Thai Border'⁶ This gave me the opportunity to observe the effects of the irregular labour migration management policy on the lives of migrant workers in the town, and to gain insights about how regularisation policy actually works in practice. As reflected in a study conducted by Arnold and Hewison (2005), the Border Industrialisation policy is linked to the GMS and ACMES policy, which is aimed at constructing new relationships with Thailand's poorer neighbours.

The short visit in Mae Sot was an eye-opening experience. Even though the issue relating to the lives of migrant workers is not central in this thesis, the visit revealed the reality of migrant workers situation, and the ways in which the migration management policies were constructed to benefit the Thai state rather than the migrant workers. In spite of the Thai government's commitment to offer labour and human rights protection to migrant workers, in practice, the rights of migrant workers (both registered and non-registered) are violated in various ways. For instance the average wages of Burmese migrant workers in Mae Sot were between 50-100 baht/day, which is below the legal 147 baht-minimum wage in Tak province (MOL 2008). In addition to this many migrant workers in Mae Sot work a 14 hour day for six days a week, a working week of 84 hours. This is far in excess of the provisions of the Thai Labour Protection Act of 1988, which stipulates in section 23 that:

[t]he working time shall not exceed eight hours per day and the total working time per week shall not exceed forty-eight hours. Where the work may be hazardous to the health and safety of the Employee as prescribed in the Ministerial Regulations, the normal working time shall not exceed seven hours per day and the total working time per week shall not exceed forty-two hours' (MOL 2008).

⁶ (see <http://www.gender-migration.ait.ac.th/Index.html>) My main role was to present a paper on 'Managing Burmese Migrant Workers: Issues of Assimilation and Citizenship Policy in Thailand' at the workshop on "Analysing Linkages between Migrant Workers, Commodity Chains and Regional Development in Mae Sot" which took place on 7 July 2007 in Mae Sot – See Appendix 1 for map.

Similar to what I observed in Samutsakorn in 2006, there are obvious forms of labour rights violations in Mae Sot and Thai employers are able to legally employ migrant workers through the ongoing registration processes, whilst the enforcement of labour protection for migrant workers is weak which allows the employers to breach the Labour Protection Act. The case of Mae Sot is even more significant as it is not only the registration policy that enables employers to benefit from this situation, but also the BOI incentives for the relocation of factories to border provinces such as Tak province as well as the recent GMS and ACMECS frameworks are aimed to facilitate employers' access to as large pool of cheap migrant workers (This is discussed in depth in Chapter 6). These realities add weight to the core argument of this thesis that the irregular labour migration management policies are launched for the benefit of Thai economic growth, whilst deliberately allowing or turning a blind eye towards violations of the rights and welfare of migrant workers.

1.8 Thesis structure

This thesis is divided into 8 chapters. This first chapter provides the introductory statement of irregular labour migration in Thailand and how the Thai government responds to it. The brief discussion of the thesis arguments is presented by setting out the research terrains in which this thesis touches upon. The research questions and aims are presented as well as the research structure, explicating the objectives of different chapters.

Chapter 2 provides an analytical and critical discussion of interdisciplinary academic approaches in the study of migration, citizenship and identity. This chapter seeks to address and acknowledge different ways of understanding the concept of nation-state, nationalism and citizenship and will attempt to illustrate how the three issues are linked. The theoretical analysis in this chapter will be a foundation for the thesis argument that links the discourse in nation-state, nationalism and citizenship to the present policy in irregular labour migration.

Chapter 3 provides the 'setting,' elucidating the journey of how Thailand's economic development led to great influxes of irregular migrant workers. Thai economic

development is divided into 5 stages, the signing of the Bowring Treaty of 1855 (1855-1910), the economy during the nation-building period (the period from 1910-1945), the growth of Thai capitalism during the government of Prime Minister Field Marshal Sarit Dhanarajata (1959 – 1963), National Economic and Social Development plans 1-7 period (1961-1996) and the 1997 economic crisis and its consequences (1997-present). The aim is to illustrate the impact of the rapid economic development and industrialisation to the growing demand of irregular migrant workers. In addition, the analysis will focus on ‘economic nationalism’ which can be viewed from the way in which the Thai state focuses on the economic advantage of the Thai employers while neglecting the protection of rights of migrant workers.

Chapter 4 will continue the discussion in chapter 3 by focusing on the political development of Thailand and how that relates to the way in which Thailand adheres to the preservation of Thainess and Thai hegemony. The analysis will parallel with the economic history presented in chapter 3 by commencing with the historical examination of Thai nation-building and modernisation and the establishment of Thai nationalism during King Vajiravudh’s reign and the Phibun primeministership. The discussion will be followed by the analysis of Thainess and how the Thai collective identity has created the criteria for the inclusion and exclusion of the Thai society.

Chapter 5 will map out the historical processes in which human migratory movements in Thailand have originated. Linking to the discussion on nation-state building in chapter 4, this chapter will focus on the nation-building era and how the Thai government’s responses showed a discrepancy to different groups of migrants. This will attempt to tackle the question why these changes happened and what are the rationales and factors for these inconsistencies? The migratory movements and ethnic minorities that will be drawn upon in this chapter are 1) Tai migration and the formation of Thai ethnicity; 2) Chinese immigrants; 3) the hill tribes; 4) politically displaced persons; 5) economic migrants and 6) the Malay Muslims.

Chapter 6 will map out different policies related to the management of irregular migration in Thailand. The policies will be categorised into 5 sections, namely 1) the

management of irregular migrant workers (administered by the Ministry of Labour); 2) regulating the irregular: the national security rationale (administered by the National Security Council); 3) administering the displaced persons and ethnic minorities (responsible by the Ministry of Interior); 4) foreign relations policies on the Great Mekong Subregion economic cooperation (administering by the Ministry of Foreign Affairs); 5) the analysis of citizenship law. By doing so, the five strands of economic, national security, social and international relations in the management of irregular migration and citizenship laws are shown as an interwoven structure. This chapter will provide mainly the empirical information that I have received from the two field visits in Thailand. The mapping-out of relevant policies will lead to the critical debate on how the present policies in irregular migration management have an impact in the re-formulation of modern-day ethnic relations and the construction of 'identities' and 'Thainess.'

Chapter 7 provides a critical debate on the contradictions arising from the necessity to regulate the irregular migrant workers and the urgency to construct a strategic framework to assimilate and give rights of citizenship to the migrants and their families. The implications that the present policies on irregular migration management on the notion of Thailand, identities and citizenship are vivid and validated by the deficiency of policy discussion on citizenship rights issues of irregular migrant workers. The current policies on irregular migration management are the repetitive narrative of how Thailand still uses the same old patriotic nationalist justification to prevent the assimilation and integration of the non-Thai population. This chapter will present the argument that the prevalence of Thai nationalism as the central notion of formal 'Thai collective identity' dominates the policy formulation of the management of irregular migration. Here, I will try to deconstruct modern-day 'Thainess' and what it means to the Thai society and the implications for ethnic relations.

Chapter 8 will provide the summation of the thesis. This chapter will recapitulate and reaffirm the arguments of the thesis. This will also include the proposition of the way-forward on how the Thai government should embark upon in order to untangle the problems of irregular migration management that would embody the recognition

of identity politics and citizenship rights issues in a pragmatic and sustainable manner.

Chapter 2:

Theorising Nation, Nationalism and Citizenship: the contestation of the Thai irregular labour migration policies, the global economy and Thainess

2.1 Introduction

The aim of this chapter is to set out the critical and theoretical discussion on nation, nationalism and citizenship, and to demonstrate how the three issues are understood, interpreted and interrelated. This chapter aims to illustrate the immense impacts of nation, nationalism and citizenship on irregular migration management policy formation, and to explain the rationale the Thai state creates in order to determine the inclusion and exclusion of non-citizens. This will pave the way to the central argument of this thesis regarding the impact of Thai nationalism and Thainess (*Khwāmpen Thai*) on the formulation of irregular migration management policies

This chapter falls into three parts. The first section explores the origin of nations and the formation of modern-day nation-states. I will review different theoretical understandings of the concept of 'nation-state' by analysing the primordialist, perennialist and modernist approaches (Uzelac 2002, Smith 1998), illustrated by examples from South East Asia.

The discussion will be linked to the second part of this chapter on nationalism. By linking to the theories of nation-states, different notions of nationalism will discuss the development of cultural nationalism, political nationalism and economic nationalism. Political nationalism will be given much weight in the discussion, as it has posed an important theoretical framework for the analysis of political intervention in the formation of collective national identity of Thailand. Economic nationalism will also be analysed, particularly with relation to the debate about whether economic globalisation has, in fact, weakened the power and reality of the nation-state (Sassen 2005b), or whether it has fortified modern nation-states and the ideology of nationalism through global market competitiveness (Gritsch 2005). This discussion will be connected to one of the thesis' integral arguments: that economic

nationalism derives from the impact of political nationalism on economic policies. As with the case of Thai irregular migration management, the open-door policy that allows irregular migrant workers to reside and work in Thailand is just a way to legitimately employ cheap alien labour.

The third and final parts of this chapter discuss 'citizenship.' Different theoretical approaches of citizenship will be presented, beginning with the traditional way of understanding citizenship as political membership, and moving to contemporary debates about the decline of citizenship resulting from globalisation, global migration and culture denationalisation (Sassen 2005; Tambini 2001). However, in this thesis, it is argued that citizenship has implications for the inclusiveness of non-citizens to a nation-state. Reflecting upon the case of irregular migrant workers in Thailand, citizenship is a gateway to 'rights' to protection, welfare and equality.

2.2 Nation, nation-state and nation-building: theoretical interrogation

2.2.1 Origins and meaning of nation and nation-state

The controversy of how nations originated and what the definite meaning of a nation-state *is* may be irresolvable. However, we can commence the analysis of nation-states by emphasising that nation and nation-state are not equivalent. In this section, the terms 'nation' and 'nation-state' will be briefly analysed in order to point out the differences between the two terms and, more importantly, to illustrate the power which 'states' possess over 'nations.' This approach will lead to further support for the idea that 'nation-states' originate from the power of states (which predominantly are formed by the elite groups) with the aim of dictating the destiny of a nation by the means of creating collective national identity, belonging and shared history and culture.

What, then, constitutes a 'nation'? Smith argues that nations are not a modern phenomenon, but existed in every era in the history of humankind (1998: 12). The roots of nations emerge from what Smith terms '*ethnie*' or 'ethnic community' (1998: 13), whose foundations can be found in a shared sense of collective identities,

namely: history, descent, culture, territory, solidarity, language, religion or faith (Smith 1998). However, it is obvious that shared collective cultural and ethnic identity alone cannot form a systematised, structural and institutionalised organisation as a nation. The process in which a nation is constituted is enduring and incessantly continuing. As Smith argues, nations are 'long-term historical processes, continually re-enacted and reconstructed but within definite limits' (1998: 212).

Similarly, Guéhenno (2000) emphasises the historical processes in which nations are developed and fortified, but rejects the argument that nations originated from a shared sense of social, religion or racial belong. According to Guéhenno, people are linked not by ethnicity, religion or culture, but by history. He argues that 'a nation has no other definition but historical. It is the locus of a common history, of common misfortunes, and of common triumphs' (2000: 4).

Nonetheless, nation-states are often seen as a modern political phenomenon, which exist to systematise the global order. Several scholars stress the administration aspect of a nation-state. Max Weber, for instance, defined a nation and the constitution of a state as follows:

A nation is a community of sentiment which would adequately manifest itself in a state of its own; hence, a nation is a community which normally tends to produce a state of its own (1948:25).

Therefore, it can be summed up that the origins of nations are seen by theorists (such as Guéhenno 2000, Guibernau 1999, Smith 1998) to be derived from shared collective history and memories, and are not necessarily a modern phenomenon. Nation-states, on the other hand, are political organisations through which nations are driven and administered by states. Guibernau defines a nation-state as:

a modern institution, characterised by the formation of a kind of state which has the monopoly of what it claims to be the legitimate use of force within a demarcated territory and seeks to unite the people subject to its rule by means of cultural homogenization (1999:14).

Hence, it can be argued that one of the most important constituents of nation-states is the power of the state over the control of cultural homogenisation and people's identity formation. Giddens sees nation-states as 'power containers':

a nation-state is, therefore, a bordered power-container...the nation-state, which exists in a complex of other nation-states, is a set of institutional forms of governance maintaining an administrative monopoly over a territory with demarcated boundaries (borders), its rule being sanctioned by law and direct control of the means of internal and external violence (1985:34-35).

Perhaps the emphasis on the impact of history, ethnicity, memories and culture is central to the understanding of the meaning of a nation. Moreover, and perhaps more importantly, it provides a starting point for appreciating what is meant by a nation-state today, and what the relationship between the state and the nation is. Reflecting upon the research questions of this thesis, the Thai state has always found ways to maintain the hegemony and security of the Thai nation, through the (re)invention of history; symbolism and myths; and the creation of patriotic heroes and national villains. Thus, it can be argued that one of the major functions of a state is to maintain national cohesion and unity through the invention of national collective political, social and cultural identity.

In short, it should be understood that nations may emerge from shared history, language, culture, and territory; but that states have the autonomy and power to organise all of these elements and construct a hegemonic and sovereign nation. As Hobsbawm argues, 'nations do not make states and nationalisms but the other way round' (1990:10).

2.2.2 Different theoretical understandings of nation-state

The discussion in 2.2.1 provides a foundation for understanding the meaning and origin of nation and nation-state. The analysis in this chapter will lead on to the argument that the significant implication of nation-state in this thesis concerns: how states have a power to organise and construct collective national identity to strengthen the sovereignty of nations. The process of creating collective national identity may happen from the early stage of nation-building in new nations (which is

illustrated by the examples of South East Asia nations in 2.2.3) to the continuous process of maintaining national identity with the intention of strengthening national political, social and cultural homogenisation. More importantly, in the contemporary era in which economic competition prevails, and dictates international relations between nation-states, economic globalisation has substantial impacts on the changing meaning of nation-state. Sassen, for instance, has argued that the 'economic policies and technical developments we associate with economic globalization have strengthened the importance of cross-border dynamics and reduced the significance of borders' (2005b: 83). Hence, the restricted notion of the bounded territory and the cultural homogeneity of nation-states are weakened by economic globalisation. However, this thesis argues that 'economic globalisation' is not a phenomenon that entirely weakens the institution of nation-states, but strengthens the power of some nation-states over others (see also Gritsch 2005). The ways in which the Thai state has formulated its economic policies to promote export-oriented industries to strengthen its economy and produced policies to manage irregular migrant workers who supply cheap labour from other nation-states, namely Burma, Laos and Cambodia, have important implications. These include the Thai state's implicit project to preserve the nation's cultural monopoly, whilst at the same time boosting its economic autonomy through the use of irregular migrant labour as a source of cheap labour, though not permitting the migrant populations to socially, politically and culturally integrate into the nation. This section presents a theoretical discussion on how the concepts of nation-state are understood and interpreted by different schools of thought, and how the concepts are altered and influenced by the phenomenon of economic globalisation.

Uzelac points out that the theoretical understandings of nation-states can be categorised into three major stances, namely (1) primordialist; (2) perennialist and (3) modernist (2002: 35). The clear-cut distinction between these theories is questionable, and to judge which theory is the most pertinent is even more problematic. However, more notably, what these different schools of thought offer is how the meaning, interpretation and significance of nation-states have changed through time, location and perhaps even the political and economic agendas of the states themselves. Maiz stresses the ever-changing notion of nation-state, arguing that:

...nations are not reified, 'objective' realities, internally uniform and unchanging with regard to characteristics such as language, history or culture. Rather, they are communities that are continuously undergoing complex processes of national definition as the result of political and ideological antagonism and mobilization spurred by intellectuals, movements and political parties in response to ever-changing cultural, social and political contexts (2003: 266).

Such an argument seems to be most apt to the analysis of nation-states in the contemporary context. The development of nation-state theories shows how nation-states, as political institutions, are regarded differently and always contingent on specific political agendas. Therefore, nation-states, as a concept, should not be viewed as universal but always dynamic and diversified by different nations and political aims.

The theories of nation-states started with the primordialist stance by which nations are seen as 'natural' (Uzelac 2002) and 'real,' as opposed to 'not imagined' (Dawisha 2002:3). Clifford Geertz argues that nation-states derive from a 'primordial attachment' which creates civic ties among people (1963). This is a natural and unavoidable process, which is based on the very nature of every human being's life.

As Geertz puts it:

One is bound to one's kinsman, one's neighbor, one's fellow believer, ipso facto; as a result of not merely of personal affection, practical necessity, common interest, or incurred obligation, but at least in great part by virtue of some unaccountable absolute import attributed to the very tie itself. The general strength of such primordial bonds, and the types of them that are important, differ from person to person, from society to society, and from time to time. But for virtually every person, in every society, at almost all times, some attachments seem to flow more from a sense of natural – some would say spiritual – affinity than from social interaction (1963: 31).

For primordialists, these primordial ties are fixed and immutable, even by state intervention. It seems that such an explanation may be useful to understand the ethnic minority resistance that frequently occurs within a nation-state, as Geertz argues that the primordial ties are the 'longing not to belong to any other group' (1963: 31). However, Geertz's theory on primordialism is defined and interpreted differently by scholars. Dawisha (2002) sees that Geertz's argument as a simple primordial approach which believes that nation-states are inherent and cannot be

constructed by political manoeuvres. On the other hand, Hutchinson and Smith (2000) and Özkirimli (2005) argue that Geertz's argument should be seen as 'cultural primordialism' as not only blood ties that Geertz argues to influence the formation of a nation-state, but also language, religions, cultural and social practices also have significant impacts in the construction of a nation-state. Therefore, it is important to note here that Geertz's approach to nation-state, though often construed as primordial, can be understood in a wider context as a constructionist approach.

However, comparable with the primordialist approach, in terms of their focus on shared ethnic ties, are perennialists, such as Smith (1998), who believe that nation is a form of organisation which has existed throughout the history of humankind. Smith (1998) argues that:

...the units we call 'nations' and the sentiments and ideals we call 'nationalism' can be found in all periods of history...the units and sentiments found in the modern world are simply larger and more effective versions of similar units and sentiments traceable in much earlier periods of human history; that given the characteristics of human beings, their propensity to kinship and group belonging and their need for cultural symbolism for communication and meaning, we should expect nations and nationalism to be perennial and, perhaps, universal (1998:12).

The long existence of nations is also stressed by Hutchinson (2000), who argues that the modern nation-state should not be looked at as a political institution only, since ethnic features still play a significant role in the changing meaning and negotiating political stance of modern nation-states. Nation-states, writes Hutchinson, 'are constituted by recurring cultural conflicts which provide repertoires to negotiate social change and suggests that national identities have varied considerably in their social and political salience' (2000: 651). By examining ethnicity in the historical processes of nation-formation, Hutchinson suggests that the 'recurring causes of national revivals, the role of persisting cultural differences within nations, and the fluctuating salience of national identities with respect to other social allegiances' will be more comprehensible (2000: 652).

Indeed, to a certain extent, nation-states emerged from shared heritage, history, ethnicity, and language, as the primordialists and perennialists suggest. Nonetheless, up to the present, we have seen a number of circumstances in which nation-states do

not emerge entirely from ethnic homogeneity, and even become increasingly multi-ethnic through other factors including international human migration. Therefore, it can be argued that what the primordialist and perennialist approaches offer is only a superficial understanding of how some nation-states originate from shared ethnic ties, and how ethnic minority resistance can occur. However, the significant flaw in their positions is to be found in how they undermine the role of states in political, social and cultural intervention, and with regard to strategies for creating and reinforcing collective national identity and nationalism. In modern nations, it is apparent that the formation of a nation involves much more complex ingredients than mere ethnic, religious or linguistic ties. What really bonds a nation-state is the presence of a systematic mechanism *via* which people in a nation are taught and socialised to possess the love and loyalty of a nation. This discussion is directly linked to the analysis on 'nationalism' as a political tool for uniting diverse people together, and fortifying the sovereignty of a nation-state which will be presented in 2.3.

With regards to what constitutes a nation-state, in a modern world sense, various scholars see nation-states as stable national communities, defined by fixed territory, under a cohesive political and economic system. Derichs and Heberer, for instance, see the emergence of nation-states as a way in which the global order has been transformed into an arrangement in which 'communities' have been formed by 'geographical and administrative territory' (2006:3). Similarly, Stalin's well-known definition of a modern nation holds that:

A nation is a historically constituted, stable community of people, formed on the basis of a common language, territory, economic life, and psychological make-up manifested in a common culture (1973: 20).

Under this definition, what constitutes a nation is the commonality of individuals in a community. This stresses the important components of a nation, such as the specificity of territory; the commonality in language, belief, way of living and culture; and the formality of common political, as well as economic, ideology. Ideally speaking, the invention of nations is a human endeavour to unify a group of individuals who share this commonality, in order to drive their nation to the destiny of their political desire. According to such a view, a nation has an implication on the

administrative component, which is what constitutes a state (Weber 1948). From the two components of nation and state, the term 'nation-state' derives from the significant ingredients of specific territory, commonality of its people and political ideology and a bureaucratic form of state management.

Nonetheless, it is questionable whether the above explanations only succeed in explaining what should constitute a nation-state in the modern sense. They fail to tackle the question of 'why' and 'how' all of those constituents (state, territory, commonality and acceptance of collective political, economic and cultural structure) exist in the first place. If nation-states do not emerge out of nowhere (or from an automatic creation of people who share similar historical, ethnic or linguistic roots like the primordialists and perennialists believe) then the question of how nation-states are formed is still left unanswered.

Modernists (albeit with their wide-ranging arguments and focuses) see nation-states as a political phenomenon, developed from state intervention and originating from a systematic effort from state administration and bureaucracy to construct a concrete form of political entity. The modernist school of thought in nation-state theories can be sub-categorised into various stances. According to a constructivist stance, for instance, a nation-state or nation is:

...anything but immutable. It is wholly subjective, dependent on psychology rather than on biology. It could be conceived almost as an affair of the heart, a spiritual communion born out of the complex web of social structures constituting people's interests, perceptions, and identities (Dawisha 2002: 5).

As for the instrumentalist stance, Biswas (2002) recapitulates that 'ethnic attachments are often invented and manipulated by elites to construct the nation as privileged source of a group's loyalty' (Biswas 2002: 179).

Various scholars also emphasise the role of the state in the invention and manipulation of ethnic ties and the creation of the artificial national collective identity. Often, the 'state' refers to the ruling elites who have the political, economic and cultural power to create what is called the 'nationalist project' to unify its population in the name of a 'nation.' Hence, a nation is not always formed by a

geographical boundary in which only one ethnic community exists. Even more often, a nation-building process can be regarded as a method of reconciling (or more precisely overruling) ethnic differences in order to unify and develop a homogeneous and sovereign nation-state. Examples of the emergence of nation-states and nation-building in South East Asia will be given in 2.2.3. The examples will illustrate how the political elites play such significant roles in nation-state building and how their actions unify their nation-states through overriding ethnic and cultural diversity. This will support Wimmer and Min's claims that:

The institution of the nation-state thus introduces incentives for political elites to privilege members of the national majority over ethnic minorities, and for minority elites to mobilize against such political discrimination (2006: 3).

If an argument that nation-states are created by states, or particular groups of people who possess political power and domination against ethnic minorities, can be proven to be true, this would undermine the argument of the primordialists and, to a certain extent, the perennialists. The 'realness' of nation-states that the primordialist claims to have existed long in the history of human civilisation has been challenged by modernists scholars such as Kolstø (2006), and Billig (1995), Anderson (1991).

In the modern era, nation-states have been normalised as an essential component of the world order and nationality, and the belonging to one's own nation is taken as an innate identity (Anderson 1991). However, Kolstø argues that neither national identity nor nationality 'is an innate quality in human beings, neither is it acquired naturally as one grows up. Like any other identity, national identity has to be learnt' (2006: 676). By this, it can be concluded that for the modernist stance, nation-states are not, and should not, be taken as 'natural.' The process *via* which one is taught to learn about one's nationhood, national loyalty and duty as a good citizen involves the continuous and organised socialisation processes through 'nationalism.' Individuals are habituated in the socialisation processes – such as through formal education, upbringing, and community membership - to conform to the legal rules and social and cultural codes of a nation-state. And these rules are set for the purpose of strengthening national cohesion and the sovereignty of the state. This discussion will further be expanded in 2.3.

Anderson's famous concept of the 'imagined communities' challenges the normalisation of the existence of nation-states and nationality by arguing that nation-states are not 'real' (as argued by the primordialists) but '*imagined*.' The argument may reflect upon the contemporary world where ethnic pluralistic societies are common and the idea of nation-states deriving from shared ethnic ties or heritage may not prove to be apt in the modern era.

According to Anderson's 'imagined community' framework, the nation-state is an imagined mechanism that the state authorities have formulated as a set of criteria to identify who can be a part of their nations. This entails that the power of the nation-state has created a boundary; not only in geographical terms, but also in terms of identity and belonging. The nation-state, as a social construct, generates the social and cultural conception that classifies who can be included and excluded in this imaginary state. It is quite an irony that what 'modernity' introduced to the contemporary world was not really an organised new world-order but a chaotic one in which different nations are fighting against one another in order to preserve their purity of nation. Ethnic conflicts, whether occurring domestically or internationally, are products of nation-building, nationalism and citizenship (Wimmer and Min 2006). The exclusionary nature of nation has created tensions between people who are legally and culturally accepted to be a part of the nation and those who are not.

Billig (1995) also views 'nation-state' in a similar light. Nonetheless, Billig stresses the reproductive nature of nations through ordinary activities and attitudes such as 'beliefs, assumptions, habits, representations and practices' (1995: 6). Nations and nationalism have been reproduced in lives and daily habits, so much so that they have been normalised and widely accustomed to the lives of its nationals. Linking to Anderson's argument, the 'imagined' facet of nation and nationalism has been almost unobtrusively embedded and become a part as essential as a limb to individuals, without which a person will not be complete. This discussion is directly related to the issue of citizenship and statelessness which will be expanded in 2.4.

It may be suitable to end the discussion on nation-states with Chalian's (1989) argument that the formation of the modern-day nation state is to be blamed for the

emergence of ethnic conflicts that causes in the modern world order. According to Chalian:

The nation-state (which dates from the late eighteenth century) is a construct which we now take for granted as a 'natural' or eternal political state of affairs. But until the beginning of the modern industrial era, centralized authority had great difficulty in holding on to power and authority over long distances. Political boundaries tended to be fluid. It is only in recent times, with the rigid definitions of political boundaries and the advent of centralised government within those political boundaries, that 'minority people' have become the political 'problems' we know today....The concept of the nation-state arose against the background of this view vision of the world. This model saw itself as democratic since it was based on the principle of the sovereignty of the people. But it had a built-in limitation: when nationalist ideology becomes aggressive, the result is the exclusion, rejection and even debilitation of the nationalism of others (1989: 1).

In the next section, the nation-building processes in Southeast Asia will be used to illustrate how nation-states are purposefully built in order to strengthen the political sovereignty of a state, as well as to fortify 'nationalism' for the sake of 'nation-building.' However, the greater impact of nationalism is not only on the building of nation-states, but also on the creation of inclusion and exclusion criteria of who can and cannot be a legitimate part of a nation.










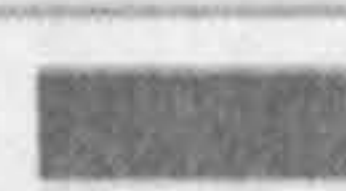







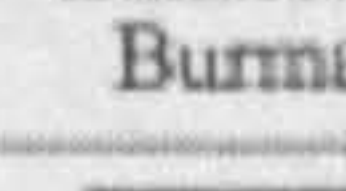







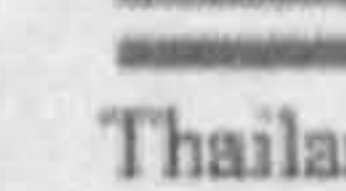
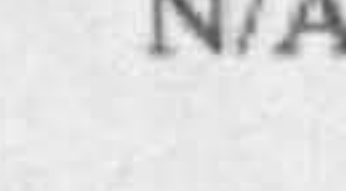
2.2.3 The emergence of nation-states and nation-building in Southeast Asia

By engaging with previous theoretical debates on nation-states, this section will present the example of the nation-state building processes in Southeast Asia with the purpose of challenging the argument that nations are natural, by backing up the modernist argument that nation-states are created purposefully with an aim to build a sovereign political institution. Southeast Asia is a region which has undergone a series of nation-building processes (Derichs and Heberer 2006, Anderson 1995). Indeed, as Derichs and Heberer point out: '[i]n Asia and particularly in the post-colonial nation-states of South and Southeast Asia, however, nation-building has been a constant part of the political agenda since the 1950s' (2006:1).

The region of Southeast Asia is composed of the following nation-states, (1) Brunei Darussalam, (2) Kingdom of Cambodia, (3), Democratic Republic of East Timor (Timor Leste), (4) Republic of Indonesia, (5) Lao People's Democratic Republic, (6)

Malaysia, (7) State of Myanmar, (8) Republic of the Philippines, (9) Republic of Singapore, (10) Kingdom of Thailand, (11) Socialist Republic of Vietnam (Owen 2005: 6). All nation-states in Southeast Asia, except Thailand, have been colonised by Western colonialists (see Table 2.1).

Table 2.1: Colonisation and Independence years of the Southeast Asian nations

Nation-states	Colonisers	Year of Independence
 Brunei Darussalam	 UK	1984
 Cambodia	 France	1953
 Timor-Leste	  Portugal Indonesia	 1975  2002 Portugal Indonesia
 Indonesia	 The Netherlands	1945
 Laos	 France	1949
 Malaysia	 UK	1957
 Burma	 UK	1948
 Philippines	  Spain US	 1898  1946 Spain US
 Singapore	 Malaysia	1965
 Thailand	N/A	N/A
 Vietnam	 France	1945

(Compiled from CIA – The World Fact Book 2007)

Colonialism is thus the major element that affects the nation-building processes of nations in Southeast Asia. Colonialism in the region started in the late 18th century (Owen 2005:75). The impact of colonialism in the region was immense especially as a result of the demarcation of geographical boundary, as Owen observes:

One important effect of colonialism was that the region was broken up into units that seemed to many local people arbitrary and irrational. The Malay-speaking island of Sumatra was cut off from the Malay Peninsula as Sumatra fell under Dutch control and the British came to dominate the peninsula. Similarly, Lao states that had been closely related to the Siamese court were taken over by France and drawn into a Vietnamese administrative orbit, while parts of Borneo inhabited by similar ethnic groups were split between British and Dutch control (2005:78).

What colonialism has brought about in the region is the creation of geographical boundaries, and even after a series of struggles for independence by Southeast Asian nation-states, the newly-independent nations are left with another struggle to build a sovereign nation-state with full (political, economical, social and cultural) independence. This process is made it more difficult because of the 'irrational' geographical lines that have been drawn.

As Frey *et al.* (2003: viii) state, decolonisation in Southeast Asia lasted for a long period of time, beginning in the late nineteenth century and did not end despite nations' independence in the 1940s- 1960s. It continued until the 1960s with strands of modernised projects, including nation-building, the creation of cultural hegemonic identity, economic development and bureaucratic and administrative structuring. However, the complexity of the outcome of western colonialism in Southeast Asia is beyond what this section can comprehensively cover. Instead, this section will only focus on the impact which colonialism has had in relation to the creation of independent and sovereign nation-states.

Nationalism is commonly used in Southeast Asian nations as a political mechanism to facilitate the nation-building processes. After independence, it was quite common for Southeast Asian nations to come up with different political mechanisms aimed at re-building their collective national identity by using various symbolic tools. Adopting Anderson's analysis on 'imagined community,' it can be illustrated that 'nationalism,' 'patriotism,' and the love of one's own nation are 'imagined' and created through various forms of political propagandas. Alongside nation-building processes, modernisation was also a component which Southeast Asian nations adopted in order to gain their independence as well as dignity as a 'modernised' nation. Take for example, the Philippines, as Tarling explains:

Three times independent, the Philippines has had more than three constitutions. 'Filipino citizens!' proclaimed Aguinaldo's manifesto on 31 October 1896. 'We are not a savage people, let us follow the example of civilized European and American nations...Let us march under the Flag of the revolution whose watchwords are Liberty, Equality, and Fraternity!' (2004:167).

Thailand, although never having been under Western imperialism⁷, has also undergone a series of nation-building processes, aimed particularly at fortifying the unity of the nation. In Thailand, the process of nation-building was subsumed under the tool of 'nationalism.' The monarchy, in particular, has played a substantial role in reinforcing nationalistic messages. King Vajiravudh, the founder of Thai nationalism, produced a series of plays to promulgate nationalistic sentiments. As Vella (1978: 249) explains: '[t]he nationalistic message is loud and clear in many of Vajiravudh's most famous plays..., the main theme is the necessity for the Thai to be united, to put their nation first, to love their land, their religion, and their king above all.' (Further discussion will be in chapter 4).

Nationalism can also be exhibited in the form of economic nationalism as a way to build up an independent economic state. Lindblad (2003) uses the case of three Southeast Asian nations (Indonesia, the Philippines and Malaysia) to illustrate how these nation-states' strive towards industrialisation in order to achieve not only political independence but also economic independence. By so doing, these three nations, Lindblad (2003: 49) writes, 'assert their national identity in economic life as well as other spheres.' Different facets of nationalism will be considered in the next section. However, it is important to note here that Southeast Asian nation-states have been using economic nationalism as a strategy to decolonise and to achieve their independence through the means of economic prosperity. Indeed, this process is not restricted to the three countries that Lindblad uses. An emphasis on economic development in order to boost the country's economic growth has been central to the Thai Economic and Social Development plans since the 1960s. (Further discussion on this will be expanded in chapter 3.)

⁷ Even though Thailand has never been directly colonised, under various economic and political agreements, Thailand in the 19th and early 20th centuries has under the imperial power. Thongchai (2008: 584) calls the Thai colonial status as a 'semi-colonial' condition.

Additionally, nation-building in Southeast Asia is very much an elite project. As Derichs and Heberer argue:

Concurrently, the political elites attempted to create a shared national consciousness by means of ideological patters. 'Chinese', 'Vietnamese' or 'Burmese' socialism, Singapore's 'national Ideology', the Indonesian concept of Pancasila, the Malaysian Rukunegara or the Melayu Islam Beraja of Brunei imply an overarching and integrating function. Strikingly, there are strong commonalities between those ideological concepts, such as an imagined solidarity between different ethnic groups within a given country, development on the basis of equality and assuring a minimal basic living standard for every citizen; a consensus principle in political discourses; ensuring popular welfare by the state; exclusion of parallel political power structures; the perception that the state (or the leading party) is representing the nation, thus identifying the state with the nation (state nationalism); and the integrative function of the military within the nation (2006:8).

According to Tarling, nationalism in Southeast Asia, 'has not only been a means to create a state: it has also been a means to sustain one, evoked in a struggle with other states or as a means to consolidate a regime or both' (2004: 162). In the next section, the theoretical debate of nationalism will be explored, with an aim to illustrate the inclusionary and exclusionary nature of nationalism as an 'ideology.' The impact of nationalism indeed does not subside over time but fortifies and expands into various forms. The complexity of the question of nationalism and its impacts live on to the modern era and embed in the daily life of ordinary living.

2.3 Debating Nationalism

As argued in 2.2, nation-states are believed to originate from 'nationalism,' which is regarded as a political ideology or mechanism that states or the ruling elites use to create cultural homogeneity, control over diverse ethnic groups, and to build up a hegemonic and sovereign nation-state (Kolstø 2006, Wimmer and Min 2006, Maiz 2003, Biswas 2002, Billig 1995, Anderson 1991). However, as with nation-states, academic authors interpret the meaning of nationalism differently. This section will attempt to deconstruct the theoretical understanding of nationalism by relating it to the three key theories of nation-states: primordialism, perennialism and modernism. Nationalism will be categorised into three groups: cultural nationalism, political nationalism and economic nationalism. Cultural nationalism will be linked to the

primordialist and perennialist theories of nation-states whose main focus is on the impact of 'ethnicity' on belonging, nationality identity and patriotism. Political nationalism can be seen to be connected to the modernist theory on nation-state theories in which nation-state is built by various political apparatuses. Very much reflecting what was discussed in 2.2.3 on nation-building in Southeast Asia, new nations, especially during the post World War II era, are a vivid illustration of how states use 'nationalism' (which includes the use of symbols, national anthems, propaganda through the media, education and socialisation) to unify the nation. Political nationalism provides a useful analytical framework in this thesis since it relates to the way in which the Thai state enforces itself through a long series of nationalistic projects. Thai nationalism is very much embedded in the most inner foundation of the Thai mentality – 'the benefits of the Thais always have to come first' (MOL 2007).

2.3.1 Defining nationalism: the development from cultural, political to economic nationalism

'Nationalism' is an ambiguous ideology, and again like nation-states, the concept is constantly changing through time. As Kohn argues 'nationalism...has its good and its evil aspects' (1962: 12). Hall writes that 'nationalism was blamed for the onset of war in 1939' (1998:1). Nationalism can also help to integrate or build a nation-state and to unite the 'nationalistic' force to drive out colonialism, as was the case in much of Southeast Asia (Tarling 1998: 75). 'Nationalism' will be examined from the most simplistic account, which relates it simply to ethnicity, through more developed accounts linking it to culture and politics and finally in terms of accounts that link it to the global economy.

2.3.1.1 Nationalism from cultural perspectives

As indicated earlier in this chapter, cultural nationalism is linked to the primordialists and perennialists in a way that values the importance of ethnicity, cultural heritage and shared identities in the formation of sovereign nation-states. Hutchinson defines cultural nationalism as follows:

...the cultural nationalist perceives the state as an accident, for the essence of a nation is its distinctive civilization, which is the product of its unique history, culture and geographical profile...Nations are primordial expressions of this spirit; like families, they are natural solidarities. Nations are then not just political units but organic beings, living personalities, whose individuality must be cherished by their members in all their manifestations (1987: 122).

Linking ethnicity to nationalism as a form of group loyalty and belonging may be a good starting point to understand how human beings initiate their relations and expand them into a more structured and organised human community in the form of a nation. Van Den Berghe (1978) uses a socio-biological perspective to understand the initiation of ethnic/race relations within a society which later expands to a nation-state. The integral part of his argument concerns the formation of human communities or, in a more advanced context, nation-states. These are formed from three mechanisms, namely: kin selection, reciprocity and coercion (Van Den Berghe 1978: 102). By kin selection, he refers to the fact that people form as a group because they possess collective identities such as race, ethnicity and heritage. Reciprocity occurs when individuals within that particular society have a reasonable hope of receiving benefits themselves when they benefit others (Van Den Bergh 1978). Coercion, however, 'is the use of force for one-sided benefit, that is, for the purposes of intra-specific parasitism or predation' (ibid: 97). Interestingly, Van Den Bergh argues that 'coercion' is a frequent method that multi-ethnic states have to use in order to overcome ethnic diversity within their nation. It seems as though Van Den Bergh believes that human beings have evolved to be best-adapted to co-operate with others who share features such as ethnicity, race and heritage, and thus multi-ethnic societies are unlikely to survive.

The socio-biological perspective has been seen as a useful starting point for understanding how human communities and collective identities are formed. However, such an approach fails to explain how multi-ethnic societies, such as the United States of America or the United Kingdom do survive, if patriotism can be created solely by common ethnicity or heritage. In more contemporary theory, cultural nationalism is seen as a political mechanism which unites its population through the shared sense of cultural identity. Gans argues that:

[C]ultural nationalism is a nationalism according to which members of groups sharing a common history and societal culture have a fundamental, morally significant interest in adhering to their culture and in sustaining it for generations (2003:1).

What is significant to Gans' approach to cultural nationalism is that he argues that there are various manifestations of cultural nationalism (2003: 26). On one hand, cultural nationalism is seen as 'statist nationalism' which refers to the principle that 'in order for states to realize political values such as democracy, economic welfare and distributive justice, the citizenries of states must share a homogenous national culture' (Gans 2003:7). On the other hand, Gans conceives of cultural nationalism in the contemporary context, in which multi-ethnic or multi-cultural societies prevail, as an ideology through which cultural pluralism within a nation-state should be treated with respect in order to secure an individual's freedom to adhere to their culture (2003:173). Thus, Gans posits the double-edged feature of nationalism in the cultural perspective: that it can either restrict people's autonomy to display their identity and conform with their national identity enforced by their state, or it gives people an opportunity to enjoy the liberty to hold on to their identity and culture. The latter approach has been seen as a norm in a modern society where multiculturalism is celebrated and looked upon as an end to aim at for a society in which people can enjoy the freedom to adhere to their identities.

What is relevant to the analysis of cultural nationalism with regards to this thesis is how Gans opposes the notion that states use national culture to eradicate subordinate minority ethnic, cultural or religious groups. The argument is echoed by the analysis of Leerssen:

Nationalism is the 'cultivation of culture', which involves the invention and recontextualisation with 'language; folktales, history, myths and legends, proverbs, ancient tribal, legal antiquity, mythology, antique heirlooms (2006: 568).

Leerssen also emphasises that cultural nationalism is used as a political instrument aimed at fostering 'modern needs and values' (2006). It could be argued that this approach sees cultural nationalism as a political instrument for cultivating 'national collective identity,' which parallels with 'political nationalism' This will be extensively discussed in the next section. However, it is important to note here that

the theoretical distinction between cultural and political nationalism appears to be very blurry, particularly in the contemporary context.

By looking at 'nationalism' in an interdisciplinary approach (Özkirimli 2005), it can be seen that manipulations of 'nationalism' are visible in all aspects of nation-states, from social, cultural, political to economic. Again, 'the cultivation of culture,' implemented through a series of well-managed nationalism projects in Thailand, proves to be one of the most apparent cases where nationalism prevails and 'normalises' in every aspect of the Thai State. In the next section, the discussion of how 'nationalism' is frequently used as a political tool will be extensively analysed on the ground of political nationalism approach.

2.3.1.2 Nationalism from the political perspective

From the political perspective, nationalism is seen to have a direct relation to the emergence of modern nation-states. As emphasized in the previous section, nationalism is frequently used as a political tool that states use to unite a nation-state, suppress minority differences and demarcate their nation-states from other ones. Ignatieff summarises the multifaceted nature of nationalism:

As a political doctrine, nationalism is the belief that the world's peoples are divided into nations, and that each of these nations has the right of self-determination, either as self-governing units within existing nation states or as nation states of their own. As a cultural ideal, nationalism is the claim that while men and women have many identities, it is the nation which provides them with their primary form of belonging. As a moral ideal, nationalism is an ethic of heroic sacrifice, justifying the use of violence in the defence of one's nation against enemies, internal or external (1994:3).

Conceiving of nationalism as a political tool enables us to see how the ruling elites use political power in order to unify a nation state. Breuilly argues that 'nationalism is best understood as an especially appropriate form of political behaviour in the context of the modern state and the modern state system' (1993: 1). Connecting to Giddens' analysis of nation-states as 'power-containers,' Breuilly also posits that nationalism is all 'about politics and politics is about power' (Breuilly 1993:2). States utilise 'nationalism' as a way to control their sovereignty, security, or national cohesion. Often, states promote 'nationalism' as an utmost fundamental

characteristic of being a good citizen under the guise of patriotism and love and loyalty for one's nation.

By following Anderson's notion of nation-states as 'imagined communities,' nationalism can be seen as 'imagined' in the same way as nation-states. This approach makes instrumental use of nationalism as a 'cultural engineering strategy' (Breuilly 1993:278), that there is an imaginary component to nationalism has been argued by several scholars. Benhabib, for instance, argues that 'nationalism is constituted through a series of imaginary as well as very real demarcations between us and them, we and the others' (2004:18).

Building on this discourse, it can be argued that nationalism is created for the exclusion of non-citizens and to create the category of 'the other.' Ignatieff argues that:

Nationalism is the transformation of identity into narcissism. It is a language game that takes the facts of difference and turns them into a narrative justifying political self-determination. In the process of providing legitimacy for a political project – the attainment of statehood – it glorifies identity. It turns neighbours into strangers, turns the permeable boundaries of identity into impassable frontiers (1999:96).

Reflecting on how the notion of nationalism underlies Thai labour migration policies, this thesis will explore the way in which nationalism is used as a political tool to homogenise its citizens and to include the 'chosen' ethnic minorities (i.e. the Chinese) while excluding other populations (such as the hill tribes or irregular migrant workers). Political nationalism is a useful approach to adopt as it deconstructs the ways in which the Thai nationalist project has been so successful that it is embedded in every aspect of Thai life. Thai nationalism is the basis of the formation of Thai ethnic identity and is so 'normalised' in the Thai ways of living that it comes as no surprise that most Thai people consider 'nationalism' to be synonymous with 'patriotism,' which is often seen as a desirable quality of a good citizen. Further discussion regarding the normalisation of Thai nationalism will be extensively analysed in chapter 4 and again in chapter 7.

To understand more clearly how nationalism can create the normalisation and socialisation of a nation's citizens, and the invention of collective national identity, it may be useful to look at the way in which states utilise different approaches to create nationalistic sentiments. Billig, for instance, refers to the phenomenon of 'banal nationalism' whereby "daily, the nation is indicated, or 'flagged' in the lives of its citizenry. Nationalism, far from being an intermittent mood in established nations, is the endemic condition" (1995:6). The banality of nationalism can be said to be the mechanism by which it has been normalised and explains why its exclusionary or discriminatory nature has barely been challenged by its citizens. By referring back to the previous argument on cultural nationalism, the means through which states foster nationalism can be seen to include: the (re)invention of history, language, myth and folklore (Leerssen 2006); education; propaganda; national symbols such as flags; national anthems and mottos (Billig 1995).

With regard to histories, Marx (2003) argues that nationalism happens *via* nation formation processes, in which the revival of histories and memories of the past influence the way in which the contemporary exclusionary nature of nationalism exists. He argues that 'if inclusive nationalism was built on a foundation of earlier exclusion, then that later consolidation cannot be understood without reference to such earlier processes too often forgotten or seen as irrelevant' (2003: ix). In a more systematic manner, the socialisation of the history of nation-states can be achieved through the means of education. Marsden's work shows that the educational system has been frequently used to propagate nationalism:

The assertion that history and geography textbooks have exercised a negative influence on attitudes towards other countries is of long standing. It manifestly derives from conceptions of nationhood, national character and national identity, which have in turn spilled over into aggressive forms of nationalism, and have injected their 'poisons' into social and political attitudes, and thence into the educational system (2000: 30).

From Billig's perspective, the use of national symbols such as flags, national anthems or mottos, can be seen to intensify nationalism through its banality. In Thailand, for instance, nationalism has never been at the periphery of the Thai nation-state. It is so much normalised that few Thai citizens can see the (possibly) negative consequences. The issue of Thai nationalism will be further explored in

Chapter 4 and again in Chapter 7. In the next section of this chapter, economic nationalism will be discussed in the context of economic globalisation, industrialisation and capitalism.

2.3.2 Economic nationalism: increasing national productivity through the use of irregular migrant labour

Economic nationalism links the intertwined relations between nation-states, nationalism and economy. Helleiner and Pickel describe economic nationalism as ‘typical relationships between national identity and economy’ (2005:11), and it involves ‘examining how national identities and nationalism shape economic policies and processes’ (ibid: 221).

The Thai state uses the push-pull economic theories of migration to justify the increasing demands for migrant labour for labour shortage industries, such as fisheries, fish processing, construction, and housemaids (MOL 2007). However, irregular migrant workers in Thailand do not always work in these labour shortage industries. Some, for instance, work in the garment industry, which is not regarded as a labour shortage sector. An element of the management of irregular migration policy also involves relocation of factories to border provinces in order to increase the access to irregular migrant workers (ibid.). All of these components of the Thai irregular migration management policy illustrate how the Thai state facilitates the use of irregular migrant workers to occupy the so-called 3D (Dangerous, Dirty and Degrading) jobs, and permits employers to maltreat irregular migrant workers by the weak enforcement of the rights of migrant workers to be protected under Thai law. This will be extensively discussed in Chapter 6. The registration of migrant workers is a process by which employers are able to legally employ migrant workers. The registration policy comes with the Thai government’s assurance that registered migrant workers would be protected by the Thai Labour Law of 1988 (MOL official 2006). However, as detailed in Chapter 1, the field visits in Mae Sot and Samutsakorn revealed a range of incidents in which employers infringed migrant workers’ labour rights particularly with regard to wages well below the legal minimum wage and the working hours which were often more than double the legal maximum limit. This is supported by other research (see Chapter 6).

Despite the Thai government's promise to protect the rights of migrant workers, the gap between what is stated in the policy and in practice is very visible. The weak enforcement of regulations suggests that the Thai state is turning a blind eye and this permits the violation of the labour and human rights of migrant workers. During an interview with a MOL official in 2006, it was justified as follows:

'this is for the benefit of the Thai economy and the Thai people and we [the Thai government] have been generous enough to allow them [migrant workers] to work in the country. The life here in Thailand is already way better than the life in their countries' (MOL official 2006).

This can be seen as a form of 'economic nationalism' from an international political economy perspective, which defines economic nationalism as policies which centre on the protection of national economic interests. Nakano argues that economic nationalism can be seen as compatible with economic liberalism, by which he means:

Economic nationalists may support a free trade policy so long as it can contribute to their national interests. By the same token, economic nationalists may pursue mutual gain among nations as long as the power of their own nation is not threatened, and whether this will be so depends on circumstances (2007: 60).

This makes clear how capitalist nation-states, as well as their citizens, often regard economic nationalism as beneficial to their national economy. Economic policies, hence, are viewed as disrupted from social, cultural and political policies. It can be argued that this is the reason why ethnic discrimination occurring within an economic policy framework (such as Thai labour migration management) is regarded as rational, or else, neglected in the policy discussion.

However, parallel to the discussion of cultural and political nationalism, economic nationalism can also be seen as a form through which states exercise their nationalism projects *via* what Gellner calls the 'ethnic division of labour' (1997: 29). Intensified by rapid economic globalisation and global market competitiveness, nation-states have to fight against one another in order to build successful economies. One way of achieving this goal is by the use of cheap migrant workers to lower the production costs as much as possible (see Massey *et al.* 1994).

Hence, economic nationalism, similarly to political nationalism, has a significant role in demarcating the inclusion and exclusion of peoples and in influencing who receives full benefits and who does not. If nationalism is about exclusion, it can be argued that citizenship should be inclusion. This will directly link to the next section; citizenship will be explored theoretically by deconstructing its meanings and implications which will build on to a discussion of how citizenship has important implications for the rights of irregular migrant workers.

2.4 Making sense of citizenship: the inclusionary nature of citizens and implications to the ‘rights’ of migrant workers

With the concepts of nation-states and nationalism, the meaning of citizenship is unresolved and always under revision. The first part of this section will present different theoretical understanding of citizenship, from a more conservative approach to a post-national approach that argues that economic globalisation undermines the traditional view of citizenship (Sassen 2005; Tambini 2001). This theoretical debate will be focused on the inclusionary versus exclusionary nature of citizenship. Despite the arguments that the meaning of nation states has been weakened as a result of economic globalisation, the significance of having or not having citizenship is immense to the lives of irregular migrant workers, particularly in the Thai context. As with the lack of access to Thai citizenship, the rights and dignity of migrant workers as well as their children and families are much restricted.

According to Jonoski and Gran, citizenship can be defined as ‘passive and active membership of individuals in a nation-state with universalistic rights and obligations at a specified level of equality’ (2002: 13). They provide a useful unpacking of the definition into the four main aspects of citizenship, namely:

- 1) Citizenship begins with determining *membership* in a nation-state;
- 2) Citizenship involves *active* capacities to influence politics and *passive* rights of existence under a legal system;
- 3) Citizenship rights are *universalistic rights enacted into law and implemented for all citizens*, and not informal, unenacted or special rights;
- 4) Citizenship is a statement of *equality*, with rights and obligations being balanced within certain limits (2002: 13-4).

Their approach stresses the rights and obligations deriving from being a political or legal member of a nation-state. Formally speaking, being a political citizen in a nation-state denotes the rights to political participation (in the forms of voting, forming political groups and ability to access information) and the rights to be protected by the state as an equal citizen. The dimensions of the rights to citizenship are varied according to nation-states and the political systems in which they exist. Here, I will not focus on the multi-layered dimension of how citizenship is understood similarly or differently amongst nations, but more on how political citizenship as a concept has created the inclusion and exclusion of citizens and non-citizens. This is to illustrate how political citizenship as an institution presents an obstacle for non-citizens, especially labour migrants, to assimilate.

Smith (2002) argues that in the modern world, citizenship has been viewed and represented in a different light. Indeed, the political participation as an equal citizen (specifically in democratic states) is an integral part in citizenship, yet the concept of 'citizenship' has gone beyond the idea of straightforward legal and political participation; rights; and the obligations that a citizen has to conform. He argues that:

Ironically, it seems that as citizenship has become ubiquitous, it has also become depoliticized, at least in so far as participation in formal self-governance is concerned. It is now more and more understood purely ... as an entitlement to legal protections and rights, of which political rights are the least important; as a label for membership in a whole variety of human associations; and as a normative conception of what good membership in all those groups involves (2002: 112).

Smith's argument has reconfigured the 'traditional' understanding of citizenship and embraced the developments and changes in the global arena in which the contemporary central agenda today has shifted to the growth of transnational economic cooperation. It seems likely that globalisation and the growing expansion of the international economy have lessened the importance of political or participatory citizenship and allowed for the flexibility of state sovereignty, not least by admitting non-citizens to reside and supply labour for the national economy.

In a similar light, Benhabib (2004) argues that in the contemporary era, the meaning of 'citizenship' has become pluralistic, disintegrated and diverse. The former

understanding that there is one universal category of citizenship, which is 'national citizenship' no longer proves to be sufficient as with the impact of globalisation and the influxes of international human migration, 'citizenship' as a concept is understood to go beyond the legal sphere, and the concept of 'citizenship' has to be expanded to accommodate the diversity and variety of life experiences that are affected by this political membership. Tambini (2001) agrees with Benhabib's argument on the decline of 'national citizenship' because of 'globalisation, mobility of capital, cultural denationalization, migration and transnational institutions' (Tambini 2001: 198-99). However, Tambini argues that the transformation of citizenship will be towards 'active citizenship,' which will 'rely more on bureaucratic policing of belonging than on national or cultural identity' (2001: 212).

The notion of 'citizenship' has been expanded, at least in academia, to accommodate the rapid changes in the global arena posed by various globalisation processes. Feminist scholars, such as Yuval-Davis (1997) and Lister (1997), offer an analytical citizenship discourse that seeks to accommodate 'differences.' For instance, Yuval-Davis argues that:

...citizenship needs to be understood as a multi-layered construct, in which one's citizenship is collectivities in the different layers – local, ethnic, national, state, cross- or trans- state and supra-state – is affected and often at least partly constructed by the relations and positionings of each layer in specific historical context (1997: 122).

Yuval-Davis argues that states need to deconstruct the meaning of citizenship to more than simply national or political membership. As was discussed in 2.3, similar to nationalism, the central aspect of citizenship focuses on its inclusionary and exclusion nature. Lister (1997) argues that:

The greater or lesser ability of certain groups to act as citizens and the degree to which they enjoy both formal and substantive rights as citizens depends on where they stand on a continuum of inclusion and exclusion which, at the extreme, represent the two sides of citizenship's coin (1997:36).

However, it is important not to conclude that legal citizenship is of no use in the assurance of rights and dignity. In the extreme case of stateless people, for example, access to citizenship means the rights to be accepted, respected and to exist in a state.

Somers argues that citizenship means the 'right to have rights', without which one will become 'the scum of the earth' and be prone to become 'economic victims' (2006: 60). By linking the lack of citizenship with the victimisation of the global economy, Somers argues that citizenship has been commodified by economic policies: 'citizenship' and 'social and political inclusion' are traded with duties to serve and facilitate the receiving state's economic prosperity. The commodification of citizenship has transformed 'citizenship' to an artefact which legitimises the presence of stateless people or labour migrants in the receiving state, yet still denies them the rights to enjoy freedom and political participation in the same way that 'full citizenship' bestows. Somers argues that citizenship is still restricted to the civil and political rights which would consequently provide an individual with the whole set of rights, opportunities to education, welfare and protection from their state and more importantly a foundation of one's identity. Interestingly, this argument appears to bring us back to the definite notion of nation-state and citizenship that contemporary scholars seem to reject. My argument is that citizenship in the modern world has become multi-dimensional and complicated by the forces of globalisation and the challenges to state sovereignty and national security. It is indeed insufficient to ignore or completely renounce the political and civil notion of citizenship as this has been fundamentally embedded in societies through the long journey of history and development. Citizenship still plays an immense role in shaping an individual's identity and demarcating different groups of populations. Citizenship may not be sufficient to guarantee rights and equality of an individual, yet it still serves as a necessary door to access a whole set of rights and opportunities for individuals in their own states, or the states to which they have migrated.

2.5 Conclusion

This chapter has examined how nation-states, nationalism and citizenship are to be understood theoretically. I have attempted to demonstrate the impact that nation-states, nationalism and citizenship have upon the inclusion and exclusion of populations. This forms the theoretical background for addressing the implications that Thai nationalism and Thainess have on the formulation of the irregular migration management policy in Thailand.

We started with the nation-states debate. The distinction between nation and nation-state has been emphasised to clearly differentiate *nation* as a form of community deriving from shared ethnicity (Smith 1998) or shared historical past (Guéhenno 2000), from *nation-state*, as a form of political institution. This distinction explains the ‘power’ that states have over nations (Giddens 1985). When we moved on to consider nationalism, we saw the power that states wield through propagating nationalism and creating collective national identity. Showing that the power of states is partially grounded in the project of nationalism allows us to critically question the grounds of nationalistic sentiments. In the context of nation-state and nation-building (as illustrated in the case of Southeast Asian nations), nationalism is used as a political tool that states utilise in order to achieve their goals, whether it is in the name of national security, social cohesion or economic prosperity.

The second strand of the discussion focused on different theoretical understanding of nationalism. Although some scholars (e.g. Van Den Berghe 1978) believe that nationalism occurs ‘naturally’ as a result of shared ethnicity and heritage, others (Leerssen 2006; Özkirimli 2005; Benhabib 2004; Billig 1995; Ignatieff 1994; Breuilly 1993) believe that nationalism is driven and engineered by states. Through various forms of nationalistic propagating, nationalism is ‘normalised’ and embedded in the identity of citizens. Often, nationalism is fostered as patriotic sentiments, which are seen as an integral feature of being a good citizen. Thailand was shown to exemplify such a process, since nationalism has been so deeply rooted in the mentality of Thai people that challenging Thai nationalistic symbols (Nation, Religion and Monarchy) is seen as unacceptable, or almost intolerable. This section concluded that nationalism is a mechanism that states use to create the criteria of good (and unthreatening) citizens, where citizens are the chosen ones.

The third strand of the discussion in this chapter provided an analysis of the theoretical understanding of citizenship. It was shown that the meaning of citizenship needs to be expanded from the restricted notion of citizenship as political or legal membership of a state, to the academic interpretation that citizenship should be viewed as multi-layered (Yuval Davis 1997). It can be argued that the unpacking of citizenship in contemporary work is a theoretical attempt to provide a larger frame of citizenship that accommodates populations (such as migrant workers, refugees,

ethnic minorities and stateless populations) that are not included, politically and legally, in nation-states.

The theoretical discussion provided here will pave the way to a better understanding of the Thai nation-state, nationalism and citizenship. The power that the Thai State holds in the cultivating of nationalism is influential in every aspect of Thai life. The rationale behind the management of irregular migrant workers derives from the Thai nationalistic mentality that the benefits of Thailand have to come first, which means prioritising the prosperity of the Thai economy. Yet, the resulting economic growth, is secured by means of unfair and discriminatory treatment towards irregular migrant workers, facilitated by the irregular labour migration policy regime which has been designed to allow employers to legally employ migrant workers, without any attention paid to ensure that the labour rights protection and welfare of migrant workers are secured. A more extensive discussion of this issue is provided in Chapter 6. Despite the migrant workers (and their families') long-term residence in Thailand, and their contribution to the economy, they are not provided with the opportunity to be politically and socially included by citizenship provision. In the next chapter, the Thai political and economic history will be presented so that the issue of Thai nation-building, Thai nationalism and citizenship, and the long-standing emphasis on economic development programmes can be explored.

Chapter 3:

Thailand's economic history: the transformation of Thailand as a labour migrants receiving hub

3.1 Introduction

This chapter will provide the 'setting' elucidating how Thailand's economic development led to the large recent influxes of irregular migrant workers. The history of Thai economic development can be divided into five stages. Firstly, the signing of the Bowring Treaty of 1855 marked the commencement of the Thai open economy and the entering of global trade (Hewison 1989). Secondly, this was followed by the era of economic nationalism starting from the Thai nation-building period (from 1910-1945) in which the Thai economy was greatly impacted by domestic and global events, including the two World Wars and the abolition of the Thai absolute monarchy. Thirdly, the growth of Thai capitalism officially commenced with the military authoritarian government of Prime Minister Field Marshal Sarit Dhanarajata (1959 – 1963). Under Sarit, the Thai state's role in the economic sphere was changed from the previous state-led industrialisation strategy to export-oriented industrialisation (Brown 2004:70). Fourthly, as a result of the rapid industrialisation and export-oriented strategy, Thailand entered the boom period which lasted from the 1980s until the early 1990s. The rapid economic growth that Thailand enjoyed from the 1980s had a significant impact on the rise in wages and the increase of education enrolment. The discussion will be devoted to the formation and implementation of the National Economic and Social Development Plans and how they have an impact on the facilitation of economic boom. Lastly, the analysis will lead from the economic boom of the late 1980s to the economic crisis of 1997. Emphasis will be given to the implications of the changes in Thai policies in irregular labour migration during the boom period and how they changed as a result of the economic crisis.

3.2 The signing of Bowring Treaty of 1855: capitalist development and the period of 'Modernisation' (1855-1910)

Historically, Thailand, or the old Siamese Kingdom, can rightfully be said to be one of the long-standing 'trading nations' (Lauridsen 2002). Trading and diplomatic relations commenced in the early sixteenth century. As Dixon sums up:

The Portuguese established trading posts soon after their initial contact in 1512; the Dutch from 1602; the East India Company from 1661; and from 1664 French missionary trade and diplomatic links were established. Despite these contacts Thailand remained very much on the periphery of the Western trading rivalries of the sixteenth and seventeenth centuries, and relations with the Western nations were by no means cordial (1998: 28).

Because of the rapid expansion of European imperialism, Siam saw herself situated amidst colonisation threats. Singapore was occupied by the British East India Company in 1819. Malacca was formally acquired by the British in 1824 through the Anglo-Dutch Treaty⁸ and the historical Anglo-Burmese War occurred in 1824-26 (Dixon 1998). The signing of the Bowring Treaty provided a way for the Siamese State to avoid colonisation (Abe and Srawooth 2004, Dixon 1998, Neher 1978).

Prior to the signing of the Bowring Treaty, most trade between the Siamese State and foreign traders was under the absolute control of the monarchy (Ingram 1955). As Feeny (1989) describes it:

Although early nineteenth-century Thailand was predominantly a subsistence rice economy, intra-Asian trade was already significant. Thai exports included high-value, natural-resource-based products such as sticklac, teak, birds' nests, hides, horns, and skins. Increasingly rice became an important export, based on growing demand and changes in shipping technology. Imports were largely luxury manufactured goods, such as silk and cotton textiles, and precious metals. The royal government played an active role in international trade, which formed an increasingly important source of revenue for the monarch (1989: 287)

Despite the continued trade between Siam and the West since the seventeenth century, foreign trade remained rather insignificant to the Siamese rather 'self-

⁸ The Anglo-Dutch treaty of 1824 is an agreement between the United Kingdom and the Netherlands which aimed at settling various issues, including the demarcation of the geographical areas they occupied. As a result of the treaty, the UK claimed Malaca and Singapore (Ho and So 1997).

sufficient' economy until the signing of the Bowring Treaty between Siam and Great Britain in 1855 (Rock 1995, Ingram 1955). The signing of the Bowring Treaty occurred during the reign of King Rama IV or King Mongkut (1851–1868) who, according to Ingram, 'came to the throne in 1851, with the apparent conviction that Siam must learn to live with the Western nations if she was to survive as an independent nation' (1955: 33).

As earlier outlined, the Bowring Treaty was the first step for Siam in entering into the global market and, even more relevantly to the discussion in this chapter, the Treaty had important implications for Siam's export industry (Cohen and Pearson 1998), as it was the first time that the King decided to abolish the state trading monopoly by lowering restrictions and opening opportunities for private and foreign trading (Ingram 1955). The important provisions of the treaty can be seen in box 3.1.

Box 3.1: Provisions of the 1855 Bowring Treaty

1. British subjects were placed under consular jurisdiction. Thus, for the first time, Siam granted extraterritoriality to foreign aliens.
2. British subjects were given the right to trade freely in all seaports, and to reside permanently in Bangkok. They were to be allowed to buy and rent property in the environs of Bangkok; namely, in the area more than four mile from city walls but less than twenty four hours' journey from the city (calculated at the speed of native boats). British subjects were also to be allowed to travel freely in the interior with passes provided by the consul.
3. Measurement duties were abolished and import and export duties fixed.
 - a) The import duty was fixed at 3 percent for all articles, with two exceptions: opium was
 - b) to be free of duty, but it had to be sold to the opium farmer; and
 - b) Articles of export were to be taxed just once, whether the tax was called an inland tax, a transit duty, or an export duty.
4. British merchants were to be allowed to buy and sell directly with individual Siamese without interference from any third person.
5. The Siamese government reserved the right to prohibit the export of salt, rice, and fish whenever these articles were deemed to be scarce.

(Adapted from Ingram 1955).

Different scholars have commented on various impacts that the Bowring Treaty had on the Siamese economy. Feeny (1989) comments that the Bowring Treaty brought about the signing of similar trade treaty with other Western countries and Japan in

the subsequent years⁹, which greatly changed the face of the Siamese economy, enabling Siam to adopt the free trade regime and fully enter the global economic trading arena. More essentially, the consequences of the Bowring Treaty are not restricted to international trade system: the treaty also had an important impact on the overhaul of the Thai public administration system:

The monarch's subsequent loss of trade revenues and the diminution of the government's ability to raise taxes gave the Bangkok government the incentive to overhaul its system of public administration. The imperialist threat to sovereignty created further incentives to strengthen government, favoring the military and the public infrastructure. Finally, the treaties created the demand for a modern legal system acceptable to the Western powers so that extraterritoriality¹⁰ could be abrogated (Feeny 1989: 288-9).

Tomosugi also emphasised the impact that the Bowring Treaty had on the restructuring of public administration within Siam:

This restructuring was accomplished with the Chakkri Reformation, which undertook reformation of the systems of central and local administration, and extended to liberation...and abolition of the system of corveé labor. It created a state with centralized administration and the relationship of the people to the state became even more direct than before, when the aristocracy and bureaucrats acted as intermediaries. The Reformation was accomplished aimed at the strengthening of national unity in order to avoid becoming a colony of the European powers (1969: 290).

Nonetheless, academic views regarding the outcomes of the Bowring Treaty are diverse, although there is an agreement that it is central to understanding the Thai economic and political history. Hindley (1968) notes that with 'the wisdoms of the Chakkri kings,' Siam escaped the Western imperialism by strategically agreeing to 'changes' and giving up certain sovereign rights to avoid complete colonisation. In contrast, Kasian sees the signing of the Bowring treaty, along with other treaties signed during the 19th Century, as transforming Siam into 'an indirectly colonized dynastic state' through the 'overwhelming military superiority, political influence,

⁹ Siam signed similar treaties from 1856 to 1870 with the following countries, United States, France, Denmark, the Hanseatic Republic, Prussia, the Grand Duchies of Mecklenburg-Scherin and Mecklenburg-Strelitz, Sweden and Norway, Belgium, Italy, Austria-Hungary and Spain (Jackson 2004).

¹⁰ Extraterritoriality provisions provided the rights of the Europeans residing in Siam as well as their subjects (which included Hong Kong Chinese, Saigon Vietnamese, British Malay and British Indians) not to be under the Thai law, but their own laws. The important implication of the extraterritoriality is that the Thai judicial system was 'vastly inferior to those in the West and no Western nation would submit its citizens to Thai legal standards and practices' (Darling 1970: 203).

and economic domination of the colonial powers' (2001:5). He suggests that, with these unequal treaties, the Thai ruling class (i.e. the Monarchy and the elites) benefited greatly from opening up international trade. Somboon (2002) uses a Marxist approach to analyse the circumstances which allowed the ruling class to benefit from the Bowring treaty:

As a part of the world economy, the Thai state now had to adjust and prepare itself to deal with external threats. When the kingdom was forced to open up to international trade, industrial goods from the West flooded into Thailand and domestic industrial goods could not compete with imported ones. Although Thailand had a comparative advantage in producing rice, its terms of trade were deteriorating...The *Sakdina*¹¹ system neither substantially improved the productivity of land and labour nor supported domestic entrepreneurs to compete with foreign imported goods. Most resources were wasted on importing luxurious goods consumed among a ruling class. Underdevelopment inevitably followed. In this sense capital accumulation by Thai capitalists was simply impossible since most resources were being transferred to the centre of the world economy....the ruling class of the *Sakdina* state co-operated with foreign merchants to enrich themselves at the expense of Thai peasants (2002:4).

In sum, the Bowring Treaty not only marked the Siamese economy's entrance into the global trade but also, because of the conditions attached to the Treaty, it forced the Siamese Kingdom to adjust and restructure its public administration, as well as its economic and political organisation. As Somboon (2002) and Kasian (2001) argue, it is also very important to consider the ways in which different groups responded to the new circumstances and opportunities created by the treaty:

...the opening of Thailand's economy to international circuits of capital also provided opportunities for social interests within the country to take advantage of changing circumstances. Of paramount importance was the emergence of a domestic capitalist class....Members of the *sakdina* class who, along with their Chinese clients, had gained experience in trading ventures and other activities such as sugar production, were presented with further opportunities to expand their investments following the opening of the economy to international markets. It is notable, therefore, that, rather than emerging as an openly antagonistic class, the new class achieved these early processes of capital accumulation through cooperation with the ruling *sakdina* class in activities such as tax farming, provincial administration and merchant businesses, as well as acting as compradors for western firms (Brown 2004: 17).

¹¹ *Sakdina* is translated as 'Thai feudalism' or the Thai feudal system (Thongchai 2008).

The immediate effects of the Bowring Treaty were visibly seen in Bangkok. Terwiel describes how:

[w]ith the signing of the Bowring Treaty...., a European quarter developed in the south of the city where a long row of wharves marked the Western presence. Consulates, churches, shipyards, warehouses, a sawmill and a customs house soon changed Bangkok in European eyes into a city that had finally joined the race towards becoming a 'civilized country' (2005:161-2).

The opening of the Siamese economy, post-Bowring, led to the increase of import and export activities (Terwiel 2005). The growth of export value increased from 5.59 million baht in 1850 to 198.45 million baht in 1929-20 (Hewison 1989: 41). The goods that Siam was primarily exporting after the signing of the Bowring Treaty were rice, teak, tin, sugar and rubber (Pasuk and Baker 1997). Wisarn summarises the growth of exports after the Bowring treaty:

Trade liberalization led to expansion of rice production and export, particularly in the Central Plain area, and the gradual transition from a subsistence-economy to a commercial economy. Rice became the top export item. About one half of rice production in 1870 was for exports. Rice production increase was due to an expansion of the cultivation area under irregularity investment. Other important exports were teak and tin. As a result of foreign investment in teak logging, Thailand became a major source of teak, sharing one-fourth of world supply in the early 1900s. The commercialization was, however, slow and taking place only in the Central region although the railway installation helped open commercial opportunities for the North Eastern and Northern region. Most farmers tended to protect themselves against risks of food shortage and income instability by remaining the self-sufficient and sold only the surplus. Chinese merchants then played the role of middlemen taking the surplus from Thai farmers to commerce (2002: 4).

However, from the end of King Mongkut's reign in 1868 and during the reign of King Rama V or King Chulalongkorn (r. 1868-1910), the relatively free trade policies and the opening up to the global international trade, as triggered by the Bowring treaty, did not generate the rapid economic growth that the Siamese economy anticipated and hoped for (Warr and Bhanupong 1996). As Warr and Bhanupong argue:

...following the Bowring Treaty, Thai economic growth barely kept pace with population growth, and there was virtually no structural change. Agriculture exports were the main source of both foreign exchange and

government revenue. The agricultural growth was not driven by improved productivity but by the expansion of the cultivated land area (1996: 9).

Thus, the reign of King Chulalongkorn was very much characterised by maintaining the pace of 'modernisation,' and restructuring the country's public administration. The era during his forty-two year reign was filled with intense conflicts with Britain and France that resulted in the signing of the Franco-Siamese Treaty of 1907 and the Anglo-Siamese Treaty of 1909, in which Siam had to relinquish certain territories¹² (see Muscat 1994). Important developments included the renegotiation with Britain and other countries to eliminate extraterritoriality, and certain financial restriction provision, centralisation of provincial administration, introduction of cabinet-style government, education, military and juridical reforms (Muscat 1994, Kulick and Wilson 1992). More importantly, King Chulalongkorn abolished slavery and corvée labour in 1905. As a result of slavery abolition, the demand for Chinese labour increased dramatically for the construction of railway and other infrastructure projects (Muscat 1994: 13). Amidst the severe conflicts with the imperial powers and the urgency to modernise and reform the country, the economy during the reign of King Chulalongkorn did not grow dramatically, but it did grow steadily from the development generated by the Bowring Treaty.

3.3 The economy during the nation-building period (1910-1945)

The period from 1910-1945 was characterised by a series of significant events, including: the birth of Thai nationalism in King Vajiravudh's reign, the end of Thai absolute monarchy in 1932 during the reign of King Prajadhipok (r.1925-1935), the beginning of constitutional government, the emergence of authoritarian military governments, and global phenomena, including the first and second World Wars. In this section, the development of economic policies and their impacts on economic

¹² As a result of the 1909 Treaty, the Malay state was separated into two parts. The northern part (Pattani, Narathiwat, Songkhla, Satun and Yala) remained under the Siamese Kingdom. The southern part (where Malaysia is situated in the modern days) includes Kedah, Kelantan, Perlis and Terengganu were relinquished to the British (Muscat 1994). The separation of the Malay state has been argued to be the root of the present-day insurgency and separatist movements in the South of Thailand. This issue will be further explored in chapter 5.

circumstances will be discussed in terms of the gradual development to the export-oriented industrialisation policy, which was introduced later on in the post-war era. This section will also discuss 'economic nationalism,' which parallels later with the discussion in chapter 4 on Thailand's political history.

The development of industrialisation during Phibun's era and the introduction of Import Substitution Industrialisation (ISI) policies will also be discussed, as well as the failures of these policies (which led to the *coup d'état* in 1958). Under Field Marshal Sarit Thanarat's reign, the Thai economy was restructured and ISI was replaced by export-oriented industrialisation (Dixon 1998). Nonetheless, Phibun's economic development laid an important foundation for the changes brought about by Sarit's regime, which will be discussed in details in the next section.

Primarily, King Vajiravudh's reign appeared to be less interested in the economic side of the state's administration than in modern nation-state building projects, which were achieved through propaganda that he created in order to fortify the hegemonisation of the Thai nation-state (Pasuk and Baker 1997). King Vajiravudh's project of nation-building and the cultivation of 'Thai nationalism' will be further discussed in chapter 4. Nonetheless, here, a brief outline of the economic situation during King Vajiravudh's period is presented in order to further explain the King's 'economic nationalism.'

As a result of the Bowring Treaty and opening of the country to international trade, the exports of rice, teak, tin and rubber were gradually increased (Pasuk and Baker 1997). However, it was the Chinese entrepreneurs who owned these export industries. Dixon, for instance, points out that '[w]hile rice production remained the preserve of small-scale Thai farmers, the marketing, finance, milling, and export of the crop was dominated by the Chinese' (1998: 46). Moreover, the Chinese also dominated the tin, rubber and sugar industries. With the access that the Chinese had to the labour force, they could easily expand their businesses into large-scale industrial sectors (*ibid.*).

The dominance of the Chinese businesses in the Thai economy was highly visible from the beginning of the 1910s. Unlike the previous kings' economic administration

(which tended to positively favour the Chinese merchants) King Vajiravudh's administration was permissive, rather than supportive, of Chinese businesses. As Pasuk and Baker put it:

Colonial firms dominated shipping, insurance, and many of the service functions surrounding the rice trade. The success of the new rice traders came from the ways they dealt with market instability and government indifference. They built integrated businesses. They looked inward to the Chinese immigrant community rather than outward to the government for the support needed to weather the fluctuations of the international economy (1997: 111-2).

It was not only that the state was ignoring the Chinese entrepreneurs' pleas for the government's response to help their businesses, but the Siamese absolutist state, led by King Vajiravudh, was in fact propagating the view that the Chinese were the 'Jews of the Orient' or 'money grubbers.' According to the King under his pseudonym, 'Asvabahu':

There is absolutely nothing the Chinese will not do for the sake of money. No labour is too mean or too degrading for them to perform provided they get money for it. Where money is concerned, the Chinese are utterly without morals, without conscience, without mercy, without pity. They will cheat with a smile at their own cleverness, and rob and murder with utter callousness for the sake of getting a few dollars. In the pursuit of money, the Chinese are fiendishly clever at devising schemes, be it of fraud, robbery or piracy (1985: 80 quoted in Baker and Pasuk 1997: 241).

King Vajiravudh's views not only created a negative vision of 'Chineseness' but, more significantly, created a notion of 'Thainess' that implied that the Thai people conform to a 'higher' standard of conduct. This point draws particularly from the assertion that '*[n]o labour is too mean or too degrading for them [the Chinese] to perform provided they get money for it.*' This can be interpreted as claiming that, in contrast with the Chinese, the Thai people should not provide labour when the jobs are too 'degrading.' The division of labour that is implied in this paragraph still has a significant resonance in Thailand today. The way in which the contemporary Thai state indicates that the irregular migrant workers can only work in the "3-D sectors" reflects the sentiments of King Vajiravudh's propaganda. As a result of 'Thai nationalism' as promoted by King Vajiravudh, certain 'degrading' occupations are still not seen as suitable for the Thai people as such degrading jobs are for foreign immigrants.

The expansion of the Chinese business empire may have triggered the King's hostility towards the Chinese, since the Chinese's wealth placed the monarchy in a shaky economic position, and obliquely stirred the monarchy's fear that the Chinese may extend their economic power to the political sphere. As Muscat argues, the way in which King Vajiravudh promoted anti-Chinese sentiments was geared towards the formation of economic nationalism, which 'was a call for the Siamese to regain control of the economy from foreigners and from the domestic Chinese whom he pictures as comparable to the image of the role of the Jews promoted by European anti-Semitism' (1994: 26). Such promotion had a significant impact on the development of ethnic prejudice in both the Thai socio-political and economic contexts (not only in the 1930s, but up until the present day).

Indeed, the development of economic nationalism was a significant consequence of Siam's financial crisis of 1919-1923, as Terweil explains:

As early as 1916, when the price of silver began to rise, the Financial Adviser warned that Siam's silver coins soon could become worth more than their face value and the danger would arise of people melting down the coins and exporting the silver....The Siamese government [...] refused to act other than by moving officially to prohibit the export of silver. As a result, in 1919 a serious financial crisis developed. In the first place the price of silver...went much higher, hence it became increasingly profitable to smuggle silver out of Siam. The government decided to revalue the baht. Late in 1919 the exchange rate was gradually raised from 13 baht per pound sterling to 9.54 baht. Further, earlier in the year, an unprecedented increase in the price of rice had caused a shortage of currency and the Siamese Treasury had printed massive amounts of banknotes. By the end of the year it also became apparent that Siam's rice crop was failing. The king was forced to prohibit all export of rice, take measures to prevent smuggling, intervene in this crisis and buy and distribute rice (2005:246).

As a result of these events, Siam was in financial crisis. In 1920-1921, export trade was decreasing rapidly, whilst the cost of imported goods rose dramatically as a result of the revaluation of the baht (Terweil 2005). Terweil further commented that instead of King Vajiravudh taking serious action in coping with the country's financial crisis, the king 'retreated more and more into his fantasy world, leaving government affairs to the administrators. Moreover, he tended to regard foreign advisers with suspicion and had reduced their numbers and influence' (2005: 247).

By the end of King Vajiravudh's reign in 1925, Siam was embroiled in political and economic problems, both domestically and internationally. King Vajiravudh's incompetence to solve the financial problems caused further instability to the Siamese absolute monarchy. King Rama VII or King Prajadhipok's (r.1925-1935) reign began with the heavy task of dealing with the problems left by his predecessor. Frustrations over the monarchy's ineffectiveness in public administration triggered a series of revolts, revolutions and coups, for instance, the 1912 revolt, commonly known as *Kabot R.S. 130*, *Kabot Mo Leng* and the 1932 *coup d'état* (See Kullada 2004). Ultimately, the 1932 *coup d'état*, which ended the Siamese absolute monarchy and transformed Siam into a constitutional monarchy, was largely a result of the frustration of business groups, soldiers and civilians who collaborated to form the 'People's Party,' the political group responsible for the overthrow of absolute monarchy (Baker and Pasuk 1997).

The 1932 coup was successful and bloodless. The coup leaders initiated their first Economic Plan (drafted by Pridi Bhanomyong), aimed at promoting economic welfare, creating employment and endeavouring to end poverty. After the coup, however, economic ideological factions developed within the People's Party. While Pridi believed that the purpose of the coup would be to serve the people (by which he meant the rural poor populations), the other side of the party (which was mainly led by the military and supported by the entrepreneurs), argued that the economic priority should concentrate on urban business development, export-import promotion and infrastructure development (Baker and Pasuk 1997: 115). Pridi's argument focused on how 'the state should take over management of agriculture in order to mobilize underutilized labour resources and introduce more productive technology. The government would assume ownership of agricultural land, and turn the cultivators into state employees with salaries and pensions' (Baker and Pasuk 1997: 116).

The radical nature of Pridi's Economic Plan stirred widespread criticism within the People's Party, as well as from the royalists and the public. The purpose of the plan was focused on the rural poor (the majority of the population), rather than the promotion of the urban business development, which would increase their existing

wealth, as well as the disparity between the rich and the poor. Nonetheless, the plan was branded as radical, authoritarian and even communist. Kasian argues that the purpose of the plan was misinterpreted 'out of feigned ignorance, self-interest, or sheer pride, for example, someone who stuck fast to the delusion obtained from marketplace slander that a certain doctrine promoted killings, the confiscation of the rich's wealth and its equal sharing among the poor, community of women' (2001: 36). As a consequence of such criticism, Pridi was sent into 'paid unofficial exile' in 1933 (ibid.), and the People's Party went ahead with the implementation of their version of the economic development plan.

Jacobs sums up the two important components of the People's Party's economic policy:

[f]irst, under the mandate to nationalize the existing commercial economy, the government intensified its control over Chinese commercial and incipient industrial activity. Second, under a positive policy of nationalism, the polity stimulated the expansion of industrial enterprise and a supporting infrastructure in both the public and private sectors of the economy' (1971: 121).

Dixon (1998) argues that the aims of the post-1932 coup economic policy were to eliminate the Chinese middlemen and to take back economic control from the Europeans and Chinese. Hence, the coup's official mandate to remove the economic and political power that the monarchy was monopolising was, in fact, a way for the coup leaders to transfer economic and political power to their own hands. Economic nationalism, an ideology developed during the reign of King Vajiravudh, still prevailed in the economic policy of the coup leaders.

The economic nationalist element in Thai economic policy during the 1930s was directed at the Chinese businesses in particular. In 1938, Prime Minister Phibun Songkhram came into office with the promotion of the economic ideology of 'a Thai economy for the Thai people' (Dixon 1998, Pasuk and Baker 1997). Various economic policies were implemented to take back economic power from the Chinese. For instance, the Thai Rice Company (TRC) allowed middlemen to sell rice directly to the government for export (Pasuk and Baker 1997). In relation to the control of Chinese immigration, the government increased the immigration fee by

600 per cent in 1937, and later (in 1938-9) ethnic Chinese were not allowed to take on various occupations (such as driving taxis, fishing or planting rubber) [Pasuk and Baker 1997: 118].

The anti-Chinese business measures appeared to succeed. As Jacobs (1971: 122) writes, 'measures were enacted which subsidized potential Thai economic competition, restricted the sending of remittances to China and Chinese immigration into Thailand, and either induced or forced ethnic Chinese to become citizens and assimilate.' Furthermore, Jacobs argues that, at one level, the anti-Chinese measures were targeted towards lessening of Chinese economic domination. On another level, the emerging rules restricted the Chinese businesses in a way that enabled the coup leaders to increase their bargaining power with the Chinese. As Jacobs argues:

One reason perhaps is that the government is determined not to encourage the creation of a potential, countervailing, political-cum-economic wedge between the ethnic Chinese community and itself. Another reason probably is that the post-1932 ruling cliques have developed a far more subtle and effective means to achieve their primary goal of economic control of the Chinese while simultaneously satisfying their prebendary needs, to wit, the nomination of clique members and allies to positions of influence, especially as supervisory members of boards of directors, in Chinese or Sino-Thai firms. In return for providing what amounts to a share of profits to influential non-Chinese bureaucrats, the firms are not only politically protected from governmental harassment, but they also gain access to such government favors as the award of lucrative contracts (1971: 122).

Thus far, this section has discussed the development of the Thai economy during the nation-building era. Thai economic policies, during the era from 1910-1945 focused on 'economic nationalism,' which put emphasis on exercising control over the rapid expansion and domination of Chinese business, that derived from Siamese economic openness to global trade from the signing of the Bowring Treaty. Economic nationalism was gradually developed in line with King Vajiravudh's 'nation-state' formation era, in which anti-Chinese propaganda was used to demarcate the distinct division between the 'Thai' and the 'Chinese' as '*the other*.' Economic nationalism was in full bloom in the era of Prime Minister Phibun Songkhram, in which different measures were implemented in order to lessen the economic power of the Chinese. More significantly, it can also be argued that those measures were created so that the

bureaucrats could secure further channels for increasing their political domination and bargaining power over the Chinese.

3.4 Sarit's Regime: the growth of Thai capitalism through industrialisation and export-oriented strategy

From the signing of the Bowring Treaty, through the process of economic integration with the global trade and the process of 'modernisation,' Thailand has gradually transformed the fairly weak economy that it had in the 19th century, to a strong economy as a part of an advanced capitalist state in the 20th century. However, it was not until the 1960s that 'industrialisation' and the adoption of export-oriented strategy was fully taken on, and this changed the face of the Thai economy into one of the most rapidly growing economies in the world during the 1980s (Falkus 1995). This section will briefly introduce the economic policy during the administration of Prime Minister Phibun Songkhram (in premiership from 1938-1944 and 1948-1957), in order to illustrate the Thai economic change from import substitution industrialisation (ISI) to the path of export-oriented industrialisation (EOI) in the 1960s.

After the 1932 coup, the Thai political system was unstable which, as a result, made it appear that 'economic development' was a top priority in the national agenda. From the 1940s – 1950s, the main features of Phibun's administration were the eradication of communism, the promotion and strengthening of Thai nationalism and the alliance with Japan during the Second World War. However, apart from the visible economic nationalism that the Phibun government implemented to reduce ethnic Chinese business dominance, the government also geared policies towards 'industrialisation.' The 1940s-1950s' industrialisation was, however, driven by the Thai state. As a result of economic nationalist measures and the economic ideology of a '*Thai economy for the Thai people*,' state enterprises (or joint government-private sector enterprises) were created in various commercial and industrial sectors. Examples include: the Thai Rice Company (as previously discussed), the Siam Cotton Mill (established in 1935 by the Ministry of Defence), the Bank of Asia for Industry and Commerce (established in 1939), the Siam Steam Navigation Company,

Thai Niyom Phanit¹³, the Provincial Bank, Thai Sethakit Insurance, the National Economic Development Corporation and the Taharn Co-operation Company (by the Army) (Dixon 1998, Baker and Pasuk 1997, Muscat 1994). Varavidh comments that:

[t]he project of the Phibun¹⁴ government was to build up a Thai bourgeoisie to counter the expansion of Chinese capital into the country. But what eventually turned out was that public enterprise became a means to accumulated wealth of the newly emerging military and civilian bureaucrats. Social surplus was drained out of the public sector enabling the State bureaucrats to live much better off than the average (1989: 209).

Nevertheless, a slow process of industrialisation did occur during Phibun's administration. It started off with an emphasis on industrial development for domestic markets or import substitution. Falkus explains the rationale behind the adoption of the ISI during the 1950s:

Reasons for this State involvement included 'export pessimism' in the wake of collapse of the Korean-War boom and falling prices of primary commodities, and a fear of over-dependence on a narrow range of primary product exports (at that time rice, tin, rubber and teak exports still accounted for some 75 per cent of all Thai exports, as they had for the previous half century) [1995: 22].

Yet, as Robison observes, there were difficulties with ISI in the 1960s:

Nevertheless ISI began to encounter problems of excess capacity as the market became saturated in the late 1960s. Although strong pressure to retain the apparatus of ISI came from nationalists and populists within the military, manufacturers and labour, powerful new industrial and banking conglomerates had emerged in this period and were anxious to expand their markets (1989:377).

Towards the end of the 1950s, Prime Minister Phibun Songkhram was ousted by a *coup d'état* led by Field Marshal Sarit Thanarat (Brown 2004). During the early years of Sarit's administration, ISI was still adopted as the main economic and industrial development strategy. However, in the early 1960s, overproduction and, as a consequence, a decline in investment, were proven to be a flaw of the ISI strategy (Brown 2004: 91). Hence, under Sarit, export-oriented industrialisation (EOI) was

¹³ Thai Niyom Phanit which translates 'Thai commerce promotion' was established in 1939 to control the distribution of imported and domestically manufactured products (Pasuk and Baker 1997: 119).

¹⁴ There are variations with the transliteration of 'Phibun Songkhram,' such as Phipul Songkhram, or Phibunsongkhram.

adopted. Chairat suggests that the shift towards EOI marked the beginning of the Thai capitalist economic regime, in which private enterprises were promoted under 'free-market' principles (1988: 4).

The World Bank was very much responsible for this change. After the 1960s, the World Bank influenced the direction that the Thai economy took. Chairat notes, on the World Bank mission's report of 1959, entitled 'a Public Development Program for Thailand':

...the World Bank Mission called for an overhauling of Thailand's development policy and administration. This reconstruction ranged from the diversification of production and exports, the commercialization of Thai agriculture, and the provision of a public infrastructure for the development of private capital accumulation to the creation of a central planning agency and other related institutions and procedures, such as the Central Statistical Office, the Budget Bureau, and the Board of Investment and the Introduction of several Investment Acts (1988: 5).

During this period, a number of economic and industrial development policies were initiated. The Board of Investment was established in 1959 to 'grant incentives to private investment under the Promotion of Industrial Investment Act, B.E. 2503' (Halvorsen 1995: 402). In addition to this, the most important economic development policy introduced in Sarit's regime was the initiation of the Economic and Social Development Plans, along with the establishment of the National Economic and Social Development Board, as the main organisation responsible for engineering these plans.

3.5 National Economic and Social Development Plans: a journey towards the economic boom

Since 1959, ten National Economic and Social Development plans have been initiated, and their significance has not always been with regards to policy implementation, but often more in relation to the policy directions that the plans indicate. As Warr argues:

It would be easy to overstate the importance of the development plans in Thailand's economic policy formulation. Circumstances change quickly, and plans made five years or more in advance must always be modified. The plans are almost never implemented in the form described in the plan

documents, and often not at all. The plans are more useful as indicators of the policy directions that the government viewed as appropriate at the time the plans were drawn up. In reviewing the plans, it is helpful to relate them to the economic outcomes that were actually experienced over the plan periods (1993: 29).

The first and second plans (from 1961-1966 and 1967-1971 respectively) focused on the strengthening of the basic infrastructure (such as transport, communications, health care and education provision) of the country, in order to create the domestic environment for facilitating the planned economic growth. As stated in the first plan, one of the expected outcomes was to increase the growth in GDP to an average of five per cent per annum (NESDB 2008a). However, by the end of the plan term in 1966, the rate of economic growth was beyond expectations. As Muscat points out:

...growth in GDP averaged about 7 percent over the plan period, on a rising track. This exceeded the conservative expectations of NESDB (reflected in the 5 percent annual target, raised for the revised second half of the six-year period), resulting in a cumulative growth in GDP of over 50 percent in the six years compared with the target of 30 percent (1994: 97).

Even though export growth during the first and second development plans was still reliant on agricultural goods, the diversification of agricultural commodities (such as maize, tapioca, shrimp), and the expansion of industrial manufacturing goods, were gradually progressing (Muscat 1994: 101).

Nevertheless, the significant impacts that the first two national plans had were on the increase of growth and demand for cheap labour. As Falkus (1995) argues, the combination of different factors (such as the growing income disparities between rural and industrial occupations and the termination of Chinese immigration after 1949) rapidly raised the demand for cheap, unskilled Thai labour. More significantly, Falkus also observes that:

Other factors causing widening income differentials were the operation of the rice premium after 1955 and the high levels of tariff protection to support the import-substitution aims of the first two Development Plans after 1960. Both favoured the urban-industrial sector at the expense of rice producers. The rice premium, by keeping down domestic rice prices and hence urban wage levels, both directly promoted the manufacturing sector and also encouraged the movement of labour from the countryside (the rice premium also fostered agricultural diversification and the expansion of certain 'industrial crops') [1995: 31].

As a result, the manufacturing sector prospered through the course of the third and fourth development plans (1972-1976 and 1976-1981). The third plan did have a focus on the urgency of industrial promotion, and was geared towards the development of the EOI. However, due to the oil crisis of 1973, and the domestic political turmoil from 1973-1976¹⁵, the effort to fully embark upon EOI was not successful (Pasuk and Baker 1997).

Despite the fact that EOI could not be fully implemented during the course of the third plan, it still gave a foundation for the Thai economy to develop rapidly into an export-manufacturing country. Thus, during the course of the fourth plan (1977-1981), the manufacturing sector consistently grew, which paved the way towards the economic boom of the 1980s. As Dixon observes:

The slowing of growth during 1974 and 1975 was offset by recovery during 1976-8 when the annual average growth of GDP was 9.3 per cent and of exports 20.5 per cent. Indeed, the majority of the decade was characterised by a very dynamic export sector, which despite domestic inflation, and, particularly in the second half of the decade, an over-valued currency, achieved a doubling in the volume of exports. There was considerable diversification of products and markets. Notable developments included tapioca pellets for animal feed, exported principally to the EU, and light manufactured goods, particularly textiles, transistors, and canned pineapples and marine products. These developments heralded the very substantial expansion of manufactured and agri-business exports from the mid-1980s onwards (1998: 107).

Moreover, Foreign Direct Investment (FDI) was increasing rapidly during the late 1970s and 1980s, in response to the government's investment promotion through the BOI plans, combined with various incentives. Parnwell and Arghiros note that Thailand has thus grown into a significant position in a 'New International Division of Labour':

Transnational corporations (TNCs: mostly Western and East Asian) have taken an increasing interest in Thailand as a locus for investment and the export of certain low-technology production functions – a means of reducing production costs and maintaining margins of profit. As a result of these recent changes in the global division of labour Thailand has, since the early 1980s, experienced a large in-flow of Foreign Direct Investment (FDI) towards export-oriented industries. The volume of FDI increased

¹⁵ From 1973-1976, two major political events took place in 14 October 1973 and 6 October 1976. The two events were led mainly by student activists who attempted to overthrow military authoritarian governments of Field Marshal Thanom Kittikachorn.

from 1,127.5 million baht in 1979 to 62,516.3 million baht in 1990. Between 1986 and 1989 – the peak of the economic boom – annual FDI in-flows and exports more than doubled (1996: 11).

The expansion of the manufacturing sector and the rapid process of industrialisation and internationalisation during the late 1970s to the 1980s changed the structure of the Thai labour market. The growth of employment in the manufacturing sector increased from 0.6 to 1.6 million for the period of 1960 to 1975. During the same period, the number of factories with more than 50 workers increased from under 100,000 to around 600,000 (Pasuk and Baker 1997:187). With the government's efforts to promote FDI, Thailand became one of the most attractive investment sites for TNCs, due to its cheap labour supply and the government's policy on labour deregulation and nonunionised labour markets (Parnwell and Arghiros 1996: 11).

In the 1980s, the Thai government put forward economic strategies to enhance the expansion of manufactured exports. One example is the Board of Investment (BOI)'s investment promotion, which, according to Suphat, was based on the framework of the Investment Promotion Act of 1960 (1995: 76-77). The BOI has the authority to determine which firms fall into which groups, and what types of privileges they are entitled to (See Table 3.2 for details of each group and their privilege entitlement).

Table 3.2: Details of groups and tax privileges of firms under the Investment Promotion Act of 1960

Group	Type of industries	Privileges
A	Capital-intensive industries such as the chemicals, electrical appliance, automobile and ship-building.	Full exemption from import duties and business and sales tax on raw materials for five years.
B	Assembling industries such as transport-equipment assembly, agricultural-machinery assembly, electrical-appliance assembly and the like.	An exemption of 50 per cent of import duties and business and sales taxes for five years.
C	Labour-intensive and service industries, including food processing, clothing and textiles, hotels and international shipping	An exemption of one third of import duties and business and sales tax for five years.

Compiled from Suphat (1995: 77).

In 1986, however, additional types of firms were included as eligible for tax exemptions under the Investment Promotion Act, as Suphat points out. These new categories include '(1) firms located outside Bangkok; (2) export oriented firms (those exporting at least 80 percent of their production); and (3) firms located in investment promotion zones, which now exist in all regions' (Suphat 1995: 77). This promotion of exports was in line with the 4th – 7th Thai Economic and Social Development Plans (1977-1992):

In the Fourth Plan (1977-81) large-scale exporting firms and trading companies were encouraged, and an export-processing zone was established. The Fifth Plan (1982-6) placed a new emphasis on industrial adjustment and encouraged small-scale industries. In the Sixth Plan (1987-91) the emphasis was on restructuring tax incentives. Attention was also given to agro-based industries and the diversification of export markets as well as industrial location (ibid: 71).

The government's effort to boost its economy by promoting and expanding export industries earned Thailand double-digit growth in the late 1980s. As Kraiyudht writes:

[f]rom 1986 the growth rate was high, generating a widespread feeling that the economy had finally reached a take-off stage and that Thailand was about to join the ranks of the Asian NICS. Towards the end of the decade the economy registered double-digit growth for three consecutive years (1988-90) [1995: 107].

However, the success did not last long and the onset of economic decline started in the mid 1990s. Problems accumulated and, as a result, Thailand was hit hard by the economic and financial crisis in 1997. As a result of the crisis, scepticism arose concerning the sustainability of the Thai development strategies that had emerged during the past thirty years. Double-digit growth economy did not necessarily improve the lives of the Thais as a whole, but rather it widened the gap between the rich and the poor, as well as creating environmental problems (Ross and Suwattana 1995). Consequently, the Thai economic paradigm that emphasised growth has been questioned and an alternative development policy has been sought to replace the old capitalist approach. The alternative development policy is influenced by King Bhumidol's 'self-sufficiency' economic initiative, which emphasises self-reliance

and localism. Or, in the Eighth Plan (1998-2001), ‘human development’ was, for the first time, placed as the country’s top priority. As Wichayayuth and Sununtha write:

In this Plan, economic growth would no longer be the final objective of the country development efforts. It is being increasingly realized that the economic growth is an inadequate measure of change in the well-being of the society concern. The higher economic growth does not necessarily mean a higher well-being of the people. The 8th Five Year Plan, therefore, focus on holistic people-centered development which means development should enhance the people's well-being and their potential for the future. (1998:1)

3.6 From Boom to Bust: the Economic Crisis and the implications for the influxes of irregular migrant workers

As discussed in the previous section, economic success in the 1980s transformed Thailand into one of the Asian Tiger economies. This economic success was largely due to the expansion of export-processing industries, which, as Pasuk and Baker point out, led to the rise in wages and other production costs (1998: 31). However, the Thai government maintained its competitiveness by controlling the currency at a low level. Export-oriented manufacturing industries grew by 500% during the course of five years, from 1985 – 1990 (ibid.). However, in 1985, Thailand experienced its first economic recession since the 1960s. Somsak argues that the economic slowdown was caused by the government’s budget deficit and public debt accumulation, which restricted the Thai government’s ability to finance the further expansion of the Thai economy (1993: 148). In order to cope with the economic recession, the Thai government decided to devalue the Thai baht against the US dollar in 1984, after which ‘the baht was linked to the dollar and rode down further against the East Asian currencies’ (Pasuk and Baker 1998: 31). As a result, by 1990, the production costs of Thai manufacturing industries were reduced by half, and hence Thailand became a desirable hub for manufacturing goods production (ibid.).

Up until the first half of the 1990s, Thailand still saw a rapid growth in export manufacturing industries. However, as was mentioned in Chapter 1, the beginning of the 1990s was when Thailand first experienced a substantial rise of irregular migrant workers from Burma, Laos and Cambodia. The rise of Thai workers’ wages¹⁶, which

¹⁶ During 1990-1995, wages in manufacturing sectors in Thailand increased by 11 percent (Nipon and Somkiat 2001:6).

resulted from the economic boom of the previous decade, made it necessary for Thai industries to seek cheaper labour supply. The emergence of fast-growing economies (such as China and Vietnam) made it even more crucial for Thailand to maintain its low-cost production in order that the Thai economic growth did not slow down.

Often, research on irregular migration management holds that the influxes of irregular migrant workers in the 1990s were brought about as a result of income disparities between Thailand and the sending countries. Haguet and Sureporn, for instance, argue that:

Disparities in the level of economic development and wage levels between Thailand and Cambodia, the Lao People's Democratic Republic and Myanmar largely account for the desire of workers from the neighbouring countries to find employment in Thailand. The per capita gross national product of Thailand is six times as great as that of Myanmar, seven times that of the Lao People's Democratic Republic and 12 times that of Cambodia. Demographic factors also serve to promote migration from neighbouring countries to Thailand. While the average annual growth rate of the population of Thailand is now only 0.8 per cent, it ranges from 1.2 to 2.4 per cent in the three neighbouring countries (2005: 5).

Undoubtedly, disparities do play an important role in promoting the labour immigration flows to Thailand. The table below illustrates these disparities. To take as an example, it can be seen that Thailand's GDP per capita is more than 200% higher than the sending countries. With regard to the percentage of the population below poverty line, the sending countries have approximately 30% of the population below the poverty line, while Thailand only has 10%. Quite straightforwardly, based on these statistics, it can be seen that these disparities can be partially used to understand the labour migratory inflows to Thailand.

Table 3.3: Economic disparities between Thailand, Cambodia, Laos and Burma

Countries	GDP per capita (2007) (current US\$)	Unemployment rates (2007)	Inflation rate (consumer prices): (2008)	Population below poverty line (2004)
Thailand	\$7,900	1.4%	2.2%	10%
Cambodia	\$1,800	2.5%	5.9%	35%
Laos	\$2,100	2.4%	4.5%	30.7%
Burma	\$1,900	10.2%	34.4%	32.7%

Compiled from CIA: the World Fact Book (2008) and World Bank (2008)

However, the situation is not as simple as Caouette *et al.* (2004) argue that the influx of political refugees from 1960s, and the current flows of migrant workers, are linked, and even overlap in the sense that the economic migrants of the 1990s *also flee* from the sending countries (particularly from Burma) as a result of fear of political prosecution.¹⁷ Therefore, they also migrate to Thailand on the basis of both economic and political reasons. In effect, the Thai government launched two parallel policy innovations at the same time in 1992. Firstly, in order to benefit from the political unrest in Burma, Thailand decided to reduce support for the politically displaced persons from Burma, by limiting the numbers of politically displaced persons allowed to Thailand (Caouette *et al.* 2004).

Secondly, in the same year, Thailand launched the first irregular migrant workers registration exercise, which allowed the registration of illegal migrant workers from Burma in nine border provinces (Martin 2003). The two policies appear to target different groups of migrant populations: the first one concerned with politically displaced persons, the second with economic migrants. However, it could be argued that the politically displaced persons and the economic migrants are not really distinct. This is based on an argument that, especially for the case of Burmese migrants, the push factors are a combination of economic and political motives. As Caouette *et al.* (2004: xi) found in their research that the reasons that Burmese migrant workers are ‘a direct result of internal conflict and militarization, severe economic hardship and minority persecution.’ Additionally, some of their interview extracts which migrant workers indicate that they fled as a result of the fear of political prosecutions are, as follows:

‘We came to Thailand with the Shan army who were stationed along the Thai-Burma border. We were about 200 or 300 people, mostly women and children. All of our homes had been burned down by the Burmese army and we were no longer allowed to live in our village (A 14-year old single Shan female, whose first time migrating to Thailand was not disclosed, currently working in Chiang Mai).’

‘One night very late, there was a fire in our village and we ran away in all directions. We fled to Thailand by hiring a man to guide us. We spent

¹⁷ Thailand has not ratified the 1951 United National Convention Relating to the Status of Refugees, therefore, despite of the fact the displaced persons (or migrants) who flee to Thailand from the fear of political prosecution would not be recognised as refugees under the Thai law. This issue will be unpacked in chapter 6.

fifteen months travelling through villages and hiding in the jungle to avoid the Burmese military (A 27-year-old married Shan female with one child, whose first time migrating to Thai was not disclosed, currently working in Chiang Mai) (Caouette et al. 2004: 74)

Brees' recent study on Burmese refugees in Thailand argues that despite the Thai government's attempt to clearly distinguish refugees from migrant workers, in reality, both migrants and refugees work. The push factors that drive them from Burma are located in the interlinkage of both political and economic difficulties, as Brees notes:

Push factors almost always stem from interlinked political and economic root causes in Burma, which makes it impossible to distinguish economic migrants from asylum seekers and refugees. Although the final trigger may be a form of extreme poverty, the root causes of the displacement are political and military. They are all fleeing a pervasive climate of insecurity, human rights abuses, loss of livelihood option and lack of protection from the military government...(2008:383).

From the above statement, it can be seen that whilst the strong Thai economy was an incentive for the *direction* of immigration for these migrants, the political unrest in their sending countries was what *grounded* the desire to emigrate for these migrants in the first place. It could be argued that the way in which the Thai government has used different terminologies to describe what are essentially the same population is a strategy to shift from providing humanitarian assistance to the displaced persons, to employing them as a source for cheap labour (detailed discussion on displaced persons and refugee camps is discussed in Chapters 5 and 6).

In 1997, Thailand was hit hard by the economic crisis. The causes of the 1997 economic crisis were a mixture of various factors. Lauridsen gives a comprehensive summary of the causes of the crisis, as follows:

The financial crisis in Thailand was a 'private sector failure,' expressing itself partly in increasing current account problems but mainly in careless lending/borrowing and the accumulation of nonperforming loans in the financial sector. During a period when the real economy showed signs of weakening with sluggish exports and an increase in the current account deficit, 'hot money' flowed in and covered the deficit, but also led to careless investments. Financial liberalization in an uncontrolled financial sector resulted in misallocation and mismatching. Political instability, indecisiveness and mismanagement at the political and administrative level also contributed to the financial meltdown in Thailand (1998: 1575).

It could be argued that the accumulation of nonperforming loans (which partially triggered the economic crisis) was a result of the Thai government's long-standing effort to increase its economic growth, through the over-rapid expansion of industrialisation and manufacturing. As mentioned in the previous section, the Thai economic and social development plans have long put economic growth as a top priority, which has led to increasing income disparities between the rich and the poor and between rural and urban populations. Nonetheless, resulting from rapid economic development, the overall poverty rate in Thailand substantially declines (see figure 3.4 and table 3.5).

Figure 3.4: Measuring poverty in Thailand: poverty line & poverty incidence

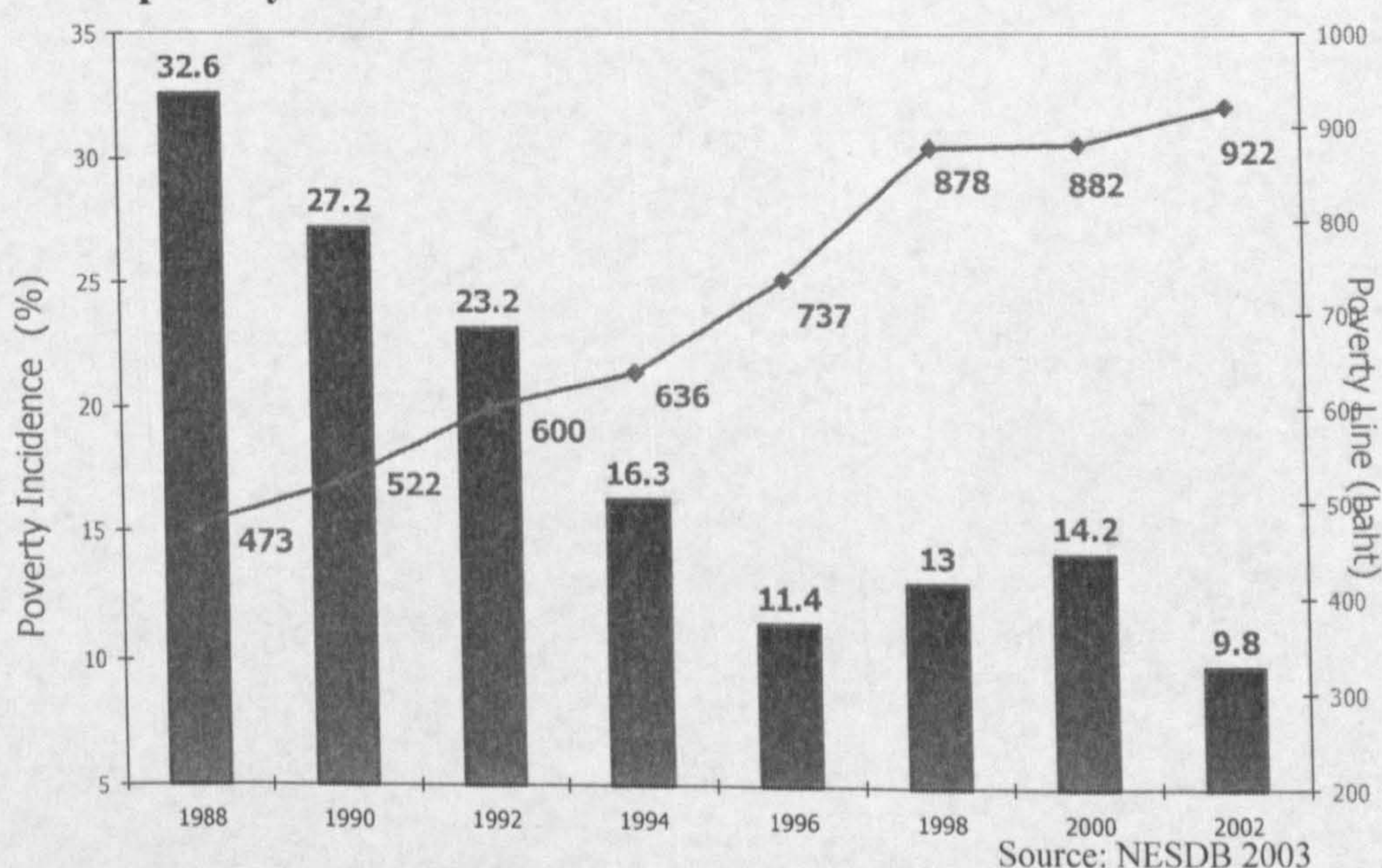


Table 3.5: Thailand poverty headcount ratio classified by region, 2000-2006 (Percent of total population)

	1988	1990	1992	1994	1996	1998	2000	2002	2004	2006
Thailand	32.6	27.2	23.2	16.3	11.4	13	14.2	9.79	11.2	9.6
Northeast	48.4	43.1	39.9	28.6	19.4	24	28.1	17.68	18.6	16.8
North	32	23.2	22.6	13.2	11.2	9.1	12.2	9.84	15.7	12.0
South	32.5	27.6	19.7	17.3	11.5	14.6	11	8.71	6.0	5.5
Central	25.2	20.5	12.1	8.4	5.9	7	5.4	4.3	4.5	3.3
BKK	3.8	3.3	1.9	0.6	0.3	0.5	0.3	0.47	0.8	0.5

Source: Compiled from Medhi et al. (2006) and World Bank (2008)

As can be seen from figure 3.4, in 1988, 32.6% of the whole population lived in poverty. The rate drastically dropped to 11.4% in 1996. Resulting from the Asian Economic Crisis, the poverty rate increased to 14.2% in 2000, but gradually reduced to 9.6% in 2006. However, the decline was uneven across different regions, as is shown in table 3.5.

Despite the fact that during the course of the 1980s Thailand experienced rapid economic development, as can be seen from the increase of per capita income (baht per year) from 4,901 in 1976 to 10,974 in 1981 (Medhi 1993: 410) and to 53,957 in 1999 (NESDB 2008),¹⁸ this does not necessarily mean that all people have benefited from this substantial economic growth. Medhi *et al.* (2006: 6-7) argue that the regional disparity in poverty reduction illustrates how the Thai rapid economic development may benefit certain groups of people than others. Based on data presented in table 3.5, Medhi *et al.* explain that:

Bangkok and its vicinities have the lowest incidence of poverty measured by headcount ratios (less than 2 per cent in 2002) whereas the Northeast has the highest incidence of poverty (about 18 per cent in 2002). The gap has widened over the years....the rate of decline in poverty has been faster in the richer regions, Bangkok and its vicinities and Central areas, than in the poorer region of the Northeast. Between 1988 and 2002, the Northeast had the slowest rate of decline in poverty in the sense that its incidence of poverty in 1988 was about 37 per cent of that in 2002 whereas Bangkok's poverty incidence in 2002 was about 12 per cent of that in 2002. In the period of economic crisis, the disparity in poverty reduction also worsened as poverty incidence in the Northeast increased sharply in the period 1996-2000 (ibid).

Although the Thai government has endeavoured to promote economic development, it has neglected investment in infrastructure and manpower training, which would essentially sustain Thai economic competitiveness and put Thailand in a comparatively stronger position, once wage levels and overall costs of production increased (Pasuk 2000, Dixon 1998, Somsak 1993). In addition, Nipon and Somkiat (2001) argue that since the 1960s, Thai manufacturing industries have concentrated on increasing the output of export products, while ignoring the importance of productivity and the improvement of the quality of the products, which has put Thailand's competitive advantage at stake.

¹⁸ According to the latest statistics from the NESDB, Thailand's per capita income was 86,321 baht/person/year in 2006.

The export manufacturing industries have been concentrated on labour-intensive and low-end products.¹⁹ Garment and textile factories are a good example of this. Several scholars (such as Nipon and Somkiat 2001, Reinhardt 2000) stress the importance of economic structural transformation of shifting from unskilled labour-intensive to capital or technological-based industrialisation. However, since the fourth economic and social development plan, little effort has been made towards this shift, with Thailand clinging on to these labour-intensive industries. Hence, the way in which Thailand has chosen to handle the increased wage level is by legalising the use of irregular migrant workers as a supply for cheap labour.

As a result of the 1997 economic crisis, unemployment increased from 1.7% in 1995 to 4.4% in 1998. As a result, the Thai government decided to halt the irregular migrant workers registration policies, and even attempted to deport migrant workers in order to give Thai people employment opportunities (Martin 2003). It was not clear whether such a policy move was created from a thorough labour market analysis, or was it a mere 'nationalistic' attempt to protect the interests of Thai workers from those of the irregular migrant workers. However, neither attempt succeeded. It was not long until the Thai government realised that the increased unemployment rate was not wholly in the sectors that irregular migrant workers occupied, and that the Thai workers did not wish to work in these sectors. As Martin (2003) explains, in January 1998, the plan to remove 300,000 migrant workers was launched, backed up by increased border control, but it was during the same year that this policy was reversed. In August 1998, the Thai government decided to annul the previous policy and allow the re-registration of the irregular migrant workers. This will be discussed in more detail in chapter 6.

It is clear that, since soon after the 1997 economic crisis, the Thai government has regarded irregular migrant workers as necessary for Thai economic growth. Thus far, this section has attempted to point out the Thai economic reality which has always prioritised economic growth, and has adopted any strategies that would facilitate such a growth, no matter how they might contradict with the long-standing

¹⁹ However, there has also been some expansion of high-end industrialisation, such as integrated circuits, office machines and parts, telecommunications/ sound equipment, plastic manufactures (Reinhardt 2000).

endeavour to maintain the hegemony of Thai nationals by restricting the arrival of immigrants. In the next chapter, a brief political history of Thailand will be given in order to illustrate how the economic necessity of the regularisation of migrant workers contradicts political efforts to maintain the country as a Thai hegemonic nation-state.

3.7 Conclusion

This chapter has mapped out the Thai economic history. Starting from the signing of the Bowring Treaty in 1855, Thailand has entered the global economy and as a result, Thailand had been compelled to undergo a process of economic and social overhaul. International trade was conducted under the formality of trade agreements and regulations and basic infrastructure had to be established to facilitate the growing international commercial scenario. It was the first that the process of ‘modernisation’ was set in motion. In the next chapter, the impact of the Bowring Treaty on the Thai modernisation and nation-building project during the reigns of King Chulalongkorn and Vajiravudh will be seen more clearly. The importance of the Bowring Treaty is, therefore, not restricted to the change of the Thai economic fate, but also it drastically influenced Thai politics and society as a whole.

During the reign of King Vajiravudh, the rapid expansion of the economic power of the ethnic Chinese made the Thai state anxious about the possible monopolisation of trade and investment. The political development of nation-state building and the making of Thai nationalism also went hand-in-hand with the Thai overt economic strategy to lessen the ethnic Chinese economic power. This could be viewed as ‘economic nationalism’ which aims to protect the economic benefits of the Thai citizens. The issue will be linked to the discussion of the Chinese immigration in chapter 5, which will illustrate the constant policy changes on the reception of the ethnic Chinese.

The shift of economic policy towards rapid industrialisation and the adoption of EOI have drastically transformed Thailand to become one of the fastest-growing economies in the world. The period from the late 1970s to mid-1990s saw rapid

economic expansion which transformed Thailand into a migrant labour receiving hub. To a certain extent, the increased flows of labour migration to Thailand can be understood from the push-pull theory of migration, which is rooted in the assumption that people migrate because of 'push' and 'pull' factors (Faist, 2003, Brettel and Hollifield 2000, Castles and Miller 1998, Massey *et al.* 1994). Push factors mostly relates to overpopulation or demographic growth, poverty, lack of natural resources and economic opportunities, while pull factors are 'demand for labour, availability of land, good economic opportunities and political freedom' (Castles and Miller 1998: 20). It is undeniable that economically speaking, with regard to the Thai irregular labour migration, the push and pull factors do have a great impact on increasing labour migration flows.

However, it is argued here that to understand the issue of irregular labour migration in Thailand, the analysis of the Thai nation-state as a political institution is as important as Thai economic development. This is due to the fact that the way in which the Thai nation-state has been formed and constructed has an unquestionable influence on the shaping of Thai immigration policies. The Thai nation-state, along with the emergence of Thai nationalism and Thainess as the Thai national collective identity, is argued to have played a pivotal role in determining who is to be included or excluded in the Thai nation-state. In the next chapter, the Thai political history and the analysis of the construction of Thailand will be examined to illustrate its relevance and impact on the development of Thai immigration policies.

Chapter 4:

Thailand's political journey: the Thai nation-state formation and the construction of Thainess

4.1 Introduction

Developing from the Thai economic history discussion presented in chapter 3, this chapter will focus on Thai political history with special emphasis on three aspects: the formation of the Thai nation-state, the birth of Thai nationalism and the construction of Thainess. The aim of this chapter is to illustrate the connection between the formation of the Thai nation-state and its impacts on the policies managing different groups of migrants, which are to be presented in chapters 5 and 6.

Paralleling the discussion of Thai economic history in the previous chapter, the chapter will investigate the beginning of the modernisation period from the reign of King Monkut. Influenced by the Bowring Treaty of 1855, Thailand had to undergo a series of economic and political reform, which subsequently led to the complete transformation of the old Siamese Kingdom into the modern nation-state. Section 4.2 will present an introductory discussion of the modernisation and nation-building processes which will lead on to the discussion of the development of Thai nationalism in 4.3. Reflecting on the theoretical discussion of nationalism in chapter 2, it will be illustrated here that the birth of Thai nationalism derives from the attempt to create the Thai hegemony and the ethnic unity of the Thai nation-state. The formation of Thai nationalism will be discussed in two periods: 1) King Vajiravudh's reign and 2) Prime Minister Phibun Songkhram's period. The analysis in this chapter is to present the connections between the formations of nation-state by fostering the ideology of Thai nationalism to the way in which the present-day Thai state still adheres to the belief that the Thai ethnic homogeneity is an assurance of the country's national security.

Finally, as a result of the Thai nation-state formation and the promotion of Thai nationalism, Thainess or the Thai national collective identity is created to ensure that

the vivid criteria of who can and cannot be included into the Thai state is clearly defined. The most important aspect of 'Thainess' is how it creates the notion of the 'others,' (Thongchai 1997) which, due to the preservation of Thai hegemony, are seen as potential threats to national security. This discussion will shed light on how the Thai state often uses 'national security' to justify its control and rejection to assimilate certain groups of migrants and ethnic minorities, which will be presented in chapter 5.

4.2 Thailand's nation-building and modernisation

Scholars often date the beginning of Thai political modernisation to the 19th – early 20th century (Kullada 2004, Wyatt 2003). Parallel with the Bowring Treaty of 1855, it can be argued that the modernisation of Siam commenced in the reign of King Mongkut (1851–1868). Siam's formal participation in the world economy had immense consequences varying from the changes in economic arrangements, to changes in political arrangements. The changes in economic arrangements included: a new tax and revenue system; a change of import and export duties; and a special immigration system, which allowed British traders to own land and to have the rights of extraterritoriality (Wyatt 1984: 183). Politically, the consequence of the Bowring Treaty was the exposure of Siam as an 'uncivilised' nation, in contrast to the 'civilised' Western nations. The signing of the Bowring Treaty, hence, cannot be looked upon as a mere economic agreement, but also a significant influence on Siam's society, culture, identity and overall way of life. As Kullada puts it:

Since the collapse of China and Siam's subordination to the western world order symbolised by the Bowring Treaty, the Siamese elite could not escape the ideological challenge posted by the West. Suddenly, Siam felt itself to be measured against a 'civilised' order – 'civilised' meaning complying with western ideas. Thai social organisation, culture and worldview were scrutinised, with polygamy and slavery becoming sources of particular embarrassment (2004: 36-7).

King Mongkut realised that, if Siam was seen as 'uncivilised' or 'barbaric,' that this could put Siam in danger of being colonised by the imperialists. Therefore, gradually and strategically, he launched a number of reform policies in order to revamp the Siamese image as a 'civilised' culture. As Wyatt explains:

Mongkut thus proceeded slowly. He started the publication of a government gazette and allowed the laws of the kingdom to be printed, that people might be better informed....He broke with tradition to allow his subjects to gaze upon his face when he paraded in public, and he permitted petitioning for the redress of grievances. He tried, with but limited success, to ameliorate the conditions of slaves and allow women some choice in marriage. He also employed a handful of foreign advisers (there were fourteen in 1870) for specialized, technical work that did not infringe upon existing interests (1984: 188).

Endeavouring to 'open-up' to the world, King Mongkut chose a rather brave path towards change; however the full modernisation of the Siamese state did not occur until the reign of King Chulalongkorn. As briefly mentioned in the previous chapter, King Chulalongkorn initiated various reforms in education, social services, infrastructure and, most importantly, the abolition of slavery. Nonetheless, in relation to the reformation towards the making of the nation-state, King Chulalongkorn took steps to centralise and unify the old Siamese Kingdom, in order to create a unified nation-state through the centralisation of public administration (ibid: 208). In 1893, under the administration of Prince Damrong Rajanubhab, the Minister of Interior and the King's half-brother, the system called '*Thesaphiban*' was launched in order to eradicate the power of previous governors of each region, and to centralise and return total administrative power to the central government. More significantly, the centralisation reform also provided the central government with a better and more integrated tax and revenue system, as Wyatt explains:

Given the power to override the semihereditary provincial governors, the commissioners began almost immediately to take control of local revenues and expenditures, overhaul the court, introduce new police units, and curb corruption and injustice. Some older officials were retired, and others were incorporated into the new system. All were encouraged to send their sons to school in Bangkok, that they might carry on their families' noble profession (but in other provinces)....This dramatic and rapid centralization brought about a doubling of state revenues within a few years, the introduction of modern law, the extension of some social services and a degree of security for persons and property previously unknown in the countryside (ibid.).

The modernisation processes, through public reforms and the centralisation of provincial administration, created the first glimpse of nation-building. However, it was not until the reign of King Vajiravudh that Siam was completely transformed, and the nation-building became the country's top priority. Nationalism was then used to create the hegemonisation of Siam as a modern nation-state. In the next section, I

will focus on this issue, emphasising the two stages of nation-building: from the first phrase during the reign of King Vajiravudh, to the second phrase during the Prime Minister Phibun Songkhram.

4.3 Nationalism: Thailand's hegemonisation strategy

This section will be devoted to discussing the birth of Thai nationalism (as initiated by King Vajiravudh), and the prosperous phase of Thai nationalism during the rule of Prime Minister Phibun Songkhram. This phase was significant, for the way in which the Thai modern nation-state building was achieved through the creation of the imagined notion of a homogenous ethnic and cultural community with a shared sense of identity. This is to illustrate how nationalism was initially used as a political apparatus to unify the Thai nation-state, and still has a great impact on shaping the modern-day Thai worldview.

4.3.1 Vajiravudh and nation-building through nationalism

After the death of King Chulalongkorn in 1910, the modernisation processes were continued by his successor, King Vajiravudh. All three Kings (i.e. Mongkut, Chulalongkorn and Vajiravudh) saw the necessity to modernise Siam, in order to recreate the Siamese image as a civilised nation. However, as Vella (1978) argues, Vajiravudh also saw the negative impact of modernisation – that it had the potential to eradicate Thai identity and westernise traditional Thai society. Hence, Vajiravudh's nationalism was initiated to stop the eradication of the Thai cultural identity (ibid.). It is, indeed, rather contradictory that despite Vajiravudh's promotion of nationalism, which focused on the celebration and revival of Thai cultures, a number of his nationalist projects still had western influences. Nationalism itself, as an ideology, derives from European influence, and Vajiravudh received nine years education in England, being the first Siamese king who had studied abroad (Batson 1984).

However, Vella's argument, which identifies Vajiravudh's nationalism as a political tool to preserve 'Thai identity' or 'Thainess,' has been contested by Barmé (1993), who argues that the rationale behind Vajiravudh's nationalism was far more

complex. He argues that the socio-economic context has to be taken into account, and that King Vajiravudh's nationalism was created to reinstate the supremacy of the absolute monarchy:

As a consequence of the social and economic changes set in train during the nineteenth century, the position of the absolute monarchy had become deeply problematic by the time Vajiravudh ascended the throne. Critical elements within the expanding bureaucracy and that section of the general population which had received a general education presented serious challenges to Vajiravudh's authority. In addition, he had to contend with Siam's burgeoning Chinese community which was becoming increasingly restive and separate from the broader society. The king's position was further complicated by sharp personal divisions within the royal elite itself. These internal forces, together with Vajiravudh's desire to foster a heightened sense of pride, unity and purpose among his countrymen to facilitate Siam's recognition and acceptance by the international community, were the key factors which shaped his official nationalist discourse (1993:21-2).

Barmé's argument appears to be reasonable, as it provides two relevant sets of analyses about the origins of Vajiravudh's nationalism. To begin with the external factors, the colonial threats still remained, and the economic dominance in the region was in the hands of the Europeans and the Chinese. Additionally, the widespread global trends, which had seen the overthrow of numerous monarchies, the formation of republics (such as in Turkey in 1908 or China in 1912), and the First World War (Terwiel 2005), had, to a certain extent, contributed towards creating an urgent need for Siam to quickly modernise and form a homogenous nation-state.

With regard to the internal factors, about a year after his ascension to the throne, Vajiravudh had to deal with the abortive coup of 1912, organised by the military and the navy in order to overthrow him and to transform Siam into a republic (Peleggi 2002). However, Vella sees the aim of the 1912 coup as emerging from dissatisfaction with the King's extravagant spending and inadequate attention to the country's public administration and economy, rather than from political idealism (1978: 54). Despite the fact that the coup was not successful, the King realised that the monarchy was at stake and, hence, that it was high time that he restored the prestige and importance of the institution of the monarchy in Siamese society.

In addition to this, the overpowering economic dominance of the Chinese had created a fear that they would eventually dominate the whole Siamese economy, and that the Siamese people would be left in an inferior position to the Chinese. Vajiravudh took a step forward to firstly ‘Thaify’ the Chinese descendants, whilst at the same time, produced propaganda attacking the Chinese as being the ‘Jew of the East,’ as previously discussed in chapter 3.

Vajiravudh’s ideas about the nation-state cannot be ignored. It was he who brought back the ideology of the nation-state to Siam from his years in England. His ultimate aim was to build Siamese national strength in order to be in line with other ‘civilised’ nations in the West. According to Renard (2000: 78), the King was the first person to coin the term *Chat*, which is the Thai translation for ‘nation’. The term *Chat* was used to describe the new concept of the Thai race, and Vella (1978: 54) points out that “*Chat* was derived from *Jati*, Sanskrit for ‘birth’, and also ‘caste.’” According to Renard, Vajiravudh’s creation of the three pillars of Thainess (which consist of Nation [*Chat*], Religion [*Satsana*] and the King [*Phramahakasat*]), indicates the way in which the King believed that being a true Thai citizen means being loyal to the three pillars of Thailand and, hence, an approach to make a decent Thai citizen would be the promulgation of loyalty to the three pillars of Thainess (Rehard 2000: 78).

In order to tackle the problems of the unstable position of the Monarchy and the over-dominance of Chinese business, the King used ‘nationalism’ as an approach to create a shared sense of belonging and loyalty to Thai society. The three pillars were expressed in the new flag design – a striped tricolour of blue, red and white, each colour signifying one of the three pillars of Thailand (the King, the nation and the religion). The King expressed his idea in his poem, as follows:

Let me speak of the meaning
Behind the three colours.

White is for purity and betokens the three gems
And the law that guard the Thai heart.

Red is for our blood, which we willingly give up
To protect our nation and faith.

Blue is the beautiful hue of the people’s leader

And is liked because of him.

Arranged in stripes, these three colours from the flag
That we Thai love.

Our soldiers carrying it forth to victory
Raise up the honour of Siam.

(Vella 1978: 140)

The fortifying of the Siamese nation came hand in hand with the re-inventing of Siam as a civilised and modern community. In order to do so, the King undertook a series of cultural reform projects, for instance: the use of surnames and the invention of patriotic public holidays such as the launch of Chakkri Day as the National Day (ibid.). More importantly, he realised that the way in which the nationalistic and patriotic ideas could be fostered in the mind of his people was through education. Starting off with an experimental private school founded by Vajiravudh, he later went on to use the school as a model and expanded it to other parts of the country. In 1921, the Compulsory Primary Education Act was enacted and, as a consequence, it was obligatory for all children (both girls and boys) from the age of 7-14 to attend school (ibid.). Additionally, it was through compulsory education that Vajiravudh could spread the ‘idea of nation,’ and the love for the three pillars of Thainess by dissemination of his essays and other writings to students in the schools.

In addition to this, the education system was used as a method to integrate diverse groups of people. Aimed at the Chinese, as well as other ethnic minorities, the idea was that the implementation of a single education system would lessen their differences and gradually ‘*Thaiify*’ them. As Rehard explains:

As the first Thai King to have believed in the primacy of ethnicity, Vajiravudh even saw the people of Chiang Mai and Lamphun as not quite Thai, but as people as people who had to be ‘tamed’ (*chuang*). He reported this to his father following his visit there as Crown Prince in 1906, adding that schooling would ‘tame’ them (2000: 78).

The education system was aimed at unifying the nation by homogenising people’s ways of thinking, beliefs and worldviews. As a part of the integration of the nation-state, Vajiravudh also launched the first Nationality Act in 1913, which proclaimed that ‘every person born on Thai territory’ was automatically Thai (Skinner 1957:244). Indeed, the Act was targeted at the Chinese, as Skinner argues that the

enactment of the first Thai nationality legislation came about in response to the first Chinese Nationality Act in 1909, which stated that children born to Chinese parents anywhere would become Chinese nationals (ibid.). It can be seen that there are mixed motivations underlying the Thai Nationality Act. One was to integrate the nation by creating Thai citizens. Another reflects the underlying desire of the Thai state to stop the Chinese from maintaining their cultural identity, or attachment to China. Despite Vajiravudh's overt criticism of the Chinese communities, it is rather contradictory that the Nationality Act was launched as an attempt to keep the Chinese communities in the country. While other ethnic groups (such as the hill tribe people) were essentially left out of this scheme (due to their remote location), the Chinese were regarded as the chosen ones. Could this be due to the fact that the King himself realised the necessity of the Chinese as an important drive to the country economic development? This issue will be further explored in the next chapter.

The dissemination of the three pillars was undoubtedly successful, demonstrated by how the ideology has endured until the present day. However, the important implication of the three pillars was the way in which it clearly stated that a requirement for being a Thai citizen is loyalty to the Thai nation, religion (which refers to Buddhism) and the King. It was not only that the creation of the three pillars has unified the Thai state by forming a shared sense of loyalty, which the Thais, or those who wish to become Thai citizens have to adhere, but it also has a great impact on how it intensifies the existing differences and ethnic diversity of the ethnic minorities. The Chinese may have given in and adopted that official 'Thainess' as a part of their economic strategy, but other existing ethnic minorities, such as the hill tribe people, became exposed to the realm of the Thai nation-state. Chayan (2005) argues that under the formation of the Thai nation-state, and the pillars of Thainess, ethno-regionalism was created and ethnic disparity widened. The inclusion of some populations was permissible, while the exclusion of the others (such as the hill tribes) became even more evident.

In summary, it was during the reign of King Vajiravudh that the concept of nation was officially formed, and Thai nationalism became an important mechanism in the nation-building process. The seed was sown by Vajiravudh, but it only came into full-bloom in the era of Prime Minister Phibun Songkhram.

4.3.2 Phibun's nationalism

The rise of a modern nation-state in late nineteenth-century Thailand is in sharp contrast to that of the West, although technical aspects of Western civilization were utilized to systematize and centralize state power and its bureaucracy. The development of the Thai nation-state as an independent state having a non-liberal regime and a closed society with a dependent ethnic bourgeoisie is, therefore, much more complex than the development of the nation-state in the West (Chai-Anan 2002:60).

As Chai-Anan argues, the creation of state identity and the promotion of Thai nationalism in Thailand are rooted in the change of political system from absolute monarchy to democracy in 1932. He has put forward an interesting 'insider' point of view: that the attempt to create a national identity is part of strengthening the process of nation-state building after the end of absolute monarchy. Thus, the promotion of Thai state identity can be seen as a way in which the ruling elites created the normative standard of 'identity' in order to eradicate 'differences' and potential public forces that would challenge the authority of the Thai state (ibid.). Chai-Anan sums up his argument as follows:

The creation of state-identity is, therefore, an artificial process intended to augment the capacity of the bureaucratic and military elites to prevent the emergent forces in civil society from controlling the state. It involves using the idioms and symbols of the state to legitimize its domination and self-aggrandizement (ibid: 61).

The process of modernisation and nation-state building, starting from the early 19th century, can be seen as the origin of the Thai government's attempt to maintain its hegemony through the production and reproduction of Thai identity and nationalism. And with this process, the Thai government has attempted to compel all Thai people, from all regions, ethnicities and religions to conform to the Thai identity that they have created.

During the 1930s, another historical step that was made to re-formulate the notion of Thai national identity was the change of the country's name from 'Siam' to 'Thailand.' To most people, particularly in contemporary Thai society, the country's name 'Thailand' appears to be unproblematic, and does not have any important implications for political, social and cultural discussion in the contemporary Thai studies. However, the country's name-change from Siam to Thailand does have an

important implication for the discussion of Thai ethnicity and race relations within Thai society.

In 1939, Field Marshal Phibun Songkhram, the Prime Minister, proposed an agenda to the cabinet to alter the country's name from Siam to Thailand. Field Marshal Phibun Songkhram, along with his advisor Luang Vichit Vadhakarn²⁰, was prominent in the promotion of Thai nationalistic sentiments. Phibun and Luang Vichit claimed that the name change was due to the fact that the name 'Siam' does not represent the majority of the population, who were the ethnic Thai. They claimed that 'Thailand,' on the other hand, stressed the predominance of the ethnic Thai people, and emphasised that the land belongs solely to the ethnic Thai (Chānwit 2005: 36).

The promotion of Thai nationalism after the 1932 revolution was more political than cultural (Chai-Anan 2002). As mentioned earlier, the re-production of Thai national identity, during that period, was linked to the process of nation-state building and an attempt to unify the nation by creating the hegemony of the Thai people, which could have implications for uniting the existing Thai diasporas, such as the ethnic Thai living in Yunnan Province, China or in Burma. It also potentially signifies the 'forced' assimilation of other ethnic groups, particularly the Chinese. Alongside the name change, the Thai government, under Phibun, also re-created the new Thai cultural traits in order to make Thailand more 'acceptable' and 'in accordance' with the West. Since the 1930s, ethnic minorities in Thailand, particularly the Chinese, have had to renounce their cultural identities and become 'Thai':

Prior to the 1930s, most Thai Chinese spoke Chinese, attended Chinese schools, studied Chinese history, and maintained Chinese customs. In the 1930s, the Thai government declared that Chinese schools were 'alien' in character. Their very purpose was 'to preserve the foreign culture of a minority population, to perpetuate the Chinese language and Chinese nationalism.' Accordingly, the government passed a decree requiring that in a 28-hour school week, 21 hours were to be devoted to studies in the Thai language....As times went on, the government began closing Chinese schools altogether...Chinese books were banned and Chinese newspapers shut down. Chinese social organizations were prohibited, and regulations were passed requiring 'Thai dress and deportment (2004:183).

²⁰ It is important to note here despite Luang Vichit Vadhakarn's effort to promote Thai nationalism and his support to change the country's name from Siam to Thailand, he is an ethnic Chinese and his real name is Kimliang Watthanaprida.

The government's policy to assimilate the Chinese in Thailand was undeniably coercive during the 1930s. However, it was not only the Chinese who were forced to renounce their cultural identity and their ways of living since at about the same time, the Thais (or rather Siamese) also underwent a similar process. The name change from Siam to Thailand was the beginning of the modernisation process under the national agenda to conform to the Western or so-called 'modern' way of living. The 1930s was a period of global instabilities: a great depression occurred and was followed by World War II. These world situations had influenced the government to speed up the modernisation process, with the aim of re-creating the image of Thailand as a new and modern nation with a distinguished and unique culture and civilisation. The new Thai culture would transform Thailand and Thai people to become more civilised included the requirement that Thai people wear 'hats' and 'shoes,' and that men kiss their wives before leaving for work in the morning (Chaiwat 1998). Chetana (1993) argues that the Thai national agenda to reform the country's culture was directly influenced by the fascist ideology of Germany, Italy and Japan. During the period of World War II, the Japanese occupation, and the Thai government's coalition with Japan, had a great impact on Thai cultural, economic, political and social transformations. Chetana explains that:

It was through deliberate organisation, including legislation and official directives and guidelines that the Thai government under Field Marshal Phibun Songkhram between 1938 and 1945 proposed to undertake ... a new cultural revival. So as to bring Thailand on a par with civilised nations of the world, concrete cultural reform measures had to be carried out. The very term 'culture' itself was given a deliberately evaluative and directional interpretation. According to the National Culture Act of 1942, culture means 'characteristics that denote growth (*khwam-jarern-ngork-ngam*), orderliness (*khwam-rabiap-riap-roi*), national unity and progress (*khwam-klom-kliao kao-na khorng chat*), and good public morality (*silatham an di-ngam khorng prachachon*).'¹ This may sound totally harmless, but the concrete measures imposed upon the people were not, since they went to excess, including decrees prescribing women to wear hats and stockings in public and husbands to kiss their wives good-bye before going out to work (1993:261).

Thus, it is not only apparent that the government forced the Chinese in Thailand to renounce their identities, but also that they put pressure on the Thais to adapt to the new way of life. The government, under Field Marshal Phibun Songkhram, wanted to eradicate the old Thai culture, and replace it with a fascist and Westernised standard of life. The penetration of this new version of Thai culture has made the

popular or existing traditions at the local level become 'folk' or 'subcultures' (Chai-Anan 2002:71). I thus think that there are compelling reasons for believing that the cultural revival during the 1930s caused a long-term dilemma with the Thai national identity as the abrupt and forced cultural change has created a confusion of identity in Thai society, and a loss of a natural sense of belonging and identity.

4.4 The investigation of the meaning of Thainess and creation of the 'other'

The investigation of the meaning of Thainess directly relates to the discussion in chapters 5 and 6 of this thesis. Thainess is recognised here as a political identity, which is deemed necessary as a strategic mechanism utilising by the Thai state since the beginning of the Thai nationalist era starting from 1910 and the period of the name change from Siam to Thailand in the 1930s. Thainess was created as a part of the Thai nationalistic project aiming to re-intensify Thailand as a solid and secure modern nation-state and re-enforce Thai hegemony. This section will critically analyse Thainess to unveil the linkages between the notion of Thainess and the Thai immigration and assimilation policies and the creation of 'otherness.' This will lead to an in-depth critique in Chapter 7 focusing on the way in which 'Thainess' influences the constant changes of Thai immigration policies in accordance to different groups of migrants, the political and economic context and more importantly to the varying ethnic relations and conflicts within the Thai state.

The discussion of this section will be divided into three main parts. Firstly, 'Thainess' will be deconstructed by analysing 'Thainess' in terms of its origins and consequences from the Thai nation-building era. Connecting to the discussion in section 5.2 regarding the formation of the Thai race, 'Thainess' or the Thai official national identity has been politically manoeuvred in order to fortify the racial integrity of a modern nation-state. The second part of this section will be devoted to the discussion of the relations between Thainess and the formation of the immigration policy. This section will be based on Thongchai's argument, which focuses on the fact that the consequence of Thainess is mainly the creation of 'otherness' in Thai society. The relevance of this analytical framework to what will be presented on the history of different migratory movements to Thailand in the next chapter.

In Thailand today there is a widespread assumption that there is such a thing as a common Thai nature or identity: *khwampenthai* (Thainess). It is believed to have existed for a long time, and all Thai are supposed to be well aware of its virtue. The essence of Thainess has been well preserved up to the present time despite the fact that Siam has been transformed greatly toward modernization in the past hundred years. Like other nationalist discourse, it presumes that the great leaders (in this case monarchs) selectively adopted only good things from the West for the country while preserving the traditional values at their best. Although a sceptic might doubt the validity of such a view, the notion prevails even among scholars. (Thongchai 1994: 3)

The above excerpt from Thongchai has posed an important analytical discourse on what Thainess or *khwampenthai* means or whether or not it actually exists in the Thai socio-political context. The term 'Thai' itself, as discussed in 4.3, has only been recently used to describe the country's name and the people of the old Siamese Kingdom in 1939 when the name 'Thailand' was adopted and replaced the name Siam. It can be seen as a process of modernisation and reformation in which the revamping of the image of the Siamese Kingdom as a civilised modern nation-state (Jackson 2004). Despite of the fact that Thailand has never been colonised by Western power, Siam was still both directly and indirectly under the power of the West, which he argues that the process of modernisation and the transformation of the country's image are responding to the 'West's encroaching hegemony' (ibid: 229-230). As previously mentioned, the name 'Thailand' has a special connotation of the ethnic consciousness that the modern Thai nation-state is composed of a unified ethnic Thai.

The impact of the King Vajiravudh's construction of Thai nationalism and the focus on the trinity of 'nation, religion and king', which was an important component to Thai modern nation-state building, on the characterisation of Thainess which entails 'being able to speak Bangkok Thai, to emulate the cultural traits of Bangkok Thais, and to follow the Buddhist religion' (Selway 2007: 57). Selway sums up that 'these ideas...were channelled through the state-led education system, the media, the bureaucracy and the military...the Thai government has firmly discouraged use of the ethnic labels 'Lao', 'Khmer' and 'Malay' for Thailand's peoples in favour of the one category, 'Thai' (2007: 57).

The modernisation and nation-building era can be seen as the period when ‘Thainess’ has been gradually constructed. Saichol (2007) argues that Thainess is a dynamic notion which changes through time and contexts in line with Thai social, political and economic circumstances. Saichol purposes that Thainess can be deconstructed into two periods: 1) the period of absolute monarchy and modernisation (particularly from the reigns of King Rama IV and King Rama VI); 2) the period after the 1932 revolution or the beginning of the constitutional monarchy, as mirrored by the discussion of Thai nationalism in 4.3.

During the two periods, different actors have taken part in the shaping of ‘Thainess.’ Starting from King Mongkut, the reformation of the state’s identity (Siamese) was linked to the Western imperial threats. Sulak Sivaraksa refers to the Siamese identity reform during the reign of King Mongkut that:

For Mongkut, Siamese identity meant bending to Western demands in order to preserve our independence politically, culturally and spiritually. We even lost some of our economic and judicial independence in order to be the masters of our own country. We have to give up some aspects of our identity for a more universal aspect of civilization not only acceptable to the West, but also righteous, i.e. according to the Dhamma, the Buddhist Middle Path, the pristine teaching of the Buddha that predated The Three Worlds which mixed Buddhism with Hinduistic cosmology (1990: 34).

That was when Buddhism emerged as a core element of Thainess. Nonetheless, the main purpose of the construction of Siamese identity during King Mongkut’s era was to present to the West that Siamese civilisation was equal to the Western counterpart. The revamping of the Siamese identity includes a number of cultural projects, for instance the revival of *lakhorn* or the high culture performing arts, the emergence of Thai classic literature (Jackson 2004) or the enforcement to use the central Thai language in media (Vandergeest 1993). Siamese identity construction was at its peak during the reign of King Rama VI. The cultivation of Siamese identity has been regarded as a national project promoting the national identity cohesion. Jackson (2004) calls the phenomenon of the reconstruction of Siamese identity ‘the Regime of Images,’ and he argues that the reconstruction of Siamese identity is thus no longer a result of a struggle against the West imperialism. However, the persistence of this ‘regime of images’ derives from domestic political situations. The series of national identity and Thainess propagation were an outcome

of the Thai state's realisation of the Chinese existing and rapidly increasing economic power of the Chinese, by which it was the urgency that the Thai state had to implement political strategy to suppress the Chinese economic dominance (Chai-anan 2002: 56-57). Adopting a Gramscian approach, Chai-anan argues that:

State-identity building is guided by a state-creating class which is the official class whose major and primary interests and livelihood depend on the capacity of the state to manage and maintain its relative autonomy vis-à-vis civil society. In the context of peripheral countries where both capitalist and proletariat classes are normally weak, the official class becomes the dominant intermediate class which seeks to utilize state power for its own purposes. The overdevelopment of the Thai state can thus be explained by analyzing the process of state-building on the part of the official class which was created by the Chakri Reformation. It is this class that has been striving to maintain its hegemony over civil society by utilizing various ideological and coercive methods (2002: 51).

It can be said that after the reign of King Vajiravudh (1910 - 1925), the notion of Thainess was no longer a marker of cultural identity but had been politicised and used as a political strategy to maintain the autonomy and power of the ruling elites against other groups. The 1932 revolution overthrowing the absolute monarchy marked the next period when 'Thainess' had been fully transformed and narrowed specifically into a centralised notion of national identity. Still organised around the trinity of nation, religion and monarchy, as Connors argues 'Thainess as a form of hegemony emerged in tandem with efforts to fundamentally re-shape the mass of people with projects of modernization and nationalism...' (2005: 527). Led by two significant actors, Luang Wichit Wathakarn and Prime Minister Phibun Songkhram, Thainess has been shaped and official national identity has become a core national agenda.

The changing meaning of Thainess after the 1932 revolution and the purpose of Luang Wichit and Phibun's propagation of Thainess as an official national identity was due to new threats. The Chinese threat as referred to earlier is one of the most significant elements which urged the redefining of 'Thainess' in order to create the autonomy of the state and the cohesion of ethnic unification of Thailand. Another threat was the threat of communism which prevailed after the end of the Second World War (Chai-anan 2002). This will be related to the discussion of the hill tribes in the next chapter that communism has been a common accusation used by the Thai

state against non-Thai populations (such as the hill tribes) and thus made it justifiable for the Thai state to exclude or suppress the undesired 'others.' The rhetoric of the communist is also used to define 'un-Thainess.' Chai-anan, for instance, argues that "[t]he identity of the Thai state was enhanced by the nature of the threat which its elites defined for civil society...Communists in the 1940s and 1950s were either Vietnamese, Chinese, or Northeastern Lao, but never 'Thai'" (2002: 61). Communism as an ideology has been regarded as a totally un-Thai enterprise, a negation of the livelihood, history and civilisation of the Thai race.' Ironically, the promotion of Thainess to fight against communism did not agree with the authoritarian military regimes. Prime Minister Phibun Songkhram himself also was a coup leader in 1947 and ousted Prime Minister Thawal Thamrongnavasawat. Despite the fight against communism, still, Thailand has gone through a series of military coups and authoritarian governments up until the present time.

Thus far, it can be argued that 'Thainess' is not necessarily related to ethnic affiliation, but as Chai-anan calls it the construction of 'an historical imaginaire,' Thainess has been constructed and amended in order to serve the political goals of the ruling elites. Hence, Thongchai has purposed an analytical discourse which argues that the definition of Thainess relies on the justification of un-Thainess, as he argues;

In Thai, for example, *farang* is a well-known adjective and noun referring to Western people without any specification of nationality, culture, ethnicity, language, or whatever. *Khaek* is another term which covers the peoples and countries of the Malay Peninsula, the East Indies, South Asia, and the Middle East without any distinction. *Khaek* also denotes Muslim, but by no means exclusively so. That is to say, a reference is sometimes made regardless of whether or not a certain characteristics really belongs to any particular nation or ethnic group, because the aim of the discourse is to identify the un-Thainess rather than to define the characteristics of any particular people. Once the un-Thainess can be identified, its opposite, Thainess, is apparent (1994: 5).

Thongchai's argument is relevant to the core thesis of this research. The relations between Thainess and the Thai immigration policy-decisions relies on the way in which the Thai state maintains the country's national identity and hegemony by creating the categories of 'the others' through immigration policies and 'labelling.' The relevance of Thainess and the management of foreign immigration and ethnic

minorities can be seen in two aspects. The first aspect involves Thongchai's argument regarding the manifestation of 'un-Thainessness' as opposed to 'Thainess.' From the history of human migratory movements as will be mapped out in the next chapter, it can be seen that the way in which the Thai state has excluded the non-Thai populations is normally done by unproven allegations and propaganda against these populations. Frequent accusations include the threat to nation security and communism, as already discussed. The second aspect involves the labelling of the non-Thai populations. In chapter 5, a detailed description of Thai immigration policies and different categories of immigrants and ethnic minorities and their positionalities within the Thai immigration context will be presented. However, the use of 'labelling' in the Thai immigration and ethnic minorities policy context has been touched upon by several academics. Islam (2003), for example, analyses the use of labelling of hill tribe populations in Thailand and Indonesia and its relation to the formation of the hill tribe identities within the bureaucratic context. By this, he argues:

[l]abelling is one of the strategies for the dominant group to perpetuate its domination over the dominated....The cultural politics of identity or difference, whether old or new, arise primarily from the workings of power – in society and on space in both their material and imagined forms. Hegemonic power does not simply manipulate naively given differences between individuals and social groups, it actively produces and reproduces difference as a key strategy to create and maintain modes of social and special division that are advantageous to its continued empowerment (2003: 1).

Given the fact that the above two aspects are interrelated, the labelling of the non-Thai populations not only creates the category of the 'other' in Thai society, but also Thainess is intensified, narrowed down and restricted. The complexity of Thainess and its relevance to Thai immigration policy lies at the heart of the dichotomy of Thainess versus un-Thainess. And un-Thainess is perpetuated through the political mechanism of labelling and immigration terminologies used in which the Thai state can also specifically signify their entitlements, rights, social, political or even the geographical space they can occupy.

However, in the present, the opportunities for non-Thais to become equal Thai citizens are rather dim. Even though the assimilation policy is available and as the

case of the Chinese immigration suggests, the foreign assimilation in Thailand comes with a price, the renunciation of their ethnic identities and the conformation to 'Thainess' are obligatory. The concept which assimilation celebrates the diversity of different ethnic identities and cultures does not go hand in hand with the Thai hegemonic maintenance. It is not the process of assimilation or acculturation but a complete 'Thai-ification' which foreign immigrants or ethnic minorities ought to go through, should they wish to become Thai citizens.

The discussion of Thainess will be further analysed in chapter 7, which will provide a critical debate of the contradictions arising from the necessity to regulate irregular migrant workers and the urgency to construct a strategic framework to assimilate and give rights to citizenship to the migrants and their families. The implications that the present policies on irregular migration management on the notion of Thainess, identities and citizenship are vivid and validated by the deficiency of policy discussion on citizenship rights issues of the irregular migrant workers. The current policies on irregular migration management are the repetitive narrative of how Thailand still uses the same old patriotic nationalist justification to prevent the assimilation and integration of the non-Thai population.

4.5 Conclusion

This chapter has presented Thai political history through Thai nation-building and modernisation processes. It has been illustrated that the idea of 'nation-state' that has been formulated by King Vajiravudh which, along with his national integration policies, has laid a foundation that the definitive meaning of the Thai nation-state that it ought to have 'hegemony' as its integral component. The impact of which is mirrored in the current Thai stern immigration policy and the way in which the Thai state sees the arrival of foreigners as a threat to the national security or, to be more precise, the Thai hegemony.

Nonetheless, from the discussion in this chapter, it could be seen that the maintenance of Thai hegemony is not straightforward. Contradictions are frequent, as can be seen from the different ways in which Thailand received two groups of immigrants. The Chinese were chosen to be included and provided with Thai

citizenship, whereas other groups, such as the hill tribes (who are not even immigrants in a sense that a number of them have resided in Thailand before the establishment of Thailand as a modern nation-state) or the current irregular migrant workers, have not been offered the similar opportunity to be included. Such contradictions pose a question that what kind of criterion the Thai state uses to include certain populations against another. This question will be extensively explored in the next chapter, interrogating the different ways in which the Thai state has dealt with different groups of migrants as well as ethnic minorities. This will lead to the examination of how the ideology of the Thai nation-state and Thai hegemony play an important part in shaping Thai immigration policy and policy decisions, particular in the contemporary context.

Chapter 5:

Thailand as a migratory crossroads: the history of multi-ethnicity in Thailand

5.1 Introduction

Drawing from the analysis of the Thai economic and political developments, this chapter will go into the detailed discussion of the history of migratory movements to Thailand. Over time, Thailand has seen a greater number of migratory flows to the country. Here, six selected human migratory flows are presented to point out their impacts on different discourses which the Thai state has used to justify its immigration, and to lesser extents, its assimilation policy responses.

This chapter will be divided into six parts. Section 5.2 will present the history of Tai migration in relation to the formation of Thai ethnicity and the significance of the term 'Tai' to the modern usage of 'Thailand' as the country's name. Section 5.3 will focus on the history of Chinese immigration to Thailand, and how Thai policies have changed over time to accommodate different groups of Chinese immigrants. Section 5.4 will present the story of the hill tribe peoples. Although they are not entirely migrants in the sense that a number of hill tribe populations have resided in Thailand long before the formation of the modern Thai nation-state, the Thai state has labelled the hill tribes as '*Chao Khao*' which under Thai immigration law, they are regarded as 'aliens.' The relevance of the hill tribe discussion is on how the national security discourse is also used by the Thai state to prevent the assimilation and integration of the hill tribe populations. Section 5.5 concerns the arrival of politically displaced persons during the 1970s. The Thai State has agreed to accommodate politically displaced persons and allowed them to be placed in designated camps administered by the UNHCR. However, the fact that Thailand has not ratified the 1951 Convention allows the Thai government to accommodate the politically displaced persons only temporarily. The analysis will tackle the reasons behind this non-ratification, and the Thai state's persistent refusal to integrate the non-Thai populations, which is also an important factor in the contemporary case of the irregular labour migrants from Burma, Laos and Cambodia. Section 5.6 will be devoted to a brief discussion of the arrival of irregular migrant workers and its links

to the previous flows of politically displaced persons. Lastly, in section 5.7, the brief analysis of the question of Malay Muslims in the south of Thailand will be tackled. Focusing on the aspect of national integration and assimilation policy, the case of Malay Muslims has posed a significant challenge to the way in which the Thai state has used the discourse of national security to suppress the minorities' ethnic and cultural identity. More significantly, the discussion of the Malay Muslims cannot be ignored in this thesis, since it offers the most vivid and valid example of how the process of 'Thaification' can lead to violent insurgencies and conflicts.

5.2 The coming of the ethnic Tai and the formation of the Thai nation-state

More recently Siam became 'Thailand' but it remains multi-ethnic and multi-cultural.

(Sujit Wongthet 2004)

This section will discuss the origins of Thailand in relation to the migration of the Tai from 600 BC. The discussion of the history of Tai migration is necessary to connect with two important arguments of this thesis. Firstly, it will illustrate that the historical evidence in which the geographical areas of the current territory of Thailand is situated, have long been a migratory crossroads since 600 BC (LePoer 1987, Hindley 1968). As well as the instances of Chinese immigration, the coming of displaced persons and the current flows of economic migrants, drawn upon later on in this chapter, the discussion of Tai migration supports the argument that the Thai nation is multi-ethnic, in contrast to its frequent portrayal as an ethnically homogenous society.

Secondly, linking to the theoretical discussion of the formation of nation-states in chapter 2 and Thai nation-building in chapter 3, this section will discuss the ethnic origins and relations of the Tai people and the modern Thai population, in order to argue that the prominence of Tai migration has been deliberately deployed to fortify the creation of an 'imagined' Thai ethnicity and, hence, the ethnic homogeneity of Thai nation-state. It will be argued that the modern Thai ethnicity, does not exist, and the relations between the Tai migration and the formation of the modern Thai ethnic group and nation-state is a mere misapprehension, and a piece of political

propaganda that the modern Thai State has used to strengthen the sovereignty of the Thai nation-state (Sujit 2005). Nonetheless, the importance given to the Tai migration is reflected in the fact that the name 'Tai' was later adopted to create 'Thailand,' as the name of the modern Siamese nation-state (Keyes 1987). The name change points to the re-invention of 'Siam' as a modern nation-state and the rise of Thai nationalism.

There have been rather conflicting theories about the origins of the modern Thais. It was widely believed that the ancestors of the modern Thai people originated from the Tai (or T'ai) ethnic group, who migrated to the Chao Phraya and Mekong River lowlands areas in 600 BC. Prince Subhadradis Diskul, a prominent Thai historian, stated that 'the Thai people had probably originally lived in south-eastern China. They might have migrated into present-day Thailand in separate small groups a long time ago...' (quoted in Higham and Rachanie 1998: 206). In a similar vein, LePoer argues that:

The forebears of the modern Thai were Tai-speaking people living south of the Chang Jiang (Yangtze River) on the mountainous plateau of what is now the Chinese province of Yunnan. Early Chinese records (the first recorded Chinese reference to the Tai is dated sixth century B.C.) document the Tai cultivating wetland rice in valley and lowland areas. During the first millennium A.D., before the emergence of formal states governed by Tai speaking elites, these people lived in scattered villages drawn together into muang, or principalities (1987:5).

More prominently, the theory that the modern Thai people originate from the Tai migration, was accentuated by Prince Damrong Rajanuphap (1862-1943), the 'father' of Thai history. Damrong argued that the Tai people come primarily from the Altai Mountain, which implies that the Thais originate from the same race as the Mongols (Baker and Pasuk 2005:113). To Damrong, the Thai should therefore be seen as a distinctive race and should be regarded as 'one of the important races of the world' (ibid.). This theory has been generally accepted and it appears in school textbooks, fostering the belief amongst Thai children that the Thai race is superior to, and more dignified than, other races. This issue of the intensification of the re-invention of 'Thai' as a distinct race as analysed in the previous chapter implies that the 'Thai' race is created or, on Anderson's theoretical framework, 'imagined' to fortify the making of Thailand as a modern nation-state.

Nonetheless, the theory that the modern Thai people originated from the Tai ethnic group who originated from the Altai Mountain has been challenged by other historical evidence, which rejects the assumption that the modern Thai people originated from the migration of the ethnic Tai from the South of China. Wyatt argues that:

the modern Thai may or may not descend from the late-arriving Tai but may instead descend from the region's still earlier Mon or Khmer inhabitants or the much later Chinese or Indian immigrants. Only over many centuries has a 'Thai' culture, a civilization and identity, evolved as the product of interaction between Tai and indigenous and immigrant cultures' (2003: 1).

The earlier presumption that the modern Thai civilisation originated from a homogeneous group of Tai migrants may have been stressed by the Thai state, suggesting the homogeneity of modern Thai ethnicity. However, as Wyatt suggests, the origins of the modern Thai people may have derived from interactions of different ethnic groups. Baker and Pasuk (2005: 4) cite cultural and linguistic transferences (for instance, the similar techniques of rice growing and rice culture, and the Thai language grammar and syntax), which suggest Khmer and Mon influences. The transference of culture and language also illustrates how human migration in the Greater Mekong Subregion has been continual and recurrent, particularly in the period of time when geographical borders of modern 'imagined' nation-states did not exist, as reflected in Thongchai's (1997) argument (discussed in chapter 2).

However, the significance of the Tai migration to the analysis of this thesis is its special place in the formation of the so-called Thai ethnicity and the consequent development of the modern Thai nation-state. The word Tai has been adapted to 'Thai' which, Wyatt (2003:1) argues, implies a political connotation, rather than a hegemonic ethnicity. People are Thai, Wyatt writes, if:

[t]hey are citizens of Thailand, subjects of the Thai monarch. The term might take on a cultural and linguistic sense as well: as 'Thai' they are speakers of the Thai language and participants in Thai culture. However, the 'Thai' identity, along with its political, cultural, and linguistic components, has developed slowly through many centuries, and what the modern citizen refers to as 'Thai' existed only recently (2003:1).

What Wyatt argues can be linked to the theoretical discussion presented in Chapter 2. The dichotomy between the primordial approach (which believes that nation-states originate from ethnic ties and bonds [Geertz 1963]) and the modernist approach (which views nation-states as a mere 'imagined' political institution [Anderson 1991]) poses a relevant question about the relationship between the Tai migration and the formation of modern Thai ethnicity and nation-state, and the assumption that Tai migration was the origin of the modern Thai people indicates the Thai State's effort to construct this imagined Thai ethnic hegemony, as well as the sovereign modern nation-state.

Thus, it becomes a question of how the term 'Tai' or 'Thai' has been adapted and used to describe the modern Thai people and the name of the country. Historically, the Tai people in the Indochinese peninsula were not only concentrated in the area that is now Thailand, but expanded to many places in Southeast Asia, including Laos, Burma, Cambodia and Vietnam (Wyatt 2003). In addition to this, it should be noted that the Tai people were not a homogenous group, but were rather made up of different minority groups, such as Tai Lü, black Tai, and white Tai (Wyatt 2003:2). Cheah Yan-Chong (2005) and Sujit (2005) reject the theory that the Tai migration was the origin of the modern Thai people, arguing that the Tai migration in 600 BC may not have represented the first trace of the Tai peoples present in the Greater Mekong Subregion. Moreover, the diversity of the Tai peoples suggests that the previous assumption of the homogeneity of the Tai may be over-simplistic and lacking in valid historical evidence (Sujit 2003). Wyatt argues that the term 'Tai' does not denote a unified ethnic group, but a diversity of peoples who possess shared linguistic similarities:

These were people from whom we had best reserve the word Tai, a cultural and linguistic term used to denote the various Tai peoples in general, peoples sharing a common linguistic and cultural identity which in historic times has become differentiated into a large number of separate identities (2003:1).

Cheah Yan-Chong (2005) argues that the Tai people in the ancient era might not have any direct relation with the modern Thai, yet the ethnic relation may be

accounted for by cultural and linguistic transference. Sujit (2005) stresses that all peoples in the Greater Mekong Subregion have always shared similar ethnic and linguistic ties, but that the naming of distinct ethnic groups (i.e. Tai, Lao, Khmer or Mon) was a result of labelling of various groups of peoples in the region according to their diverse languages or dialects. The work of Chit Phumisak (1976) has used linguistic historical analysis to analyse the relationship between the term 'Tai,' the modern Thai people and Thailand as a state name, and concluded that Tai referred to a group of Tai-speaking peoples and later on to a ruling elite who founded the Kingdom of Siam.

The first trace of a loosely-knit kingdom that later developed into the modern Thai nation-state started in around 1230s²¹ under the name of the Kingdom of Siam. Wyatt writes about the Tai elites forming the Siamese Empire:

Their experience in the relatively more developed, complex, sophisticated environment shaped by centuries of Angkorean Khmère rule and influence gave this Tai elite of the Choa-phraya valley and the upper peninsula a distinctive culture, different in some critical respects from that of their cousins to the north who ultimately become known as Loa or Shans. They seem to have been accustomed to relatively more complex, hierarchical social and political organisation than the Tai Yuan or Lao... These Tai – who may have had Mon or Khmer origins – historically have been referred to as Siamese, a local variant on the word Syam of the Cham, Khmer, and Pagân inscriptions. The term takes on political significance where one of their states, Sukhothai, is referred to in Chinese sources towards the end of the thirteenth century as Siem, that is, Siam (2003: 41).

In a similar account, Baker and Pasuk argue that the evolution of the Kingdom of Siam occurred from a domination of a loosely-knit structure of different *muang* or municipalities whose populations were made up from diverse ethnic origins (2005: 8). By this, it can be said that the Siamese Kingdom has remained ethnically diverse from the Sukhothai era (which ended in 1350) and the succeeding Ayutthaya era (1351-1767). The increasing ethnic interactions flourished as a result of the prosperity of trade and commerce in the early 17th century (ibid: 13). Baker and Pasuk point out that:

Ayutthaya grew into perhaps the largest city in Southeast Asia, and certainly one of its most cosmopolitan. The city was ringed by settlements

²¹ Variations of the exact dates of the beginning of Sukhothai Kingdom differ according to different literatures.

of Chinese, Viet, Cham, Mon, Portuguese, Arab, Indian, Persian, Japanese, and various Malay communities from the archipelago (ibid: 14).

The assimilation of the diversity of peoples during the Ayutthaya era is evident through the recruitment of these peoples in court (ibid.). In the city of Ayutthaya during King Narai's reign (1656-1688) 'as part of the management of such a cosmopolitan centre, the kings allowed freedom of religion, even proselytization, which impressed the Europeans' (ibid.).

The Siamese Kingdom remained ethnically diverse up until the Rattanakosin era (1782-1932). However, the emerging distinction between different ethnic groups was visible during this period. Notably, the ruling elite were conceived of as 'Thai,' while people from the outer regions of the city of Bangkok would be conceived differently according to their linguistic or ethnic identities (Baker and Pasuk 2005: 63). The Kingdom of Siam emerged from the 18th century as an imperial empire with the central government in the city of Bangkok having control over other linguistic or ethnic groups. King Rama V or King Chulalongkorn reportedly described himself during a visit to India in 1872 as 'King of Siam and Sovereign of Laos and Malay' (ibid.).

The domination by the ruling elite who called themselves Thai (as opposed to the subordinate groups who were non-Thai speaking) increased during the Thai nationalism era at the beginning of the 20th century. As a result of the nation-building processes, the name of the country was changed from Siam to Thailand in 1939. Chanwit (2005: 36) describes the Thai Government's justifications for the country's name change that the name 'Siam' does not associate with the 'Thai race,' or represent the Thai people who were the majority of the populations in Thailand. At this point, the meaning of 'Thai' (corresponding to the Tai migration of the ancient time) was redefined. In addition to this, the renaming of the country's name from Siam to Thailand signifies a backward step from recognising the country as a multi-ethnic society to create the 'unreal' reality in which Thailand is the land of the Thais.

It is clear that historical images of the Tai migration were linked to the creation of Thailand as a modern nation-state, as the term 'Tai' was adapted to 'Thai' to create a

non-existing ethnic group. This is an example of a case in which a nation was not created through ethnic ties, as the primordialists argue, but through a series of nationalistic projects which use various political mechanisms and strategies to create the so-called 'imagined' ethnicity and nation-state. In the next section, the case of Chinese immigration and assimilation to the Thai society will be presented, in order to draw upon the issue of ethnic assimilation and the Thai State's hidden selective criteria for assimilation.

5.3 Chinese immigration to Thailand: questions of ethnic relations in the Thai society

The significance and relevance of Chinese immigration to the analysis of this thesis is on how Chinese immigration is frequently given as a success story of ethnic assimilation and integration into Thai society. There are positive aspects of the success story of the ethnic assimilation of the so-called Sino-Thais, the Chinese-Thai conglomerates or entrepreneurs, which tend to overshadow less positive aspects of the story. This section will attempt to unveil a more balanced account of the Chinese immigration in Thai society. Historical analyses of the Chinese communities in Thailand tend to present Chinese immigrants in Thailand as a homogeneous ethnic group, mainly comprising the Chinese entrepreneurial group now known as the 'Sino-Thais.' Often, Chinese immigration in Thailand has been seen in the academic discourse as a showcase of a successful tale of ethnic assimilation, particularly in comparison to other nations in the Southeast Asian region. Take, as an example, Chua who states that:

Thailand is a fascinating case. On the one hand, it shares with other Southeast Asian countries the phenomenon of a wildly disproportionately wealthy, market-dominant Chinese minority. The Chinese in Thailand today, although just 10 percent of the population, control virtually all of the country's largest banks and conglomerates. All of Thailand's billionaires are ethnic Chinese...unlike elsewhere in Southeast Asia, the Chinese have assimilated quite successfully into Thailand, and there is relatively little anti-Chinese animus. In Thailand today, many Thai Chinese speak only Thai and consider themselves as Thai as their indigenous counterparts. Intermarriage rates between the Chinese and the indigenous majority (many of whom, at least in Bangkok, have some Chinese ancestry already) are much higher than elsewhere in Southeast Asia. Perhaps most strikingly, the country's top political leaders, including a recent prime minister, are often Chinese descent, although they usually have Thai-sounding surnames and speak little or no Chinese (2004: 179).

Chinese immigration to Thai recapitulates the long historical processes of population movements to Thailand. However, before a series of Chinese migratory movements to Thailand, diplomatic relations have existed since the Sukhothai era (1275-1317). Through tributary missions between the Thai Kingdom and the Chinese Hsien Kingdom, diplomatic and commercial relationships were rather steadily set up (Skinner 1957). As a result of such links, Chinese merchants and migrants started to migrate to the King of Siam. Skinner (1957) points out that by the 17th Century, there were as many as 10,000 Chinese migrants in Thailand. Thomson (1993) adds that the number had risen to 300,000 in 1850 and 792,000 in 1910. The estimated total of arrivals and departures of ethnic Chinese between 1882 and 1995 is shown below.

Table 5.3: Estimated total arrivals and departures of ethnic Chinese 1882-1955 (in thousands)

Year	Total Arrivals	Total Departures	Total Surplus of Arrival
1882-1892	177.5	99.4	78.1
1893-1905	455.1	261.9	193.2
1906-1917	815.7	635.5	180.2
1918-1931	1327.6	827.9	499.7
1932-1945	473.7	381.3	92.4
1946-1955	267.8	107.8	160.0

(Source: Walwipa 2001: 45)

Nonetheless, the success story of this rather satisfactory assimilation of the Chinese (mostly business class) reflects the fact that the Thai state has encouraged the assimilation of the Chinese in this period because of their important economic contribution to the country, whilst at the same time persisting in policies which prevented the assimilation of other ethnic groups, for instance the hill tribe populations. According to Skinner (1957: 240) the rationale behind the Thai state's decision to favour the assimilation of the Chinese immigrants derives from the economic cooperation between the Thai elites and the Chinese merchants. Since the 14th century, Thai kings have seen the Chinese's commercial, financial and maritime skills as beneficial to the Thai economic development, and policies were put in place between the 15th and 18th centuries aimed at incorporating Chinese merchants into the Thai nobility, which as a result, would ensure 'their loyalty to the Crown' (ibid.).

Skinner reports several cases in which Chinese immigrants were ennobled; for example,

[i]n Narai's reign (1657-88), Phra Siwipot, the king's chief maritime official, and Phraya Yommarat, the Chief Justice, were Chinese. Half a dozen lesser Chinese officials in the service of the Thai king were specifically mentioned in western sources during Narai's reign. Later in the Ayutthaya period, Chinese who successfully bid for the gambling concession were automatically ennobled. King Taksin (1767-82), a *lukjin* himself, favored Chinese in making appointments and gave a great impetus to social relations between the Chinese and the Thai ruling class. He ennobled a Chinese immigrant, Wu Wang, and appointed him governor of Songkhla, one of the important southern dependencies of Siam (ibid).

However, the academic discourse often concentrates on the assimilation of the trading Sino-Thais and disregards the fact that the Chinese immigrants in Thailand are diverse in terms of their ethnic origins, location, and occupations (Hill 1998). The diversity of Chinese immigrants needs to be analysed to demonstrate how the Thai State has responded differently to flows of immigrants, largely on the basis of their economic circumstances or their potential economic contribution to the Thai economy. The discussion is linked to the theoretical framework presented in chapter 2 of this thesis on 'economic nationalism.' However, here, it is argued that the way in which the may deliberately choose to allow only economic superior ethnic populations, while forbidding economic inferior ethnic groups.

However, Chinese immigrants in Thailand are not homogeneous, but very much diverse (Hill 1998, Thomson 1993). According to Thomson, Chinese immigrants to Thailand 'differed in provinces of origin, spoken dialects, and customs and traditions' (1993: 399). Thomson sums up the diversity of different ethnic group of the Chinese immigration in Thailand:

Since the reign of King Taksin (1767-1782), Teochiu speakers have accounted for about 56 percent of the Chinese population. Later, varied commercial enterprises drew Chinese from other dialect groups, including the Hakka, which constituted 16 percent of the population in 1950, and the Hainanese, with 12 percent. The Cantonese and Hokkien groups each accounted for another 7 percent, with the remaining 2 percent divided among several groups (ibid.).

Indeed, not all of Chinese immigrants were merchants. As a result of the abolition of slavery and, to a great extent, the expansion of international trade resulting from the signing of the Bowring Treaty (discussed in chapter 3), during the 19th- early 20th centuries, the Siamese government allowed a large number of Chinese labourers or ‘coolies’ to enter the country primarily to dig canals. These new canals were key projects for the Siamese economy as they would give access to better export transportation system (Cheyroux 2003). [See Table 5.3 for the increase of arrivals of ethnic Chinese from 19th-20th centuries]. During that period of time, the incentive for Chinese labourers to migrate to Siam was basically economic, as according to Skinner (1957: 117), a Chinese migrant ‘could earn wages double those prevailing in South China ports and live both better and cheaper than in his own country’.

With regards to the assimilation and integration of Chinese immigrants in Thailand, the Thai reception towards the Chinese has altered through different periods in history. In this section, the discussion will be divided into three stages: the natural assimilation during the Ayutthaya era; the golden era of Chinese integration from King Taksin’s reign to the first five kings of the Chakkri Dynasty (King Rama I – King Rama V r.1782-1910); and the anti-Chinese xenophobia era which commenced in King Vajiravudh reign (1910-1925).

The historical evidence shows that international trade relations between Siam and China started in the Sukhothai era in the 13th century. Chinese settlements were established across Siam and the majority of the Chinese immigrants were merchants or traders. According to Skinner, Chinese immigrants in Ayutthaya were merchants, ‘scholar-officials, physicians, artisans, actors, and pig breeders’ (1957: 15). However, as Skinner notes, ‘whether there were any manual laborers is unknown.’ The prosperity of the Chinese community in Ayutthaya was mainly the result of the establishment of commerce and trade. Rigg explains that:

In historic Siam, a significant Chinese commercial community was present in early-fourteenth-century Ayutthaya, the former capital. By the fifteenth century, Chinese were being allocated ‘land’ (status) through the sakdi naa system, in the seventeenth century there was a community of several thousand Chinese in Ayutthaya and by the early eighteenth century Chinese held considerable political power within the machinery of government (2003: 100).

The assimilation of the Chinese immigrants in the Ayutthaya era was a relatively natural process. Intermarriages and interethnic socialising through trade and commerce were common. It seems that since the Chinese brought economic prosperity and wealth to Ayutthaya, they were seen as ‘friends’, not ‘threats.’ Coupled with the fact that, as the majority of Chinese immigrants were wealthy merchants, making connections with the Chinese, either through intermarriages or through socialisation, was beneficial for the Thai economy. The economic power and wealth that the Chinese merchants had gave them the opportunity to become a respectable component of Thai society.

The beginning of the Chakri Dynasty (1782) marked an increased role for the Chinese immigrants in the new capital city, Bangkok (Supang 2006). Walwipha and Sawani (2006:121) explain that King Rama I (or King Phutthayotfa [r. 1782-1809]), in virtue of his Teochew descent, allowed the Chinese community to reside in the inner part of Bangkok. Skinner (1957: 27) emphasises that, unlike other immigrant communities, the Chinese immigrants enjoyed privileges and close interactions with the court. He states that:

...taking into account only known cases of Chinese admixture, there was from the first an extensive Chinese strain in the Jakkri royal family, one which, through reinforcement, continued strong to the twentieth century. The social importance of this fact lies in the consciousness and acknowledgement of it by the kings themselves (ibid.).

Skinner’s interpretation of the rather unproblematic assimilation of the Chinese immigrants through intermarriages and court connections has been challenged by Kasian (2001) who draws upon the state administration known as the *phrai* system²² that was held as the main state administration since the Ayutthaya era began in the 15th century. Kasian argues that the reason that the Chinese appeared to be assimilated, and did not appear to be treated as foreigners in the Ayutthaya era, was a result of the *phrai* system (which the Chinese were involved in the management of):

It is important at this point to bear in mind the essential conceptual difference between the traditional Siamese kingdom and a modern nation-state, and its far-reaching practical consequences. Whereas the latter is

²² The *Phrai* system can be translated to the ‘Sakdina’ system or Thai feudal system or in some literature it is understood as the Patron-Client system. Literally, Phrai means ‘serf’ who ‘was bound to the land in the service of a *nai* under the *sakdina* system’ (LOC 2008).

defined by its boundaries and population, the former was defined by its centre and ruler that is the King. Likewise, while membership of the latter is based on nationality that of the former was through the *phrai* system....The *phrai* among them had to have their wrists tattooed, register with a *moon nai*, and perform corvéé labour while the degree of access to the king on the part of the *moon nai* among them was not determined simply by their ethnic identity (Kasain 2001: 52).

Kasian's argument questions the impact of the *phrai* system and the assimilation of the Chinese in the pre-nation Siamese kingdom, by challenging Skinner's argument that the cultural assimilation of the Chinese community was achieved simply through inter-marriages and social interaction. Kasian's argument is compelling, as it intensifies the differences between the Thai State's reaction towards the management of Chinese immigration, as well as assimilation before and after the birth of the modern Thai nation-state. In the early Chakri era, when the concepts of ethnicity, race or nation-state did not exist, the Chinese immigrants who chose to stay in Siam had to conform to the Siamese administration. Kasian points out that the Chinese assimilation in the pre-nation-state period was not through cultural assimilation, but through political assimilation as he explains:

...traditionally, the degree of a certain ethnic group's integration into the Siamese kingdom was not determined by their cultural assimilation into Thai society, but by their political assimilation into the *phrai*-based kingly state. What really counted in the kingdom-state's eyes was not whether you were a Chinese or Thai, but whether you were a *moon nai* or a *phrai* (2001: 52).

This argument can be expanded and used to understand the way in which a Chinese immigrant could move up the social ladder, if they became wealthy entrepreneurs. The smooth integration of Chinese immigrants into Thai society was interrupted in the period of Thai modernisation and nation-state building. Starting from the reign of King Vajiravudh and intensified by the Government of Field Marshal Phibun Songkhram (in the office between 1938-1944 and 1948-1957 [as discussed in Chapter 4]), the concept of 'Thainess' was constructed and, as a result, 'Chineseness' became an undesirable form of 'otherness.'

On the back of anti-Chinese sentiment since the 1930s, the Thai Government (led by Phibun) proposed 'anti-Chinese' policies aiming towards the elimination of 'Chineseness' by turning the Chinese in Thailand into 'Thais' (Chua 2003: 183). The

rationale behind the anti-Chinese policy can be divided into three aspects. First, the consequence of the unification and creation of a modern Thai nation-state and Thainess re-defines Thai ethnic hegemony, in which the Chinese have been seen as 'the others.' Second, the growth of Chinese immigration to Thailand (particularly with respect to Chinese immigrants working as labourers) increased dramatically from 1910. According to Thomson:

[e]stimates indicate that the number of Chinese immigrants in Thailand rose from about 230,000 in 1825 to 300,000 in 1850, and then to 792,000 in 1910. The Chinese reached their demographic peak in 1932, when they accounted for 12.2 percent of the population (1993: 399).

Thomson (1993) argues that the dramatic increase of Chinese immigrants during this period was a result of the Thai economic boom of the 1920s, coupled with a series of natural disasters and civil unrest in China. Consequently, a more strict immigration policy was imposed in 1947: the annual quota of Chinese immigrant was set at 10,000 in 1947 and then reduced to 200 in 1949 (Thomson 1993: 400). It should be noted that 1949 was the year in which the Communist Party of China took power, and the People's Republic of China was established as a communist state, which led to an alteration of the Thai immigration policy for Chinese immigrants. This leads on to the third aspect, which emphasises the ways in which Chinese immigrants could pose a threat to the Thai state's national security owing to their communist links (Busakorn 2006, Thomson 1993).

Busakorn argues that the anti-Chinese policy implemented under Phibun could be also seen as a consequence of the USA's anti-Communist policy as she explains that:

[d]uring this Cold War period, the Thai Government saw communism as the main security threat. It therefore sought protection from the US. Marshal Pibul ignored any relatively trivial benefits derived from trading with China in favour of large amounts of military and development aid from the US. The Thai Government implemented nationalist policies in addition to the anti-Communist policy (2006: 88).

This argument is not included in much of the relevant literature, yet it can be seen to be relevant since, during the same period of time, the allegation of communism is also parallel to the Thai state's marginalisation of the hill tribe populations. This issue will be further discussed in the next section.

In the 1920s, the Government imposed drastic measures in order to assimilate the Chinese in Thailand, including the restriction on the use of Chinese language, the obligation to adopt a Thai surname, the closure of Chinese schools around Bangkok and the integration of Chinese schools into the national educational system (Chan and Tong 2001:20). Emphasis was placed on the eradication of the Chinese language and the compulsion for all Chinese migrants and their descendants to use the Thai language (Chua 2003, Chan and Tong 2001, Skinner 1957). The quota system of the Chinese immigrants was introduced in 1947, resulting in a dramatic fall in the number of newly-arrived Chinese immigrants, from 765,000 in 1947, to 316,000 in 1975 and to around 100,000 by 1990 (Thomson 1993).

Moreover, the launch of the Nationality Act 1913 (B.E. 2456) reflected the way in which the Thai government had long sought to integrate and assimilate the Chinese immigrants and their descendants into the Thai society. As Skinner observes, the act signified that 'inconformity with the government's liberal policy toward the Chinese so that all persons in Thailand were automatically Thai citizens' (Skinner 1973: 378). However, the decision that any Chinese people residing on Thai soil would be able to receive Thai citizenship was later reversed in 1953 (Nationality Act (No.2) of 1953 [B.E. 2496]). The Nationality Act was amended to refuse the rights to citizenship by *jus solis* (citizenship through birthright) to citizenship through *jus sanguinis* (citizenship through bloodline) [further discussion on citizenship law will be in section 6.7]. In addition to this, as previously discussed, the rapid growth of Chinese immigrants during the period of the 1940s and the transformation of China to a communist state made the Thai State feel uneasy about the reception of such a large population and fears about the spread of communism were growing.

Nonetheless, the law was amended again in 1992 when the Thai state announced that Chinese immigrants who migrated before the 1970s could apply for Thai citizenship (Busakorn 2006: 93). According to Busakorn, this was due to recognition of the fact that 'Chinese descendents have continued trading since their arrival and playing an important role in fortifying trade and investment cooperation. They have also

assumed influential roles in social, economic and political matters and married Thais' (2006: 93).

However, the success of Chinese assimilation in Thailand is questioned by Chan and Tong, who challenge Skinner's argument on the success of the complete assimilation of the Chinese in Thailand that;

If Skinner is right and assimilation is taking place with regularity, then the Chinese cannot survive as "Chinese" in Thailand. The gates of immigration have been closed since 1949. It follows that the Chinese minority will be eroded away and, in two to three generations, there should be no ethnic Chinese community in Thailand. Yet, in present day Thailand, there is still a substantial number of ethnic Chinese (1993: 149).

Chan and Tong's argument is important for the discussion in this chapter. Despite the fact that Chinese immigration and assimilation in Thailand is often portrayed as a 'success' story as Skinner (1957) suggested, in reality, diversity within Chinese communities in Thailand has been ignored in most academic discussion which tends to present a homogenous view of the Chinese residents in Thailand. It was only recently a more nuanced analysis has challenged this. Based on a theoretical framework which argues that '*ethnicity is not fixed or static but undergoes transformation, mediation and negotiation*,' Chan and Tong believe that the notion of 'successful' Chinese assimilation is superficial and unreal (2001: 5). The compliance of Chinese to the forced assimilation policies in reality may reflect a strategy adopted primarily to maintain their businesses on Thai soil and to sustain their closed ties with the Thai elites (ibid.).

Walwipha (2001) specifically distinguishes the Thai immigration policies towards Chinese into two periods, (i) prior to the Second World War and (ii) after the Second World War. Similar to Chan and Tong, Walwipha challenges Skinner by arguing that particularly after the period of World War II, the Thai government, led by Phibun, intensified the promotion of the 'Thai Economy for the Thai People' (discussed in section 3.3), which, as a result, forced the Chinese in Thailand to choose to be either 'Thai' or 'Chinese.' Restrictions were put in place to force the Chinese to renounce their identity:

Many methods, such as increasing the alien fee, limiting Chinese to certain residential areas, enacting laws to reserve land and buildings only for Thais in the vicinity of railway stations, new highway intersections, were used to force the Chinese to change their nationality. These policies greatly affected Chinese because of business transactions and occupation as middlemen (Walwipha 2001: 50).

Walwipha argues that the forsaking of their own identity was not truly by choice, as Skinner suggested. On the contrary, the assimilation was forced upon the Chinese and complied with due to their need for economic survival in Thailand. As Walwipha concludes: 'the Chinese were commercially important, but were always regarded as outsiders. While there was an alliance between the Thai elites and Chinese businessmen, the relationship was primarily pragmatic, rather than a product of long-term cultural assimilation (2001:53).'

The existence of Chinese communities and affiliations in Thailand illustrate the maintenance of Chinese ethnic identity and cultural traits in Thai society, despite the Thai State's effort to completely assimilate the Chinese (Chan and Tong 1993). Chan and Tong's research illustrates that most Chinese in Bangkok still maintain their Chinese ethnic identity by speaking Chinese, practising Chinese rituals and participating in Chinese affiliations. They adopt Coughlin (1960)'s term 'double identity' to understand the dynamic of Chinese ethnicity in Thailand. A double identity implies:

....an essentially static concept that fails to view the person as an active being who understands and respects his group allegiances; uses his ethnicity expressively and instrumentally; conducts himself in ways he sees most appropriate and advantageous in private and public places; knows the distinction between primary and secondary identification, and uses the distinction strategically. Such a view of an ethnic actor must consider assimilation as problematic and, certainly, not taken-for-granted. It is a view that focuses its theoretical and empirical attention on the human actors relentlessly meeting their own needs while adopting and trying out strategies in daily social transactions (Chan and Tong 2001: 36)

Nevertheless, the Chinese are still the 'chosen ones' as, unlike other ethnic minority groups in Thailand, they enjoy the right to be politically, economically and culturally included in the Thai society. However, it can be argued that the Thai state's acceptance of the Chinese derives primarily from the fact that the Chinese contribute to the rapid economic growth. The criteria which the Thai state sets to accept the

Chinese, as a group of immigrants who (unlike the hill tribes and irregular migrant workers) possess the economic connections, wealth and the potential to immensely contribute to the economic advancement, can be linked to the theoretical discussion of 'economic nationalism' as discussed in chapter 2. The assimilation of Chinese immigrants in Thailand is, in fact, in line with national interests. The growing recognition of dual identities (as can be seen from Thai-Chinese bilingualism) is now seen as acceptable, if not desirable, as it may help foster strong trade ties between Thailand and China. The increase of bilateral trade relations between Thailand and China and the expansion of Sino-Thai businesses since 1975, which peaked in the 1990s, has also strengthened the Thai State's welcoming acceptance of the presence of 'Chineseness' in Thai society (Busakorn 2006). In the next section, the case of the hill tribe populations will be presented to point out the sharp contrast with the Chinese success story. The hill tribes, in spite of not being migrants, are always treated as 'the other' and have never been given the opportunity to enjoy their rights and liberty as Thai citizens.

5.4 The hill tribes: the indigenous question of Thailand

The north of Thailand has always been ethnically, linguistically and culturally diverse (Jamaree 2003), which is vividly illustrated by the presence of the hill tribe populations in the Northern region of Thailand. According to Jamaree (2003) the highland²³ populations or hill tribe ethnic groups are composed of the Hmong, the Akha, the Lahu (also known as Musur), Lisu and Yao. Walker has made an in-depth classification of the hill tribe populations according to their linguistic diversity, as follows:

Among the non-Tai peoples who make northern Thailand their home, the principal ones are the Austroasiatic-speaking Lau', T'in, Kammu and Khon Pa; the Karenic-speaking Sgaw and Pwo Karen (recently joined by a few Padaung); the Tibeto-Burman-speaking Lahu, Lisu and Akha; the Meo-Yao-speaking Hmong and Iu Mien, the Chinese, both from overseas and overland (1992: 62).

In Thai official documents, hill tribe people are known as '*chao khao*' and according to the official statistics from the Ministry of Social Development and Human

²³ The term 'highland populations' or 'highlanders' have been used synonymously in academic literatures and research in the hill tribe people of Thailand. The term highlanders appear to signify the opposition between the hill tribe populations and the lowland Thai people.

Security, in 2007, there are around 600,000²⁴ hill tribe people in Thailand, which is approximately 1% of the Thai population. Only half of these hold Thai citizenship (Jonsson 2004). The Tribal Research Institute (TRI) estimated in 1995 that there are 694,720 hill tribe populations, living in 3695 villages in the northern region provinces. According to Aguetant (1995), it is reported in an unpublished survey by the Thai Ministry of Interior that the hill tribe populations in Thailand are composed of Karen (46.3%), Hmong (17.9%), Lahu (10.5%), Akha (6.9%), Yao (5.8%), and H'tin (4.7%).

The hill tribe people are not all recent migrants, but they are permanent inhabitants, and some groups may have resided in Thailand even before the Tai migration in 600 BC. Some other hill tribes (such as the Hmong, Karen, and Lisu) migrated to the mountainous areas in the North of Thailand during the 19th century, which was before Thailand was made a modern nation-state, and Thai citizenship was made as a political norm that signified inclusion in the Thai nation-state. However, the significance of the hill tribe discussion in this thesis is to present a sharp contrast with the Chinese immigrants, who have been rather hospitably included by being given the opportunity to hold Thai citizenship. Furthermore, the recent irregular labour migration management has created further complications to the hill tribe issue, as a number of migrant workers belong to similar ethnic groups as the already-settled hill tribe populations (particularly the Karen); hence the Thai state often conflates certain hill tribe populations with the newly-arrived economic migrants in policy documents and policy (See chapter 6 for the discussion of the hill tribes and the irregular migrant workers management policy).

Another consideration that is relevant to the discourse on the hill tribes is the way in which the Thai state has often used 'national security' to justify state intervention and control over non-Thai populations. In the case of the hill tribes, the allegation of 'communism' has frequently been levelled against specific hill tribe populations (particularly during the 1970s), which has allowed the state to assert strict control through the presence of Thai state authorities (the Army and the Police Department) in the highland areas. As Filbeck (1973) claims, 'such an accusation in Thailand

²⁴ There are few detailed statistical sources available concerning the number of hill tribe population in Thailand and most statistics from governmental agencies do not always correspond.

often covers a wide latitude of crimes' (Quoted in Walker 1992: 43). The recurrent appeal to national security as a ground for the Thai State's control over non-Thai ethnic populations has to be deconstructed, as well as the meaning of 'national security' to the Thai state. In section 5.3, the way in which 'national security' dialogue is linked to the maintenance of Thai hegemony will be critically discussed. It seems likely that the control over the hill tribes (as well as other non-Thai populations) and the restrictions preventing them to become Thai nationals reflects the way in which the Thai state repeatedly asserts that the diversity of peoples and the lack of 'ethnic' unity would lead to an undesirable outcome in terms of social and political stability (Chupinit 1994). On the grounds of the promotion of Thai hegemony and the eradication of alleged 'national security' threats ethnic groups, there have been an number of measures to assimilate the hill tribes, including the relocation of highlanders to designated lowland areas, compulsory Thai education and the promotion of Buddhism (see Keyes 1979). The hill tribe assimilation projects are part of a process of 'Thaification' in which the hill tribe people have to renounce their ethnic identity, and have to demonstrate that they are fully 'Thai' by being able to speak Thai and declaring loyalty to the trinity of the Thai nation. The attempt to eradicate the hill tribes' unique ethnic identity is likely to create a counter-effect, however, by augmenting internal conflicts and disparities between the hill tribes and the lowland Thai nationals. Dessaint and Dessaint write:

...social and cultural pluralism – in which ethnic groups maintain different ways of life, but interact economically and politically – is gradually being challenged by a nation-state that is attempting to assimilate all ethnic groups different from the politically dominant one. Such a drastic disruption of the previously existing social and cultural *modus vivendi* is likely to lead to an unhappy situation, rife with tension and conflict (1982: 107).

As mentioned earlier, the hill tribe people are not recent migrants. Historical evidence suggests that they have been present in the North of Thailand since the 19th century, and perhaps even before the Tai themselves in the 12th-13th centuries (Walker 1992). However, the hill tribes were not a subject of immigration as well as national security issues until the demarcation of the geographical boundary of Siam in late 19th century. Pinkeaw (2003: 25) argues that, historically, the Siamese state did not regard the hill tribes (particularly the Karen) as 'immigrants' or 'aliens', yet

the state cooperated with the non-Siamese highland people and ennobled some Karen leaders to administer the western frontier provinces.²⁵ The beginning of the Thai modern nation-state, commencing in 1910, marked the period in which the hill tribe peoples started to become the ‘other’ in the Thai state. Accompanying the growth of the nation-state, modernity has been held to be worthy of esteem, and this is not something that the ‘uncivilised’ hill tribe people represent. Pinkeaw (2003) traces the transition in which the hill tribes have become re-branded as ‘*chao khao*’ – the marginalised ‘other,’ which ought to be transformed and Thai-ified, or else their persistence to their ethnic and cultural heritage would be seen as ‘threats’ to the Thai social and political cohesion, as she writes:

In the early twentieth century, the modern Thai State was made more centralized and bureaucratized. The question of what it means to be a Thai national and how the status could be achieved prevailed throughout the first half of the twentieth century. In the post-World War II decade, the tide of ‘Cold War’ sentiment gradually swept through Burma and Indochina. The rise of nationalist ideology within the Thai State heightened concern about the border. As a consequence, ethnic differences between *muang* and *pa* came to be seen as a threat to Thai nationhood. The perception of forest people now underwent a significant shift, this time from being viewed as strange and uncivilized to being seen as ungovernable. The construction of Thai nationalist ideology in the modern Thai State, where assimilation became the first and foremost strategic tool for dealing with a heterogeneous society, forced marginal hill peoples, including the Karen, to come to terms with a new category, that of *chao khao* (hill tribes) (2003: 28).

As a result of the categorisation of the hill tribes, from the early 1950s, the Thai government first launched a special policy aimed at extending its ‘administrative control over the highlands and the highlanders’ (Kammerer 1998). According to the Thai government, the reasons for this were varied; from expanding the government’s rural development and infrastructure projects, social welfare and health provision to the highlanders, to the clampdown on opium production, and destruction of forests for agriculture. Most significantly, the government was also concerned about the expansion of communism around border areas, due to the presence of Kuomintang and the ongoing Indochina conflicts (ibid.).

²⁵ The Thai state’s use of Karen people in the western frontier as the buffer zone is still present.

The Border Patrol Police embarked on the project of creating 'official' links with the hill tribes in the 1950s. With the cooperation of the Department of Public Welfare²⁶, the first school for the hill tribe people was established, and social welfare and development projects proliferated (Kritiya and Pornsuk 1997). As Chupinit puts it:

It seems that these social welfare and education provisions have not been offered upon the highlanders' requests, yet they seem rather forceful in regard to the fact that they have been compelled to reject their ethnic, cultural, spiritual and linguistic identities. Further to this, from 1960s until late 1980s, a series of 'resettlement' policies have been implemented by moving all hill tribe villages to lower areas, claiming that this would facilitate the government's work in providing the highlanders welfare and development programmes (1989: 28).

The Cabinet decision in February 1989 meant that the hill tribe administration policy had to be part of the national security policy framework, with two departments – the Department of Public Welfare (under the Ministry of Labour²⁷) and the Department of Provincial Administration (under the Ministry of Interior) – mandated to be responsible for the management of the hill tribes. Basically, the Department of Public Welfare's tasks are to resettle the hill tribes by moving them to self-help lands designated by the Department, and the social and development projects aimed at assimilating the hill tribes to be 'Thai' (i.e. to use the Thai language, attend Thai schools, reject their cultural traits and conform with Thai ways of living) [Kritiya and Pornsuk 1997:12-13]. The major responsibility of the Department of Provincial Administration is to control and decide whether a highlander has been successfully assimilated and, consequently, should be given Thai citizenship.

Since the beginning of the birth of Thailand as a modern nation-state, the Thai State's interactions with the hill tribes have involved a series of forced assimilation, a resistance against the integration of some hill tribe groups (through re-labelling them as illegal aliens and thus refusing many of them the opportunity to apply for Thai citizenship), and the allegation that they pose potential threats to national security for

²⁶ During that period, the Department of Public Welfare was still under the Ministry of Interior. The Department was later transferred to the new ministry, Ministry of Labour and Social Welfare and to another newly-established Ministry, Ministry of Social Development and Human Security in 2002. With the latest government reform in 2002, the Department of Public Welfare was restructured and changed its name to Department of Social Development and Welfare.

²⁷ The Ministry of Labour and Social Welfare later changed its name to Ministry of Labour, as a result of Government Reform in 2002.

being politically involved in communism. Here, I will draw upon the cases of the Karen (which is the largest hill tribe group in Thailand), and the Hmong, in order to illustrate the way in which the hill tribe people have been subjected to the re-labelling as 'aliens' as a result of the influxes of Burmese-Karen migrant workers and the allegation that the hill tribe people are linked to communism.

Karen people are often viewed as newcomers in the Thai policy context (Interview with the Ministry of Interior 2006). However, in Walker's view, whether or not the Karen people living in the Thai-Burmese border have long resided in this area, or are descendents of the previous Karen inhabitants is not clear-cut. He explains that:

Although Karen speakers may not have as ancient a history of residence in North Thailand as Austroasiatic speakers, local Karen legends do maintain that they were here before the arrival of the Tai in the twelfth and thirteenth centuries C.E. This is a view which historians are able neither to substantiate nor to disapprove. Linguists, by contrast, are more positive in favouring the southern and eastern Shan areas, along with adjacent parts of what is now North Thailand, as the region most long inhabited by Karen-speaking peoples. This is because Karen Languages are more diverse here than anywhere else. Whether or not Karen are to be counted among the pre-Tai aboriginal peoples of what is now northern Thailand, the fact is that the forefathers of the majority of Karen now in the north arrived here from the west over the past couple of hundred years or so (1992: 44).

There are over three million Karen peoples in the Thai border area, which makes the Karen the largest hill tribe group in Thailand (Walker 1992). Whether or not the Karen peoples are the 'pre-Tai aboriginal people' or new-migrants may not be conclusive, and is complicated by the fact that there are Karen people living on both sides of the Burmese-Thai border. However, in the context of the Thai irregular migration management policy, the Karen people residing in the Burmese-Thai borders are mostly seen by the Thai State as 'migrants' and thus they are not given the opportunity to assimilate and to receive Thai citizenship. With the recent irregular labour migration, it is probable that a number of Karen peoples in Thailand may have been re-labelled as migrants, having previously been acknowledged as part of the hill tribe administration policy. This implies that they lose their (previously restricted) opportunities of obtaining Thai citizenship, and are now treated as 'irregular migrants' or 'aliens,' with no access to Thai nationality.

According to Aranya (2006), the Hmong migrated to the Southeast Asian mountainous areas in Laos, Vietnam and Thailand around the 19th century from the South of China. The Hmongs are one of the hill tribe groups that were regarded by the Thai state to have a link with communism (Aranya 2006: 68). Partly, the claim may have derived from their involvement with the 'secret war' in Laos, as Aranya explains:

Hmong history in the second half of the twentieth century usually focuses on the role the Hmong played as crucial guerrilla fighters in the 'secret war' in Laos. During this period, a number of the Hmong became mercenaries who, for the most part, largely took the side of the CIA-assisted royalist and neutralist parties in Laos. After 1975, over 100,000 Hmong from Laos were resettled in refugee camps in Thailand (ibid.).

These Hmong populations are a part of the politically displaced persons discussed in section 5.2.4. The ambiguous line that demarcates the earlier Hmong inhabitants and the newly-arrived Hmong has made it possible for the Thai State to re-label the Hmong inhabitants as 'aliens.' Similarly to the Karen, the Hmong inhabitants have had the opportunity to prove that they have been residing in Thailand for generations, and to apply for Thai citizenship.

One of the common rationales used by the Thai state to justify their interventions in the hill tribe communities is that the hill tribes have ties with communism, and need to be controlled. The validity of such accusations has been contested by Dessaint and Dessaint, who argue that as a result of the threats posed by the alleged expansion of communism during the 1970s, the Thai state has wrongly accused all hill tribe communities of collaborating with communist groups outside the country (1982: 106). However this false allegation made it urgent for the Thai state to intervene and start the assimilation programmes through various means, including: the relocation of the alleged communist hill tribe groups to governmental designated and controlled camps; the increase of transportation access to hill tribe communities; the implementation of compulsory Thai education; Buddhist missions and the increase in Thai governmental social welfare projects (Dessaint and Dessaint 1982: 107). More importantly, the communist allegations that the Thai state has used against the hill tribes are linked to the national security discourse that the contemporary Thai state uses to justify their strict control over non-Thai populations and ethnic minority

groups. The validity of the accusation has been greatly criticised by several academics, including Dessaint and Dessaint:

During the raining season of 1977, numerous articles appeared in the Thai press to the effects that 'Russian propaganda' was being circulated among the highlanders of northern Thailand. Photographs of this alleged 'Russian propaganda' or 'Communist propaganda' – the two terms apparently being used as synonyms – were published on the front page of some newspapers. What these photographs showed were, in fact, Bibles in the script devised several decades ago for the writing of the Lisu language by James Outram Fraser, a British Protestant missionary. The origin of this totally erroneous and utterly ludicrous piece of information, which was given wide publicity in the Thai press, was a copy of a Bible in the Fraser script for Lisu...The said journalist had mistaken this script for the Cyrillic script used for writing Russian and he had assumed, of course, that the contents could only be 'Communist propaganda.' The 'story' was taken over by other journalists who presumably never asked themselves how many illiterate highlanders in northern Thailand might be able to read Russian (1982: 106-7).

With a series of re-labellings and allegations, the hill tribes are always seen by the Thai state as the barbaric other which, unless 'civilised' and fully 'Thai-ified' by renouncing their ethnic and cultural traits, will never be accepted as equal parts in the Thai citizenship.

5.5 The political refugees: the coming of the asylum seekers/ displaced persons in the 1970s

According to Sureeporn and Huguet (2005:9), the history of political refugees coming to Thailand dates back to the 1940s. Commencing from the establishment of the People's Republic of China in 1949 when 13,000 nationalist (Kuomintang) soldier and their families fled to Thailand. Later on 9,000 of these migrated back to Taiwan while the rest and their descendents still reside in northern Thailand. Over the same period, several thousands Haw ethnic people also emigrated to Thailand from China to seek political refuge. The war between France and Vietnam in the 1950s led to some 68,800 Vietnamese refugees fleeing to Thailand in 1959; although about 34,750 voluntarily returned to Vietnam, 36,000 still reside in the Thai eastern region (Sureeporn and Huguet 2005:10)

More significant numbers of refugees arrived to Thailand in the 1970s. In 1975, about 158,000 Vietnamese and 320,155 Laotian asylum seekers entered Thailand (ibid.). After 1975, large influxes of displaced persons fled to Thailand, for instance during the Khmer Rouge regime genocide, the Vietnam War and its subsequent civil war from 1975-1992. Burmese refugees arrived in Thailand in the early 1980s resulting from conflicts between the military regime and ethnic minority populations (Brees 2008, Caouette *et al.* 2007). Since then, the number of Burmese refugees soared owing to a combination of both push factors, including economic and political instability and human rights abuses in Burma and pull factors, such as the increasing demand for labour and higher wages in the Thai side (Brees 2008:382) [detailed discussion on the number of Burmese refugees in the UNHCR camps in Thai-Burma border is presented later on in this section].

It can be seen that from the 1940s up to the present day, a large number of ‘asylum seekers’ from Burma, Laos, Cambodia and Vietnam, have crossed the borders into Thailand, fleeing from severe human rights abuses and internal political conflicts within their own countries. The arrival of asylum seekers has presented Thailand with new challenges to its policies regarding immigration, nationality and citizenship.

This section will deconstruct migration-related terminologies utilised in Thai official discourse regarding irregular migration management in order to provide a clearer picture of how Thai policies and related legal frameworks interact with different groups of migrants, and how these definitions are acknowledged in the regional, as well as the global, arena. The analysis of the terminologies used, throws further light on the rights and positions of the asylum seekers in Thai society, the difficulties they are encountering, and how they are related to the arrival of migrant workers in the present time.

As noted above, Thailand has not ratified the 1951 Geneva Refugee Convention, and still has no intention of doing so. Therefore people who have fled from political turmoil and political and social instabilities in neighbouring countries are seen as

'displaced persons' or 'aliens' under Thai law (Robinson 2004, Stern 1998). It is widely acknowledged that the 1951 Geneva Refugee Convention is the most significant international instrument for the creation of welfare provision for refugees, as well as for minimum standards of protection. Therefore, all nations should be a party to the 1951 convention (Martin 1986). According to Article 1 of the Convention, a refugee is a person who has:

...well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it (UNHCR 2008)

It is true that the definition has been extensively contested and questioned on the basis of its appropriateness for handling contemporary issues on refugees, with reference to the diversity of regional political, social and financial circumstances (Sainz-Pardo 2002). However, the signatory to the 1951 Convention comes with the long-term commitment to ensure basic human rights and welfare to these asylum seekers. Indeed, this requires quite a considerable amount of financial resources, and the common justification for Thailand not signing the 1951 Convention is that, as the country is still struggling to provide resources and welfare services to their own citizens, it is not ready to provide resources for, and to take in, refugees.

According to the Population Dictionary (IPSR 2008), assembled by Mahidol University in Thailand, the term 'refugee' in Thai is *Phu Lee Phai*, which means a person who has forcefully fled from their country to seek refuge and protection from warfare, political or religious conflicts. The term *Phu Lee Phai* has been widely used referring to such persons in the public and media. However, since a non-signatory to the 1951 Convention, the Thai authorities still refuse to use the term and do not acknowledge such persons as refugees. As such, there is no social welfare provision and human rights protection for such persons, that they would be entitled to under the 1951 convention. The obvious confusion is that, despite the refusal to acknowledge the presence of 'refugees' in the country, the UNHCR-operated camps for the asylum seekers around the border areas are called *Khai Phu Lee Phai* or refugee camps (IPSR 2008).

Also, the problematic and unclear definition of refugees in the 1951 Convention has led to debates about the valid and reliable status determination processes. The notion of 'false refugees' and the unclear distinction between economic and political migrants are of particular concern to less-developed countries. Located in this troubled peninsula, where the neighbouring countries have long been in severe political and social unrest, and where economic disparities between Thailand and other surrounding nations are wide, Thailand has received an increasing numbers of asylum seekers and migrant workers. The distinction between the two is problematically imperceptible. Thus, Martin points out that:

...some developing countries spokespersons have challenged the West over its new concern regarding false refugees, 'irregular movement,' and the like. To such persons, the West is simply unable to take the medicine of receptiveness to new arrivals that it has prescribed in tiresome abundance to impoverished countries like Thailand and Malaysia. They were asked to take in and be tolerant of large influxes. Now that cheaper travel has exposed the West to similar spillover from troubled nations, surely the same humanitarian response is required (1986:36).

Although Thailand is not a signatory to the 1951 Refugee convention, it has agreed to waive several points on immigration policy in order to open certain channels for the reception of asylum seekers on humanitarian reasons. Although commonly referred to as refugees, particularly by commentators outside Thailand, the people who live in the UNHCR refugee camps are regarded as either 'displaced persons', or legally as 'illegal immigrants' (see table 5.5. for the number of displaced persons registered in Thai-Burma border UNHCR camps). The main difference between the two terms derives from the date of their arrival. The people who arrived in Thailand before 1979 are considered 'displaced persons,' while those who entered Thailand after 1979 (with the exception of Cambodian asylum seekers arriving from 1975 – 1979), are considered as 'illegal immigrants' (Vitit 1992). According to the Ministry of Interior's '1954 Regulation Concerning Displaced Persons from Neighbouring Countries,' the definition of a 'displaced person' is someone 'who escapes from dangers due to an uprising, fighting or war, and enters in breach of the Immigration Act' (Robinson 2004: 26). The displaced persons enjoy more freedom and are entitled to more protection and welfare services from the Thai government than illegal immigrants. However, they are still required to remain in refugee camps in

four provinces on the Thai-Burmese borders, namely: Kanchanaburi Province, Tak Province, Mae Hongson Province and Rachaburi Province.

Table 5.5.1: Number of persons registered in camps along Thai-Burma border (as of June 2004)

Name of camp	Province	Population
All camps		117,559
Ban Pang Kwai	Mae Hong Son	17,213
Ban Mae Surin	Mae Hong Son	2,924
Mae Kong Kha	Mae Hong Son	17,209
Mae Ra Ma Luang	Mae Hong Son	9,460
Mae La	Tak	33,694
Umpium	Tak	15,747
Nu Pho	Tak	8,692
Ban Don Yang	Kanchanaburi	3,592
Tham Hin	Ratchaburi	9,028

Source: Sureporn and Huguet (2005)

Special terms, for instance, ‘the persons of concern,’ are used by the UNHCR – Thailand to address Burmese students who fled to Thailand during the 1990s (Stern 1998). According to Sureporn and Huguet (2005:12), the Thai Government uses the term to refer to ‘the urban asylum seekers and refugees because Thai law makes no provision for identifying persons as refugees’ (see table 5.5.2 for the number of urban refugees/persons of concern and asylum seekers).

Table 5.5.2: Urban refugees/persons of concern and asylum seekers (as of November 2004)

Country/ area of origin	Refugees/ persons of concern	Asylum seekers
Total	3,592	1,013
Burma	3,219	267
Lao People’s Democratic Republic	58	103
Cambodia	55	82
China	40	48
Sri Lanka	21	31
Other Asia	74	318
Africa	60	164
None (stateless)	1	0

Source: Sureporn and Huguet (2005)

The term 'students' is used to denote 'the mostly urban students and professionals who took part in the 1988 uprising and subsequent political protest' (HRW 1998: 1). It seems that 'the persons of concern' are more the responsibility of the UNHCR than the Thai government. However, to be in accordance with the UNHCR's request, the Thai government is obliged to provide special protection for this group. The restriction of the students' freedom to travel to Bangkok, and the containment of the new entrants to 'safe areas' (special camps for the 'students' situated in Ratchaburi Province), have caused resentment to the students themselves and to the UNHCR. The Thai government has been condemned by international bodies, such as the UNHCR and the Human Rights Watch, for neglecting the basic human rights of the Burmese asylum seekers. The two major incidents show the oppression that the Burmese asylum seekers experience under Thailand's unfair policies on asylums. Human Rights Watch explains that:

Two incidents had a major impact on Thai refugee policy. On October 1, 1999, five Burmese gunmen calling themselves the Vigorous Burmese Student Warriors (VBSW) seized the Burmese embassy in Bangkok and held it for a day. Thailand's deputy foreign minister negotiated the release of hostages and accompanied the gunmen to the Burmese border aboard a military helicopter. On January 24, the VBSW and armed Burmese from the ethnic minority Karen insurgent group called God's Army²⁸ seized the Ratchaburi provincial hospital, holding over 500 people hostage. The men demanded that civilians from a God's Army base be allowed to cross the border into Thailand and that the Thai army immediately cease shelling the area. Early in the morning of January 25, Thai commandos stormed the hospital and freed the hostages. Witnesses reported to the press that some of the attackers surrendered and were led away to a separate section of the hospital compound. Shortly thereafter, the corpses of ten men were displayed on the sidewalk. Human Rights Watch joined numerous Thai and international human rights organizations in calling for an impartial, public investigation into the incident (HRW 1998: 2).

Thai policies towards the reception and management of asylum seekers are incoherent and ambiguous. It is clear that as Thailand is not a party to the 1951 Convention, no asylum seekers in Thailand have refugee status but are displaced persons or illegal immigrants who will be deported back to the sending country eventually. The problem is a matter of when they will be deported back, and whether or not the country of origin would agree to receive these people. And most

²⁸ The God's Army is a Christian Karen rebel movement group, who has been fighting against the Burmese Government (Myanmar's State Peace and Development Council – SPDC, formerly known as the State Law and Order Restoration Council - SLORC) for independence.

significantly, since a number of these populations belong to anti-government group (such as the case of Burmese migrants, a large number of whom have Karen ethnic background and have been forced to leave Burma due to their resistance against the Burmese State Peace and Development Council – SPDC), the countries of origin may refuse to confirm their citizenship and decline to take them back. The only possibility for these populations would be resettling in a third country.

Up to the 1990s, the Thai government has not seen any value in accepting asylum seekers as a potential driving force that could contribute to the country's economic prosperity, in the same way as the Chinese immigration did. No attempt has been made towards promoting ethnic assimilation for asylum seekers. In fact the opposite to the Chinese immigration phenomenon has occurred: the asylum seekers, including those who are born in Thailand, have long been segregated and restricted to a confined area, where little to no contact with the Thai people can occur. The frequent amendments of relevant legislations and policies as well as the language used for the asylum seekers are part of the Thai government's mechanisms to restrict or permit the activities of certain racial and ethnic groups, depending upon time and political circumstances. As Viraq explains observes:

What is most interesting concerning the process of according refugee status is the political sensitivity with which the Thai government treats individuals' and their associated social group in relation to Thai national security. The criterion of time of arrival, country of origin, ethnicity and the overall manner in which an 'asylum seeker' was perceived by the nation was calculated in relation to their political sensitivity. This not only demonstrates the relative nature of how an individual acquired his or her status but also illustrates the significance that the Thai authorities attribute to maintaining national security and sovereignty (2002:1).

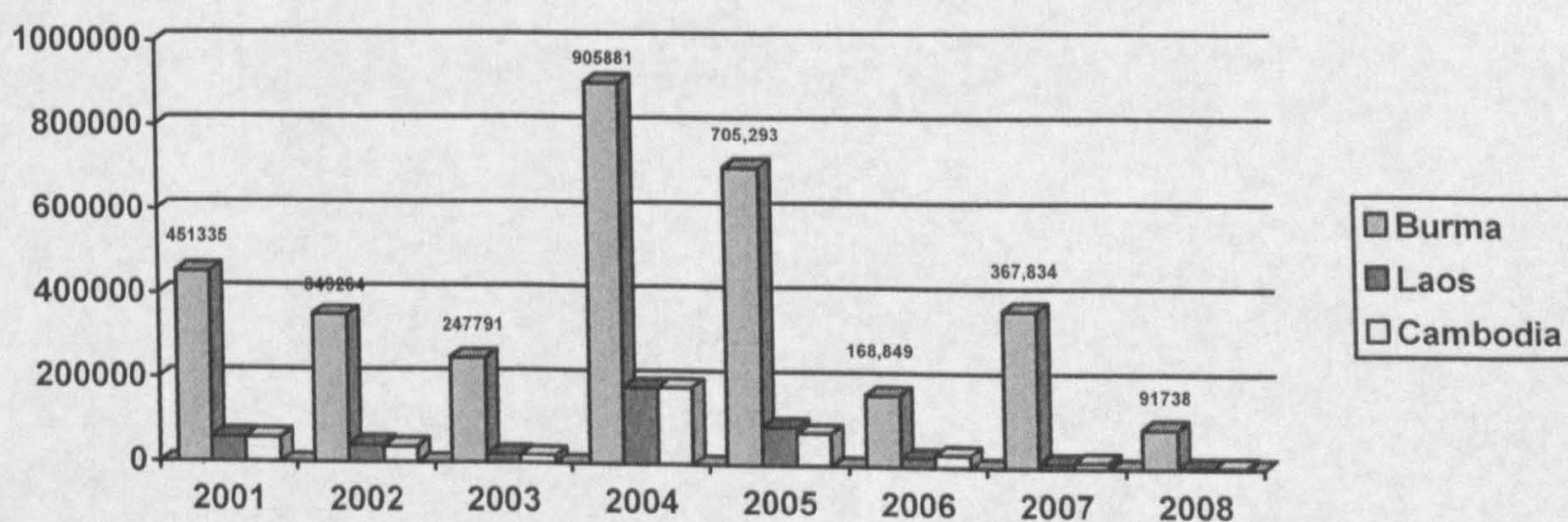
5.6 Economic migrants: the creation of the irregular migration category

The arrival of irregular migrant workers from Laos, Burma and Cambodia has marked the next era of Thai foreign immigration on which this thesis is centred. However, this section will only provide a brief introduction to the economic migrants – aiming to illustrate the gradual flows and relations of the previously mentioned groups of migrants and ethnic minorities. The in-depth analysis of the economic migrants or irregular migrant labour will be presented in chapter 6.

As a result of global economic competitiveness and Thailand's economic boom during the 1980s to the early 1990s, the Thai government claimed that the country's economy required a large number of labourers from neighbouring countries. Migrant workers from Burma, Laos and Cambodia have increasingly been employed 'illegally' by Thai employers, initially around the border areas, and later in the inner provinces, owing to the low wages that they can be given, their ability to endure hard work and their willingness to do the so-called 3-D jobs²⁹ (Dirty, Dangerous and Demeaning) (Martin 2003).

Since the early 1990s, the Thai government has accepted employers' demands for more legal access to migrant workers and has decided to adopt an amnesty programme by allowing the registration of so-called 'irregular' migrant workers, and providing them with temporary work permits. However, the ultimate conclusion can still be the deportation of irregular migrant workers, as well as their families. Figure 5.6.1 shows the number of irregular migrant workers registered with the Thai Ministry of Labour from 1992-2008 and the number of registered migrant workers by country of origin and sex (1998-2004). Figure 5.6.2 show distribution of registered migrants per sector (in 2004).

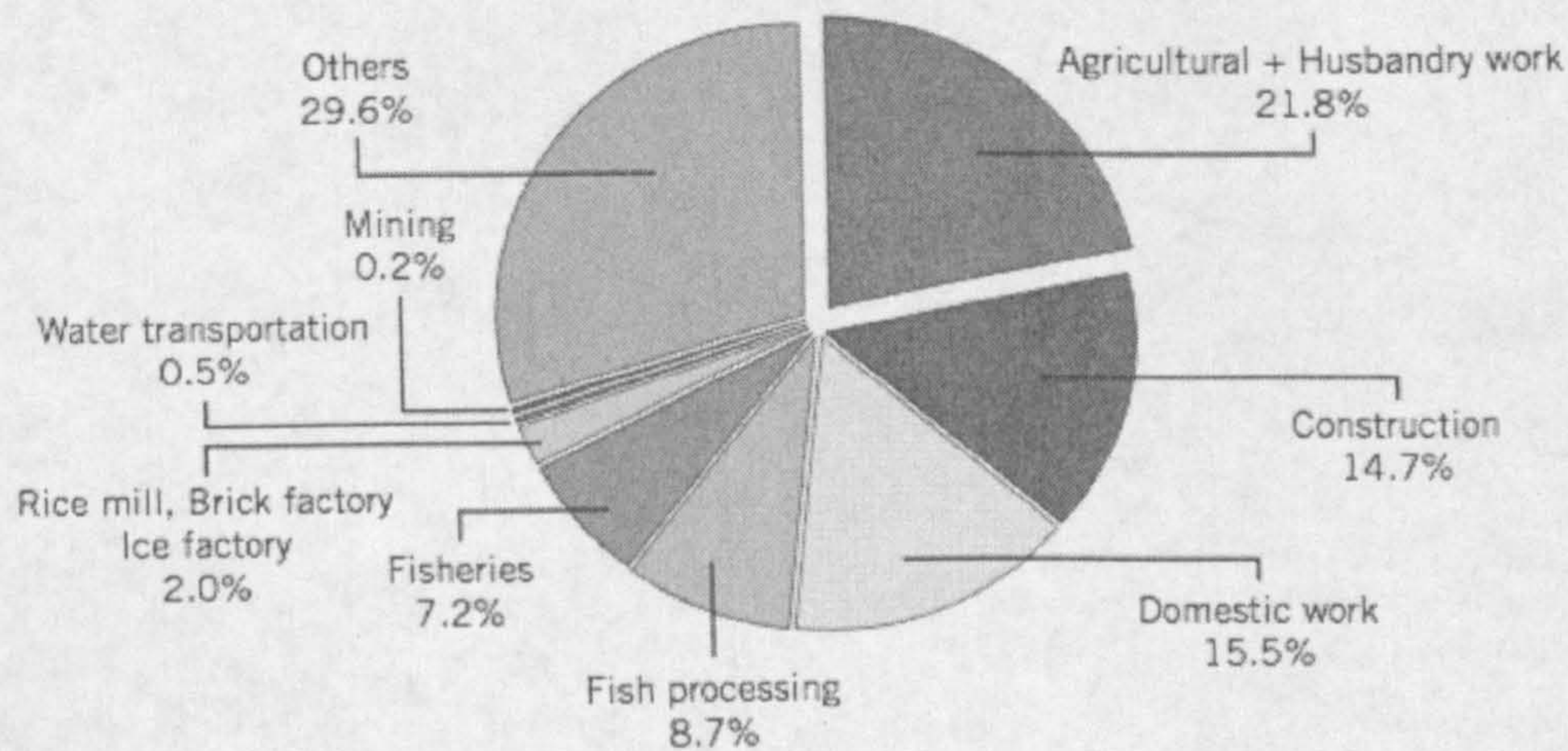
Figure 5.6.1: Number of irregular migrant workers registered with the Ministry of Labour from 1992-2008



Source: Compiled from MOL (2008)

²⁹ The so-called 3-D jobs are unskilled, low-paid jobs in industries such as fisheries, food processing, construction labourers, housemaids, etc. The list of the occupations that irregular migrant workers can occupy under the policy will be discussed in chapter 6.

Figure 5.6.2: Distribution of registered migrants per sector (in 2004)



Source: Caouette et al. (2007)

As this diagram shows, the majority of registered migrant workers are employed in agricultural work (21.8%), with others employed in domestic work (15.5%), construction (14.7%), fish processing (8.7%) and fisheries (7.2%). According to Caouette *et al.*, the 29.6% categorised as “others” is ‘difficult to interpret as it refers to a myriad of jobs, but research indicates that the textile and garment factories and the entertainment industry (including also direct and indirect sex work) have significant proportions of migrants.’ In addition to this, the statistics do not include a number of migrant workers who are working in the informal economy³⁰ (where employers employ unregistered migrant workers without paying registration fees, or cross-border migrants who migrate daily to their jobs in Thailand).

There are visible continuities between the arrival of asylum seekers and displaced persons from the 1970s to 1990s, and the current flows of illegal migrant workers. The notion of ‘false refugees,’ that the Thai government has long been aware of,

³⁰ Field visits in Mae Sot and Samutsakorn revealed that a great number of unregistered migrant workers are employed in the informal economy. Employers in the formal sector (such as the food-processing factories visited) have a leeway to push migrant workers into the informal economy in order to avoid registration. For example, in Samutsakorn, fish-processing works are sub-contracted to what is called ‘Rong’ in Thai. Rongs are sub-contractors of big factories and are organised informally by designated factory managers. Rongs are situated in houses, and sometimes even in the compound of migrant workers’ dormitories.

poses a false distinction between those who are true asylum seekers and those who are economic migrants (Martin 1986). At the present time, the Thai government uses the term ‘irregular migrant workers’ to describe the illegal migrant workers from Burma, Laos and Cambodia, emphasising that these are workers employed in Thailand, who have been working illegally and possess no valid travel documentation (MOL official 2005). It is apparent that the Thai government uses the concept of ‘irregular migration’ as defined by the International Organisation for Migration (IOM).

Recognising the demand for irregular migrant workers, the Thai government has introduced a series of registration exercises that grant temporary work permits to irregular migrant workers (in the form of a 1-2 years work permit [see Appendix 3]). This is a mechanism to temporarily legalise the use of irregular migrant workers for a limited time, and under certain constraints. It is assumed and understood that as the work permits are subject to renewals upon the Cabinet’s decision (Martin 2003, Stern 1998), these registered migrant workers may be either deported to their countries of origin, or they may be granted permanent work permits. Certainly, to date, there is no intention of permanent settlement or acquisition of Thai nationality.

5.7 The Malay Muslims: interrogating the Southern insurgency

Last but not least, the question of the Muslim populations (an issue which poses a great security threat to the contemporary Thai political arena) is presented here to illustrate the way in which the process of ‘Thaification’ has been implemented in an aggressive and coercive manner. It is important to note that, in this section, only the analysis of the Muslim South (which is the location of the Muslim populations in the three southern provinces of Pattani, Narathiwat and Yala, referred to collectively as the ‘deep south’ provinces) is going to be considered. Muslim minorities make up 4.5% of the overall population of Thailand (approximately 2.2 million people) [NSO 2008]. In addition, Islam is the second largest religion in the country after Theravada Buddhism (Saroja 2002). Liow provides a brief profile of the Deep South region:

Problematically known in popular discourse as the ‘deep south’ or ‘southernmost provinces,’ Narathiwat, Yala, and Pattani are home to an

ethnic Malay majority whose chief ethno-cultural marker is the religion of Islam, which, depending on the province, constitutes as much as 80 percent of the local population. Beyond these three provinces lie Satun and Songkhla, both home to large Muslim populations and situated within the geographical boundaries of what is known as southern Thailand but which has a noticeably different ethnic makeup. While Narathiwat, Yala, and Pattani are Malay-majority provinces, in Satun and Songkhla today they are a minority (2006:25).

The reason to focus on the Deep South provinces in this discussion is because of the current expansion of insurgency and violence in these areas, which appears to be unstoppable, and has escalated to the point that, since 2004, over 3,000 people have been killed (AFP 2008). These insurgencies, or uprisings, pose important challenges to the Thai state's approach to managing the diversity of faiths, and the heterogeneity of populations, through the suppression of differences and the centralisation of a hegemonic Thai national identity.

In the discussion on the historical development of human migration to Thailand in this chapter, the question of the Muslim populations is unique in two respects. Firstly, the Malay Muslims are not migrants, yet the relevance of the Malay Muslims question to the argument of this thesis cannot be ignored. To a certain extent, Malay Muslims are similar to some groups of the hill tribe populations who have been inhabitants of Thailand even before the period of the Thai nation-state formation. Also, like the hill tribes, the Malay Muslims were forced to be integrated into the Thai State in the early 20th Century (McCargo 2007, Connors 2005).

The process of Thaification and centralisation of administration, as discussed in Chapter 4 was aimed at unifying the Thai nation-state and creating Thai ethnic hegemony, by incorporating the Malay Muslims and the hill tribes into the Thai nation-state. In contrast to the hill tribe populations, the integration and centralisation of public administration has met with resistance from the Malay Muslim populations, particularly in the three southern provinces of Narathiwat, Yala and Pattani (see appendix 1 for location of the southern provinces). Since the beginning of the 21st Century, the resistance from, and grievances of, the Malay Muslim populations have been demonstrated by the emergence of violent clashes between the Buddhist-Thai *de facto* state, mostly led by the Army and the Thai Police Department and the Muslim militant groups.

The causes of the resistance and insurgency in the southern provinces are varied, including historical conflicts stemming from religious, ethnic and cultural differences between the local Malay Muslim populations and the Thai Buddhist people; the geographical distance from central government; the inadequacy of education, social welfare and employment opportunities; militant separatist movements; and a recent Thai governmental accusation, which links the recent insurgencies to global terrorism threats (McCargo 2007, Connors 2005, Albritton and Sidthinat 1997). Indeed, this section cannot hope to comprehensively cover or explore the causes of the recent stream of insurgencies. Nonetheless, this discussion is important here, in order to show how the Thai State's attempt to centralise its national cultural and ethnic identity has met with violent resistance in the southern provinces. The example of the Malay Muslims and their continual resistance to the Thai state, confirm that the Thai state's attempt to maintain national peace and cohesion through the preservation of Thai identity or hegemony, is obviously not reaching its aim of creating national cohesion. On the contrary, the persistent endeavour to unify Thai national identity by suppressing and eradicating ethnic and cultural diversity creates far greater conflicts with ethnic minorities, and an overriding desire of many members of ethnic minorities to retain their identities and cultures.

This section will thus be divided into three main parts. Firstly, the terminologies used to describe the Muslim populations in the south of Thai will be unpacked. Ranging from the conflicting official terms of 'Thai Muslim' and 'Malay Muslim,' the terminologies used to describe the Muslim populations in the South reflect the way in which the populations are perceived and stereotyped in the central Thai cultural perception, and the way in which they are regarded within the Thai political context. Secondly, the history of the Malay Muslim community will be presented, with particular emphasis on the three southern provinces. Third, the contemporary outbreak of violence and insurgency will be examined, and analysed, in relation to the Thai government's accusations that the recent insurgency are connected to global terrorism. This argument has been widely criticised and rejected by scholars such as Connors (2005, 2007) and Chaiwat (2004), who argue that the insurgencies in the south derive from a long historical root, and reflect wider existing conflicts in political, social, cultural and religious arenas.

It is important to note here that the Muslim populations in Thailand are not homogeneous, despite the Thai government's effort to essentialise them in to one whole group by describing all the Muslim populations in Thailand as 'Thai Muslim.' In reality, the Muslim population in Thailand could be roughly divided into two groups, according to the language they speak. 'Malay Muslims' refer to those who speak Malay and inhabit the 'Deep South' provinces. They form the majority of the population in this particular region, constituting over 70% of the overall population. 'Thai Muslims,' also known in Thai as '*Thai Islam*,' on the other hand, are the Thai-speaking Muslim populations living in the central or the Northern regions (Scupin 1998).

The significance of the two terms reflects the way in which the Muslim populations are seen by the Thai state, as well as how they see or identify themselves. For instance, a report by Yusuf (2006) reveals that the Muslim populations living in the Deep South provinces choose to identify themselves as Malay Muslims by their ethno-linguistic identification, rather than according to their Thai nationality. The clashes between 'Thainess' and 'Malayness' in the Deep South provinces are more obvious and significant than other regions in Thailand. As Yusuf writes:

...Malay Muslims of the deep South prefer to view their identity as being that of Malays who are living in Thailand. They also lay strong emphasis on being the Malay speaking citizens of Thailand. Thus ethno-linguistic identification tied with adherence to the religion of Islam is very strong in the provinces of the deep South. They give priority to their ethnic identity of Malayness over that of Islam, transnationally they identify themselves with the northern Malaysian provinces of Kelantan and Terengganu. On the other hand, the ethnically Malay but Thai speaking Muslims of the upper South who are the descendants of migrants from Kedah and Perlis in Malaysia while recognizing themselves as belonging to the Malay ethnic stock view themselves more as Thai Muslims and see no contradiction in their identities of being a Muslim and Thai citizen. Similar views about identity are found in the Thai Muslims of Central, Northeast and Northern regions of Thailand. Nearly all of them refer to themselves as Thais who follow the religion of Islam and speak the Thai language in spite of ethnic diversity within their groups (2006:3).

However, the Malay Muslim identity is not officially recognised by the Thai state. The term 'Thai Muslim' is widely used in the Thai state's policy discourse, as well as in the mainstream Thai media. It can be argued that the Thai state's refusal to

recognise the existence of Malay Muslims relates to the Thai nation-state building project, which emphasises the urgent need to create national ethnic homogeneity. Jory (2006) argues that as a process of nation-state building and national integration beginning in the early 20th century, the identification of Malay Muslims in the southern province was discouraged, or even almost forbidden, as a result of the Thai state's fear that if they were to identify themselves as Malays, this would lead to separatism or union with the newly independent Malay state. More importantly, the use of 'labelling' is a strategy to integrate the ethnic Malay Muslims and, as Jory points out, the eradication of 'Malay Muslim' as a category would 'contribute to the overall goal of assimilation' (2006:18). This issue will be fully explored below, as it relates to the issue of the nation-building processes and the forced assimilation of the Malay Muslims, which, it is often argued, is one of the contributing factors to the ongoing conflicts. However, it can be seen that in utilising the generic term 'Thai Muslim,' the Thai state does not recognise the diversity of the Muslim populations in the Thai nation-state, and by using the generic notion of 'Thai Muslim,' the Thai state formulates an imagined scenario in which the Muslim populations in Thailand are homogenous and wholesome.

As Islam (1998) suggests, in order to clearly understand the actual roots of conflict between the Muslim community in the South of Thailand and the Thai central state, an effective way to unpack the causes of the insurgencies is to look at the historical processes which have triggered such conflicts. As emphasised earlier in this chapter, the Southeast Asian region has been always been a migratory crossroads, and this makes the region a hub for various civilisations, from Indian, Chinese, Arab to European (Islam 1998: 442).

The areas in which the three southern provinces of Pattani, Narathiwat and Yala are situated used to an independent kingdom (Islam 1998). The earliest historical evidence of the Kingdom of Pattani³¹ is from the 6th century, and the ancient kingdom was known as Langkasuka (Islam 1998). The Kingdom attained its international significance as a trading port and Langkasuka, in the 7th century, was 'a stronghold of Buddhism' (Teeuw and Wyatt 1970: 2). It is still unclear how

³¹ Some literatures use 'Patani' instead of Pattani.

Langkasuka became Pattani, but the last historical record of Langkasuka was in the 14th and 15th centuries, at the same time as the relations between the Pattani Kingdom and the Siamese Kingdom were gradually being formed. As Teeuw and Wyatt explain:

Langkasuka is last heard of in the fourteenth and early fifteenth century. By that time, the region of Patani already had felt the power of the newly-established Thai monarchies of Sukhothai and Ayudhaya. Langkasuka is never mentioned by name in the Thai records, but as Patani or Tani it figures consistently among a group of Buddhist States – including Kedah and Pahang – centred in Nakhon Si Thammarat (Ligor). The Nakhon Si Thammarat chronicles perpetuate a tradition which suggests that this group of states was brought together in the first half of the thirteenth century under Nakhon Si Thammarat's leadership...These states remained as a group under the leadership of Nakhon Si Thammarat in a suzerain-vassal relationship to the Thai monarchy until the early sixteenth century, when Ayudhya began to appoint the governors of Nakhon Si Thammarat and it came more securely under central Thai control (1970:3).

Islam arrived in the Malay Peninsula through Arab traders in the eighth century (Backman 2007), and the Kingdom of Pattani was converted to an Islamic state in 1457 (Islam 1998). Part of the consequence of the Islamisation of Pattani was a growth in prosperity through trading with the Muslim traders, who also brought traders from other parts of the world (Saroja 2002). By the sixteenth century, Pattani had become an important Islamic trading hub, where traders from Siam, Java, Arabia, India as well as Europe came and set up their bases (ibid.).

It seems that the Kingdom of Pattani remained independent during the 16th and 17th centuries. The relationship that Pattani was having with the Siamese and Malay Kingdoms were in a form of tribute relationship in which the tributary relations served merely as a protection from other stronger kingdoms (ibid.). The tributary relationship was, according to Saroja's analysis, a rather common Southeast Asian diplomatic system during that period, which 'was an effective means of regulating interactions between unequal political units in order to minimize clashes, rivalries and wars and ensure that relative peace and order would prevail in the region' (ibid: 6).

The Kingdom of Pattani was ruled by the Muslim elites or *ulamas* and it maintained its autonomous power of administration until 1786 when Siam finally conquered

Pattani (Islam 1998: 443). Siam replaced the Muslim dynasty with the appointed Siamese governors from the central state in order to centralise public administration and weaken the power of the Muslim state. As a result of this, protests and rebellions started to become visible in the 18th and 19th century (ibid.).

However, it was not until the late 19th to the early 20th century that the current degree of resistance and political insurgency were formed and rooted. Scupin (1998) argues that the first occurrence of resistance and political insurgency in this period was a result of the British colonial expansion to Muslim regions, and the clashes with the Siamese state which, at the time, occupied a large proportion of the Malay Muslim region. As Scupin explains:

After 1902 the Thai State led an attempt to restructure the traditional political order in the Malay Islamic regions. Through the imposition of new tax policies and administrative reforms the Thai polity divested the indigenous leadership of their traditional authority in the south. As the British colonial economic and political strategies developed in neighbouring Malaysia, Thai authorities adopted policies which paralleled those of the British in these Malay regions, namely, the building of roads, post offices, and other infrastructural developments. However, whereas the British wanted to retain the Malay elite authority base as a means of reinforcing the status quo and asserting indirect colonial policies, Thai authorities were suspicious of the traditional Malay elite and sought to subvert their power base through the appointment of conscientious Thai Buddhist bureaucrats throughout these southern Malay regions (1998: 233).

Coupled with the official demarcation of the Thai-Malaysian border resulting from the Anglo-Thai Treaty of 1909, the Thai authorities took further steps in suppressing the power of the Muslim elites, fearing the religious and ethnic identification of the Malay Muslims in the Thai territory would eventually lead to Thailand losing the Southern provinces (Saroja 2004). It is important to note here that this incident occurred during the parallel period of Thai nation-state building (as discussed in chapter 4), which foregrounds the notion of national security as an integral and central component of the Thai sovereign nation-state. Therefore, as with the suppression of other ethnic or cultural indigenous groups (such as the Chinese or the hill tribes), the Malay Muslims were also subjected to ethnic suppression and 'Thaification,' as part of the goal of formulating Thailand as a sovereign ethnic homogenous nation-state. Saroja (2004: 466) touches upon this argument and points out that, as a result of the border demarcation treaties that the Thai State have made

with Britain and France (which resulted in the Thai losing some of its territory), the concept of '*sia din dan*' or 'ceding territory' created the 'fear' that the Thai State would eventually lose its independence, autonomy and sovereignty, should further territory be ceded. Hence, the suppression of ethnic heterogeneity has since been regarded as an important strategy to ensure the maintenance of Thai nation-state sovereignty.

The efforts to 'Thaify' the Malay Muslim community through the centralised administration and assimilation of the Southern provinces have caused a greater and more widespread resentment of the Malay Muslims. Particularly, during the government under Field Marshal Phibun Songkhram, the forced assimilation and national integration policies were enforced which aggressively suppressed the existence of all Malay Muslim cultural practices. According to Brown:

This centralisation was accompanied by the promotion of an education and language policy designed to integrate the Muslims into Thai society. Secular state education was expanded during the 1930s and involved both instruction in the Thai language and the teaching of Buddhist ethics. It was not until the 1970s that a more conciliatory and accommodationist education policy began to be implemented. These policies of centralisation and Thai education were promoted most vigorously during the first Phibun Songkram regime from 1938 to 1944 when they were backed by the cultural assimilation policies of the Thai Custom Decree. The wearing of sarongs, the use of Malay names and the Malay language, the use of Sharia law and instruction in Islam-all were banned (1998: 61).

Indeed, it is apparent that the policy was not targeted exclusively towards the Malay Muslim populations, but, as explained earlier, other ethnic minorities, such as the Chinese or the hill tribes, were also forced to give up their cultural practices during this period, and to adopt the Thai national identity. However, what is intriguing about the situation with the Muslim Malay is the extent to which resentment resulted in a series of violent rebellions and ongoing clashes between the Malay Muslims and the Thai authorities.

Various scholars have attempted to tackle the roots of these violent and persistent conflicts. Thomas (1975) argues that the Malay Muslims in the southern provinces do not feel – politically, culturally, religiously and ethnically – that they belong to the Buddhist-Thai nation-state framework. The centralisation of governmental

administration also caused frustrations on the part of the Malay Muslims, particularly with respect to the former ruling elites, from whom power was taken by the Thai central state's appointment of governors. Brown emphasises this by arguing that the resistance and conflicts in the Malay Muslim community in Thailand also derive from the abolition of the existing power of Malay ruling elites. He observes that:

[s]eparatist ethnic nationalism arose in these peripheral communities because the development of minority-consciousness was accompanied by the erosion of the power, status and authority of their indigenous elites, both changes being caused by the assimilationist character of state penetration (1998: 67).

The assimilation policy, along with the centralised administration reform, caused what Brown refers to as a 'minority consciousness,' bringing with it a sense of inferiority and alienation, and a desire to separate and re-gain the power to self-govern and to maintain ethnic and cultural identity. So as to clearly understand the Southern insurgencies, it is important to see it from a wider perspective by taking into account the historical processes in which such insurgencies are rooted. The valuable lesson learnt from the current situation in the South is that Thailand has to re-think its assimilation issue by discarding the idea that 'national security' can be achieved by suppressing ethnic or religious differences within the state.

5.8 Conclusion

The history of human migration to Thailand has been presented to draw upon two important discourses. The first discourse involves the theoretical discussion in chapter 2 and the Thai nation-building processes in chapter 4. The formation of the Thai nation-state and the creation of Thainess is, although similar to other nation-states, a good example of how a nation-state is politically built and shows that national identity is not constructed by the ethnic ties creating political bonds as the primordial theorists argue. The Thai nation-state and 'Thainess' are a result of a long-standing process of political and cultural reformation, which has created the 'imagined' Thai nation-state and identity. The outcome of the political manoeuvre of defining 'Thainess' dictates the way in which the Thai state formulates the Thai immigration and assimilation policies.

In the next chapter, detailed presentation and analysis of the related contemporary policies on the management of irregular migration will be mapped out. This will give a clearer picture of how the policies are shaped around the maintenance of Thainess, and how Thai nationalism always plays an important role in preventing the integration of the 'other.' However, a complication lies at the heart of the growing dichotomy between the necessity of the migrant workers to the Thai economy and the prevalence of Thai hegemony. The management of irregular migrant workers, which is going to be discussed in the next chapter, will illustrate the way in which the Thai state allows the use of migrant workers, but does not permit them to stay *permanently* in the country. The Thai state's treatment of migrant workers is grounded in the labour management and regulation policies, the citizenship law (which prevents the integration of the irregular immigrants), and the recent foreign relations policies (which put the responsibility on the migrant's country of origin to be obliged to take their nationals back if they are no longer needed for the Thai economy).

Chapter 6:

Thailand's irregular migration management policies

6.1 Introduction

As presented in Chapter 5, Thailand has been a migratory crossroads for centuries. In contrast to the Thai state's strategy to present Thailand as a mono-ethnic society, the historical evidence of human migratory movements and settlements in Thailand demonstrate that Thailand's ethnic and cultural hegemony is, in fact, a myth which has been politically manoeuvred by a series of nationalistic projects, as discussed in chapter 4.

The central theme of this thesis is the discussion of the contemporary policies in Thailand for managing the so-called 'irregular migration' and the ways in which this influences, and is influenced by, a very particular form of nationalism which presents the population of Thailand as virtually mono-ethnic of 'Thai' origin, and this belief is deeply embedded within the inner fabric of modern Thai society. The development of Thailand's irregular migration management policies has responded to the necessity to maintain the country's economic prosperity through the use of cheap labour, mainly from Thailand's less prosperous neighbours, as well as to maintain the hegemony of the Thai state. Despite a series of irregular migrant workers' registration exercises, which the Thai government claims are done for humanitarian reasons as well as to facilitate the demand from industrialists for access to migrant labour, gaps are evident between what the Thai government promises in its policies and what is really happening in practice. This discussion will be explored in section 6.8.

This chapter will map out all policies related to the management of irregular migration in Thailand. Here, the policies will be divided into 5 aspects, namely: 1) the management of irregular migrant workers (administered by the Ministry of Labour); 2) regulating the irregular migrants (administered by the National Security Office and the Police Department); 3) The management of displaced persons and ethnic minorities (administered by the Ministry of Interior); 4) international relations

policies (administered by the Ministry of Foreign Affairs); and 5) citizenship legislation.

Section 6.2 will provide an introduction to the overall policy in irregular migration management and the development of policies to deal with different waves of migration in relation to the discussion in Chapter 5. Section 6.3 will concentrate on the management of irregular migrant workers and the registration exercises, in the context of conflicting policy aims of maintaining economic growth, national security and public health. The detailed information of each registration exercise (from 1992-2008) indicating the constant changes in the policies to accommodate different economic and political climates. Section 6.4 will analyse the impact of national security on the registration exercises. It will be argued that the registration exercises have been conducted as a way to 'regulate' and 'monitor' migrant workers, which exhibits the anxiety that the Thai government has about migrant workers as potential threats to national peace and cohesion, as well as for preventing them from acquiring equal rights with Thais.

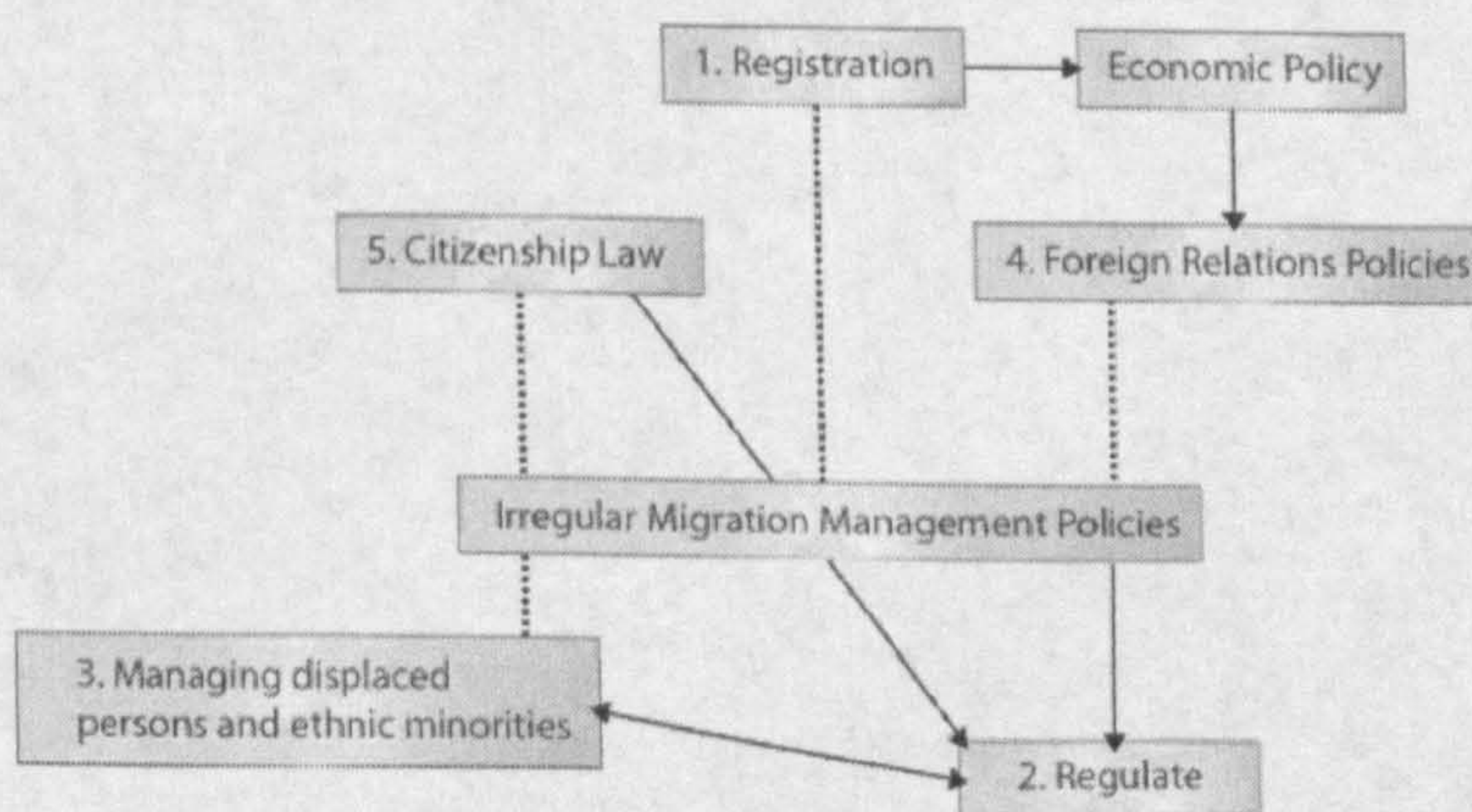
Section 6.5 will focus on the Ministry of Interior's immigration policy regarding the management and regulation of displaced persons and ethnic minorities. Although displaced persons and ethnic minorities are not in the same category as newly-arrived migrant workers, they do raise similar issues regarding the lack of citizenship provision. The position of the Thai government towards citizenship provision has been largely driven by issues of national security. In order for a foreign national to receive Thai citizenship, they have to show and prove their loyalty to the Thai nation and possess the quality of 'Thainess.' The issue of nationalism, and the possession of 'Thainess,' again emerge as a fundamental quality for a Thai national. The issue of citizenship will be extensively explored in 6.7 (particularly in section 6.7.2 which deals with naturalisation through forced assimilation: the reality of Thai citizenship law).

Section 6.6 will provide a review of recent developments in the management of irregular migrant workers through international relations mechanisms. The development of Greater Mekong Subregional cooperation strategies, led by the Ministry of Foreign Affairs, has an important impact on the flows and regulation of

migrant workers. The international relations policies can be seen as economic policies aiming to increase economic cooperation. As a part of such economic cooperation, the formal arrangement of sending migrant workers is now to be made through bilateral memoranda of understanding between Thailand and the sending countries (i.e. Burma, Laos and Cambodia). It is claimed that such MOUs are aimed at reducing human trafficking, increasing the economic productivity of the receiving country, and assisting in the development of the sending countries through remittances (MFA 2006). The MOUs appear to be a solution that benefits both Thailand and the sending countries. However, the analysis in section 6.6 will reveal that the benefits are largely on Thailand's side, as the formal arrangement of sending migrant workers through MOUs will allow the Thai authorities to regulate and monitor the migrant workers more easily, whilst still benefiting the Thai economy through the supply of cheap labour.

The data presented in this chapter is primarily based on two periods of fieldwork conducted in 2005 and 2006, which included reviewing grey literatures and policy papers, interviewing the relevant Thai authorities and following the news coverage.³² The main purpose of this chapter is to describe all policies and governmental measures related to the management of irregular migrant workers, which are summarised in figure 6.1 below. Detailed discussion regarding this will be provided in the subsequent sections.

Figure 6.1: The Structure of Policies Relating to the Management of Irregular Migrant Workers



Source: Author's elaboration

³² Details of the interviews can be found in Appendix 5.

6.2 Managing migrants: the different strands of government policy

As depicted in figure 6.1, the management of irregular migration can be categorised into five main policy areas.

Firstly, the registration of irregular migrant workers deals with economic migrants from Burma, Laos and Cambodia. The registration exercise is the responsibility of the Ministry of Labour. Secondly, the policy relating to the regulation and control of irregular migrant workers derives from the National Security Office's demand to tackle the 'migrant problems,' on the grounds that the incoming flows of migrant workers during the 1990s have posed a significant 'security' threat to Thailand. The views of a MOL official (reported in Chapter 1) that the policy on irregular labour migration was formulated to solve the 'national security' issues which migrant workers posed to the Thai state was elaborated thus:

'The role of the MOL is only an implementing agency, which is in charge of implementing the registration of migrant workers. The policy directions are not made by the MOL but by the National Security Office, whose main responsibility is to ensure that Thailand's overall security is protected. Migrant workers are threats to national security in various aspects, particularly crime and health related issues. Owing to the fact that irregular migrant workers enter the country illegally, the Immigration Bureau does not have any records on their identities. With no ID cards or passports, these populations are invisible, thus we [the Thai government] cannot trace them, if they are involved in a criminal activity' (MOL 2: 2006).

The anxiety that migrant workers are the cause of Thai national instability has been publicly expressed by senior government officials and a more detailed discussion can be found in Section 6.3 below

The third set of policy relates to the administration of displaced persons and ethnic minorities. The Ministry of Interior is the main body responsible for these groups of people, which include the hill tribe people (as discussed in 5.4) and the politically displaced persons (as discussed in 5.5). As discussed in chapter 5, the inclusion of the hill tribes in the analysis of this thesis is to illustrate how Thai citizenship provision is a double-standard policy, which allowed the ethnic Chinese to assimilate and receive Thai citizenship owing to their economic power (discussed in section 5.3), yet refuses to grant citizenship to the hill tribes, some of whom are the original

inhabitants of the country. According to the Thai government, the reception of displaced persons since the 1960s has been purely based on humanitarian considerations. This can be seen from the following statement made by the Ministry of Foreign Affairs;

‘[W]hile Thailand has not acceded to the 1951 United Nations Convention relating to the status of refugees, it has provided necessary humanitarian assistance in caring for refugees...by acceding to the Convention, the country would be shouldered with more economic, social, and political responsibilities such as having to provide residency, assets, education, work, and the establishment of unions and it would also have to deal with the disparities between refugees and local people’ (The Nation, 8 October 2008).

As discussed above, Thailand is not a signatory to the 1951 Refugee Convention or its 1967 Protocol. The Thai stance on the sheltering of displaced persons is that it is only a temporary measure, and the final solution would be the full deportation of the populations to their sending countries, or to third countries (Phonphimon 2005: 2). The Secretary General of the Thai National Security Office announced on 11th March 2000 that the deportation of all displaced persons (mostly residing in the UNHCR operated camps in border provinces in the West of Thailand) would be deported to the countries of origin by 2003. The reasons that the Thai government used to deport displaced persons were as follows:

1. The existence of displaced persons in border areas causes misapprehension between the Thai and Burmese states as the Burmese Government might consider that Thailand is sheltering and assisting people who are considered as ‘threats’ to Burmese national security.
2. Thailand is not ready to assimilate and integrate these populations into Thai society as they pose a long-term burden to the Thai economy and society.
3. There has been no third countries which would agree to receive these populations, whilst due to the limitation of the Thai government budget in accommodating these populations, the Thai government has become a subject to international condemnation for its poor welfare provision for the displaced persons (The author’s own translation from Phonphimon 2005: 3).

The first point of the statement demonstrates that the Thai state places good relations with the Burmese government as its priority. The foreign relations are emphasised and progressively developed in a more constructive approach, which mainly focuses around the issues of economic cooperation. This is linked to the fourth policy in figure 6.1, the foreign relations policy.

The increasing growth in foreign relations policies and frameworks between Thailand and Burma, Laos and Cambodia can be seen through a series of border trade agreements, economic cooperation strategies (such as GMS and ACMECS) and the expansion of Special Economic Zones (SEZs). A detailed discussion of these policies and frameworks will be provided in 6.6. Moreover, Thailand does not believe that the displaced persons could and should integrate to Thai society. This brings us back to the issue of Thailand as a mono-ethnic society and the major impact that Thai nationalism has in preventing the assimilation of non-Thai nationals. Such sentiments are replicated in the present policy in irregular migration management, which lacks provisions for permanent residency and citizenship. Despite the migrant workers' economic contribution, which, according to Martin (2007: xii), could be as high as 6.2% of GDP in 2006, they are often seen as burdens on the nation's economic and social development, as can be seen from the statement made by a MOL official that:

It is important to bear in mind that even though we employ migrant workers as our economy needs them, we [the government] have to invest a lot of money to look after these people as well. While a number of Thai people are still poor, it is not really fair for us to allocate the government budget to look after non-Thai people. A number of migrant workers enter Thailand with diseases; we have other choices than being humanitarian and looking after them (MOL 2 2006).

As argued in chapter 3, economic priorities are paramount and, therefore, the policies regularising or legalising foreign workers need to contribute to the country's economic prosperity. Hence, the employers enjoy the benefits of these policies, whilst the migrant workers may profit from them marginally, or perhaps not even at all.

It can be argued that there are two major prevailing rationales behind the management of irregular migration in Thailand. Firstly, the 'regulate' and 'control' aspect, which has a great impact on the current policy decision of the registration of migrant workers and the administration of displaced persons. This reflects the desire to preserve the monopoly of ethnic Thai by closing off any opportunity for the displaced persons or migrant workers and their families to obtain Thai citizenship. Secondly, the perceived needs of the economy create two strands of policies – (1) the

registration of migrant workers to facilitate their employment as cheap labour in Thailand's industries, and (2) foreign relations policies of economic cooperation. It will be seen that the regulative facet and the economic facet are uncoordinated, despite the fact that the distinction between the arrival of politically displaced persons and economic migrants is blurred (Brees 2008). The uncertainty in the present political climate of the sending countries, particularly Burma, has made it almost impossible to clearly distinguish economic migrants from political migrants. However, the five strands of Thai policies related to the management of irregular migration often seem to be lacking in coordination, and there is little evidence of any "joined-up" analysis of migration policy at the governmental level. In the following sections different strands of the policies will be described in detail, in order to build up the critical analysis of the policies in relation to the question of Thai national identity and citizenship that will be presented in Chapter 7.

6.3 Migrant workers in contemporary Thailand: the introduction of national registration exercises and the management of "irregular migration"

This section will be divided into two parts. Part one presents the justifications made by the Thai government regarding the implementation of irregular migrant worker registration exercises, and the contradictions between them I will touch upon the question of why registration exercises are needed. The reasons behind the registration exercises will be divided into two main categories: 1) the Thai Government's justifications and 2) the actual demand for cheap labour. Reflecting upon the Thai economic setting as presented in Chapter 3, the central focus of this section is on the contradiction between the Thai government's justifications that labour shortages exist in the Thai labour market, and the common practices of using irregular migrant workers as a supply for cheap labour. Part 2 of this section will present the in-depth details and outcomes of a series of irregular migrant worker registration exercises implemented from 1992 – 2008.

6.3.1 Why registration exercises are needed?

It is argued here that the irregular migrant workers registration exercises are initiated due to two sets of justifications: 1) Thai government's justifications and; 2) the actual demand for cheap labour.

6.3.1.1 Thai Government's justifications

To start with the Thai government's justifications, a series of irregular migrant worker registration exercises is seen as vital to the Thai state for two central reasons: 1) national security and; 2) labour shortages.

1. National Security

The Thai government has consistently defended the implementation of irregular migrant worker registration schemes on the grounds that the presence of such workers poses threats to Thai national security. During a recent "Round Table Discussion on Past and Current Research on Migrant Workers in Thailand"³³, a senior government official from the MOL justified the government's intervention to regulate migrant workers on the grounds that '[t]hat those who come from poor countries with poor health care facilities are presumed to have infectious diseases' (AIT 2008).

In some measure, the anxiety about the threats from different groups of migrants has been fostered by what might be called a fallacious historical interpretation concerning who can and cannot be 'included' in Thai society, as was discussed in Chapter 5. In the case of Burmese migrants, the long-standing warfare between Thailand and Burma prior to the British colonisation of Burma in 1886, is constantly referred to and is a central theme within the Thai educational curriculum (Renard 2006, Jory 2003). This can be seen in the following excerpt from Prince Damrong

³³ The Round Table Discussion on Past and Current Research on Migrant Workers in Thailand took place on 17 January 2008 at the Miracle Grand Hotel, Bangkok, Thailand. The round table discussion was a part of the International Development Research Center (IDRC), [Canada]'s support project on "Gender, Cross-border Migrants Workers and Citizenship: A Case Study of the Burmese-Thai Border." The project is implemented by Asian Institute of Technology (AIT), Thailand and University of Leeds, UK.

Rajanubhab³⁴'s *Our Wars with the Burmese* (1928) referring to the second fall of Ayutthaya in 1767;

[T]he Burmese went about seizing the property of the people and the royal property. Even the gold and silver ornaments covering objects of worship of the Buddha in the several great and small monasteries were not spared. They did not make any distinction where they were able to carry away the property seized. They took away what property they could take away; and when Buddha images, and the gold covering the Buddha image of Phra Si Sanphetdayan, the Burmese melted the gold by firing the image and took away all the molten gold. Not satisfied with what they had seized, they would still seize the property which the people had buried and concealed in monastery compounds and in their houses. They brought the persons whom they arrested, threatened them or induced them by deceitful means to reveal such hidden property among themselves. Those who revealed the hidden property of others were set free. Those who would not reveal their hidden property voluntarily were beaten, struck, and punished in many ways, and some died in consequence (Damrong 1928: 355).

The work of Prince Damrong has been widely used in the teaching of Thai history in state education. The Burmese are portrayed as ferocious and antagonistic, while the Thais presented as victimised and unjustly oppressed. Throughout the book, the clash between vice (the Burmese) and virtue (the Thai) is emphasised. Thongchai (2001) refers to Damrong's work as 'royalist-nationalist historiography' which aims at promulgating the love of a nation and loyalty to the Thai kings, whom all Thai people are indebted to for the sacrifice they have made to maintain the country's independence.

This emphasis on the Thai-Burmese wars serves to remind the Thai people never to forsake the importance of '*Khwamsamakkhi*' or the 'unity' of the nation. The fostering of Thailand as a victim of Burmese aggression in Thai history can encourage discrimination both in policies and in practice, as Jory argues:

The textbooks are replete with often humiliating images of the Thai kingdom's subjection of its neighbours. In one famous episode, King

³⁴ Prince Damrong Rajanubhab (1862-1943) was the son King Mongkut (Rama IV) and is regarded as the father of Thai history. His most prominent work is *Thai Rop Phama* or *Our Wars with the Burmese* which was first published in 1917. The validity of the work has been questioned due to its lack of citations and reliable historical sources. As Ferquist (2005: 45) argues, 'Written in 1917 "Thai Fought Burma" was the first history of the modern nation-state, Siam, but the events it describes were local events. These local events took place in regions that were autonomous or at least within spheres of influence that shifted frequently passing from local autonomous rule to rule by more powerful states like Ayutthya or Burma and back again. There is an inevitable bias in interpreting local events in the history of a modern nation-state hundreds of years after the fact.'

Naresuan is supposed to have beheaded the King of Lawaek (Cambodia) and bathed his feet with his blood. In another, the Lao Prince Anuwong, leader of a “revolt” against Thai rule in the 1820s and a nationalist hero in modern Lao historical discourse, is paraded through Bangkok in a cage before his eventual execution.... As Thailand’s relations with its neighbours become more intensive as a result of the country’s integration and increasing economic interaction within ASEAN, this historiography and its expression in Thailand’s exported cultural products will inevitably come under greater scrutiny and pressure to respond to contemporary political and economic demands (2003: 7).

The agency that was the main driving force behind the implementation of the registration policy was, in fact, the National Security Council (NSC). On 25 June 1996, the Cabinet Resolution agreed to the registration of illegal migrant workers with the primary purpose of controlling and monitoring the movements of migrant workers in the name of national security and peace in Thailand (Bangkok Post, 1 March 1998). The national security justification made by the Thai government is central to the argument of this thesis as it demonstrates the anxiety that migrant workers (particularly those from Burma, Laos and Cambodia) create fears for Thai national security and cohesion. Such anxiety reflects upon a number of important issues central to this thesis, including the long-standing historical rivalry between Thailand and Burma as well as ethnic and racial stereotypes towards the migrant populations emerging from a series of nationalistic projects. Both of these issues, as presented in Chapter 5, create the boundaries of inclusion and exclusion of the Thai and non-Thai citizens. A detailed presentation of the policies on national security in relation to irregular migration management policy will be discussed in section 6.4.

2. Labour Shortages

In spite of fears about threats to its national security, Thailand also needs to ‘regulate’ and ‘monitor’ migrant workers to ensure that they are able to fill labour shortages and ensure the continuing growth of the economy. As Sirithon argues:

Thailand’s migrant labor policy of registration and deportation reflects the tug of war between powerful business interests and government forces that evolved in the mid-1990s and remains unsolved today. Powerful business interests oppose the Thai government’s policy of deporting migrant laborers. Many industries in Thailand, including fishing, canning, garment production, rubber, fruit orchards, and domestic work, depend on migrant workers to fill shortages in times of high growth, but also enjoy the profits made by employing cheap, unprotected labor (2004: 6).

Indeed, the MOL Permanent Secretary noted in 2006 that the Committee on Illegal Migrant Worker Administration³⁵, in fact, did not wish to extend the registration, but migrant workers are deemed necessary to the Thai economic growth :

The pushing out or deportation of migrants will affect the country's economic growth, while having them in the country can cause security issues....We have to admit that in some economic sectors Thai workers will not do the jobs. That's why we need migrants (Irrawaddy, 4 July 2007).

Since the 1990s, labour shortages have been a special concern of the Thai Government. As can be seen from the 6th National Economic and Social Development Plan (1997/2001)³⁶ and the Master Plan for Industrial Development of Thailand, there were predictions of labour shortages which would prevent the growth of industrialisation in certain sectors, such as 'automobiles, biotechnology and telecommunication' (Inter Press Service, 30 December 1996). According to both plans, it is understood that from the 1990s, labour shortages were looming in the Thai economy, yet it is clearly stated that the sectors in which labour shortages will primarily exist are skilled jobs. However, in response to the master plans' warnings, the Cabinet Decision in September 1996 agreed to carry out a registration of illegal migrant workers from Burma, Laos and Cambodia to fill in 'unskilled' economic sectors, such as agriculture, fisheries, and construction.

It does seem that the Thai Government's response to the labour shortages issue may be inconsistent. The analysis of the Thailand's rapid economic growth implies that with the acceleration of industrialisation since 1980s, the demand for labour was increasing. However, since there has been no systematic and reliable labour market survey conducted by the Thai authorities, there is no reliable and verifiable data on the real nature of demand for unskilled workers which can be filled by the employment of irregular migrant workers.

³⁵ The Committee on Illegal Migrant Worker Administration is a committee which is comprised of representatives from relevant government agencies and the public sectors (MOL official 2006).

³⁶ Further discussion on the overview of the National Economic and Social Development plans can be found in Chapter 3

There has been a debate about the relationship between Thai economic growth and labour shortages. Athukorala *et al.* (2002) argue that the rapid economic development during the 1980s and the 1990s triggered two major structural changes: firstly, the increase of domestic wages and secondly, the tightening of the labour market and labour shortages in certain economic segments (Athukorala *et al.* 2002: 12).

According to Yongyuth and Sevilla (1996), the tightening of the labour market and labour shortages in some sectors during the 1980s and the 1990s may also have been caused by a decrease of population growth (from 3.2% in 1970s to 1.1% in 1990s), as well as the development of education and the increase in higher education enrolment in Thailand, which made a number of Thai workers refuse to take on low-paid and 3-D jobs. Additionally, with more options open for Thai people, some Thai workers were choosing the new path of overseas work (Yongyuth and Sevilla 1996).

According to an interview with a Ministry of Labour official in December 2005, the MOL's rationale behind the launching of the irregular migrant worker registration policy was their belief that there were severe labour shortages in key sectors. However, when I asked how the MOL was informed about which economic sectors required irregular migrant workers to meet shortages, as well as about the number of irregular migrant workers required for each sector, the official revealed that this information was supplied by the employers:

At the present, the Thai government is launching a new quota system (to be introduced in 2006) in response to labour shortages. Under the new system, employers are to submit a number of migrant workers they require. It is a way to assess the demand for migrant workers. Based on the numbers submitted by employers, the MOL will approve the quota of work permits to be issued in the next legislation (MOL 1 2005).

This suggests that the Thai government's policy is directly responding to pressure from employers on the Thai government to open up a legal channel for them to employ cheap labour. In the next section, I will analyse the Thai government's deliberate intention to use the registration of irregular migrant workers to allow the legal employment of migrant workers as a 'legitimate' cheap form of labour supply.

6.3.1.2 Demand for cheap labour

Based on the fact that, in practice, migrant workers are not provided with basic labour rights and protection they are promised by the registration policy, it is argued here in this thesis that the actual reason behind the formulation of irregular migrant workers registration exercises derives from the need for cheap labour in order to sustain Thai economic competitiveness with other countries. It can be said that in relation to the previous analysis on rapid economic growth, industrialisation and the increase in domestic wages, a more open-door immigration policy is implemented deliberately to create a legitimate opportunity for employers to maintain the relatively low cost of production. This can be seen from Skeldon's analysis that, like most industrialised countries, Thailand's rise of domestic wages combined with the need to compete with other countries such as China, Indonesia and Vietnam, caused a greater demand for cheap foreign labour:

The response to rising labour costs was to import labour, as we have seen, but also to export labour-intensive manufacturing to areas where labour was abundant and cheap and where land and utility costs were lower than in core areas. Hong Kong's move into the Pearl River delta and Singapore's into Johor State can be understood in this light. Initially, Japan, but also the United States and several other Asian and western economies invested in Thailand to take advantage of its cheap non-unionized labour force. Thailand embarked on a structural transformation of its labour market from the mid-1980s and between 1984 and 1996 the number employed in agriculture shrank by 2 million while those in manufacturing grew by 8 million (Skeldon 2001: 36-7).

It is questionable whether labour shortages (particularly in sectors that allow registering irregular migrant workers) really exist. Varavidh Charoenlert, an academic from Chulalongkorn University, commented in an interview with the Inter Press Service in 2 September 1996 that:

There is no shortage of workers in Thailand...though Thailand's export-driven economy has been moving away from labor intensive to capital and technology intensive industries, a large number of businesses still depend on cheap labor to maintain their competitiveness in world markets. For example, while computers and computer parts emerged as the country's single largest export in 1995, labour intensive products like garments, rubber shoes, rice and seafood still constituted over 54 percent of exports. In addition, competition from the newly-opened up economies

of China, India and Vietnam, where labour costs are far lower, has forced Thai industries to cut costs (Inter Press Service, 2 September 1996).

The crucial point that Varavidh makes is that there is extensive use of irregular migrant workers in sectors such as the garment industry. The garment industry has posed an interesting case for questioning the Thai government's claim that there are labour shortages. Firstly, unlike other sectors (such as fisheries, fish processing or construction) that can be classified rather straightforwardly as the 3D jobs, it is questionable about whether working in the garment industry involves doing a 3D job. With a great number of garment factories that employ Thai workers in various parts of Thailand, it is uncertain that the employment of irregular migrant workers derives from labour shortages or the Thai government's deliberate intent to open up the opportunity for employers to secure a cheaper supply of labour.

The relocation of a number of garment factories to Mae Sot District in Tak Province under Thailand's Board of Investment's (BOI) investment zones can also be seen as a way to provide employers with better access to a cheaper supply of labour. The in-depth detail on the BOI's investment zones will be explored more extensively in 6.6.4. However, here, the case of the relocation of garment factories to Mae Sot District, Tak Province, is drawn upon to illustrate the Thai Government's explicit intention to facilitate the employment of irregular migrant workers in the garment industry in order to reduce production costs. As Arnold and Hewison explain:

Thailand's Board of Investment (BOI) has long offered investment privileges to encourage the decentralisation of industrial development. The BOI offers tax-based incentives (tax holidays or tariff exemptions), some of which involve additional incentives for locating in Special Investment Promotion Zones, and non-tax privileges (guarantees, protections, permissions, and services). In 1993, three investment promotion zones were created. Tak Province is in the most heavily promoted Zone 3, and in late 2004, 26 companies (involving 39 activities) were receiving BOI privileges in Tak Province. Zone 3 offers exemption from import duty on machinery and corporate income tax exemption for eight years provided that a project with capital investment of 10 million baht or more (excluding cost of land and working capital) and obtains ISO 9000 or similar international standards certification within two years of start-up. Otherwise, the corporate income tax exemption is reduced by one year. The total corporate income tax exemption is 100% of investment capital. Exemption from import duties on raw or essential materials used in export manufacturing is five years. Such incentives respond to global capitalism's drive for lower production costs. In fact, while labour is often only a small portion of total production costs, particularly for medium and large-scale enterprises,

labour is generally the primary target in the pursuit of cost savings. An additional incentive for factories to relocate to the border is to access low-waged labour without the international condemnation that would come with establishing in Burma itself (2005: 320).

The combination of the irregular migrant workers registration exercise policy, the promotion of border trade and decentralisation of industrial development, and the Greater Mekong Subregion economic cooperation frameworks, assist the growth of the Thai economy through employing cheap irregular migrant workers. Despite the fact that the Thai government promises registered migrant workers that they will receive at least the official minimum wage³⁷, registered migrant workers are given wages significantly lower than this (See Kritiya and Panthip 2005). However, as suggested in an editorial section of the Nation newspaper:

the use of low-cost foreign labour – which is supposed to help Thailand buy the time it needs to shift from labour-intensive industries to high value-added, technological-intensive ones- should not be permanent. Failure to regulate foreign workers coupled with an inability to upgrade the Thai workforce could mean a disaster for Thailand whose international competitiveness has been on the wane for several years (The Nation, 30 August 2000).

6.3.2 Details on irregular migrant workers registration exercises

As briefly discussed in Chapter 1, the term ‘irregular migrants’ is used in the Thai immigration policy dialogue to describe migrant workers from Burma, Laos and Cambodia, who entered Thailand during the 1990s in search of employment in the unskilled or 3D (dirty, dangerous and demeaning) sectors. However, it is important to note here that the term ‘irregular migrants’ is not a legal term used in Thai immigration legislation. Under Thai law, migrant workers (registered or not) are still regarded as ‘aliens.’ Kritiya and Panthip (2005) argue that the management of irregular migration in Thailand can be viewed primarily on the grounds of the Nationality Act of B.E. 2508 (1965), of which section 4 states that ‘alien’ means ‘a person who does not have Thai nationality.’ The Act can be regarded as the grand legal framework that all immigration-related policies are based on. The registration

³⁷ According to the MOL’s announcement regarding the national minimum wage of 1 January 2008, the minimum wage is ranging from 194 – 144 Baht/day. The minimum wage in Tak Province is 147 Baht. (MOL 2008)

policy can be viewed as a ‘compromise’ to solve the issue of irregular migrant workers only for a short period of time. Such a compromise can be seen as a quick-fix solution to a really intricate problem of irregular migration management. The inconsistencies and constant amendments regarding different registration exercises illustrate how the Thai Government lacks a long-term irregular migration management plan. The registration policy is only to temporarily permit the legalisation of irregular migrant workers employment for as long as migrant workers are required by employers. According to the Ministry of Labour, if migrant workers are no longer required, deportation of irregular migrant workers (as well as their families) would eventually take place.

The Thai immigration policies are directed by the Thai Immigration Act of 1979, which states that ‘an immigrant who enters the country without a visa and/or acts in breach of the immigration law is illegal and may be deported and or penalised by other sanctions’ (Supang 2007b: 2). However, ‘section 17 provides the Ministry of Interior with discretion in exempting illegal migrant workers from being deported when they come out into registration’ (Supang 2007b:2). But, the Working of Alien Act B.E. 2521 (1978)³⁸ has been implemented for three specific purposes:

1. To reserve the occupations for Thai people;
2. To control the working of aliens in Thailand; and
3. To promote the investment and employment in the country (MOL 2007).

Based on these three purposes, the Working of Alien Act preserves the rights of Thai citizens to have the first opportunities for employment by listing 39 employment activities³⁹ that ‘aliens’ are prohibited from occupying according to a royal decree

³⁸ The Working of Alien Act B.E. 2521 (1978) is also known as the Foreign Employment Act.

³⁹ According to the Royal Decree Stipulating Work in Occupations and Professions Prohibited to Aliens B.E. 2522 (A.D. 1979), the occupations that aliens are not permitted to occupy are: 1) labour work; 2) agriculture, animal husbandry, forestry or fishery, except work requiring specialized knowledge or farm supervision; 3) brick-laying, carpentry or other construction work; 4) wood-carving; 5) driving motor vehicles or vehicles which do not use machinery or mechanical devices, except piloting aircraft internationally; 6) Front-shop sale; 7) Auction sale work; 8) Supervising, auditing or giving service in accountancy, except occasional internal auditing; 9) cutting or polishing precious or semi-precious stones; 10) haircutting, hairdressing or beautification; 11) cloth-weaving by hand; 12) mat-weaving or making utensils from reed, rattan, jute, hay or bamboo; 13) making rice paper by hand; 14) lacquer work; 15) making Thai musical instruments; 16) Niello work; 17) goldsmith, silversmith, or gold-and-copper alloy smith; 18) stone work; 19) making Thai dolls; 20) making mattresses or quilts; 21) making elm-bowls; 22) making silk products by hand; 23) making Buddha images; 24) knife-making; 25) making paper or cloth umbrellas; 26) making shoes; 27) making hats; 28) brokerage or agency, except brokerage or agency in international trading; 29) engineering profession in civil engineering concerning design and

(the Royal Decree Stipulating Work in Occupations and Professions Prohibited to Aliens B.E. 2522 [1979]) [Piyanuj and Kobkit 2002]. Nonetheless, the act opens up some opportunities for ‘aliens’ to work in Thailand on the condition that they contribute to ‘investment’ or, in other words, to the Thai economy. Such exceptions can be made by specific legislation or cabinet decisions. As Supang explains:

The Cabinet Resolution is the kind of an *ad hoc* type of policy formulation. It gives a flexibility to the strict [i]mmigration law and Foreign Employment law....under the Foreign Employment Act, some occupation including labour worker are preserved exclusively for Thai citizens. This has resulted in the fact that any foreigners who are working in the prohibited jobs will not only violate the Foreign Employment Act, but also Immigration Act as their entry for world is illegal since the beginning...They become illegal once they have crossed the border into the country and seek for a job (2007b: 3).

The exceptions that are made available for the Thai Government to amend immigration policies and regulations show the inconsistencies of the Thai state’s stance regarding the management of irregular migrant workers. The *ad hoc* way of policy formulation through various Cabinet decisions illustrates how the Thai state intends to maintain its strict immigration policy that prohibits irregular migrant workers to lawfully work in the country (unless exceptions are made because the Thai state deems that irregular migrant workers would be of great benefit to the economy). The regulation concerning these are made under economic-related legislations, for instance, the Foreign Business Act B.E. 2542 (1999), the Investment Promotion Act B.E. 2520 (1977), and the Industrial Estate Authority of Thailand Act B.E. 2520 (1977). With regards to the registration of irregular migrant workers, the permission to register and allow employers to take on irregular migrant workers comes via a condition stated in Section 12 of the Act, which states that:

(1) Aliens under a deportation order under the law on deportation who have been permitted to engage in profession at a place in lieu of deportation or while awaiting deportation;

calculation, systemization, analysis, planning, testing, construction supervision, or consulting services excluding work requiring specialized techniques; 30) architecture profession concerning design, drawing-making, cost estimation or consulting services; 31) dressmaking; 32) pottery; 33) cigarette-rolling by hand; 34) guide or tour conductor; 35) hawking of goods; 36) Thai typesetting by hand; 37) unwinding and twisting silk by hand; 38) clerical or secretarial work; 39) providing legal services or engaging in legal work.

(2) Aliens whose entries into the Kingdom have not been permitted under the law on immigration and are awaiting deportation can be allowed by the Cabinet decision to work in Thailand.

However, the Cabinet decisions allowing the use of irregular migrant workers only grants temporary permissions and the two Acts (Immigration Act and Foreign Employment Act) still dominate, indicating that 'registered' irregular migrant workers are still considered illegal under Thai law.

The registration exercises that were launched in 1992 were used specifically to register the irregular migrant workers from Burma, Laos and Cambodia. The major reasons behind the registration exercises are to 'regulate' and 'control' irregular migrant workers while 'legalising' the use of irregular migrant workers as a labour supply for cheap labour (Arnold and Hewison 2005, Skeldon 2001). The registration exercises give the responsibility to employers (Huguet and Sureporn 2005:33). As previously discussed, the quota of migrant workers allowed to work in the country is based solely on the demands of employers. In this section, details regarding different registration exercises will be presented together with an analysis of the amendments in relation to conditions, criterion and fees, as well as to the numbers of registered migrant workers in each registration (See Appendix 5 for details on the summary of registration exercises from 1992-2008).

1) Registrations exercises from 1992 to 1993

The first registration of irregular migrant workers took place in 1992. The exercise allowed the registration of Burmese migrant workers along the Thai-Burmese border provinces. Another Cabinet decision was made in 1993 to permit the registration of irregular migrant workers in twenty-two coastal provinces (out of the total of seventy-six). Supang argues the 1992 registration which was implemented under the administration of the Prime Minister Anand Panyarachun was launched under 'a good intention' to regulate and protect migrant workers (2007b: 4). The 1992 registration was considered unsuccessful as only 706 migrant workers registered (Martin 2004). Caouette *et al.* (2004) and Martin (2004) argue that the failure derived from the high registration fees (5,000-Baht bond and 1,000-Baht). More importantly, Martin also comments that the 1992 registration was an example of 'unclear policy'

since ‘another 101,845 unauthorized foreigners received a ‘purple card’ from the Ministry of Interior at no cost in order to control the people in a certain area’ (2004: 18). As argued earlier in chapter 5, the blurry line between economic and political migrants (particularly with the case of Burmese migrants) causes ambiguities in the irregular migration management policy. Specifically, the unclear distinction between economic and political migrants in the Thai policy dialogue, the lack of coordination among different government authorities and the lack of comprehensive long-term irregular migration management policy can be counted as major factors which contribute to the failure of the registration exercises.

2) Registrations exercises from 1996 to 2000

It was until not until 1996 that a Cabinet Decision was passed to allow another irregular migrant worker registration exercise. Caouette *et al.* point out that the 1996 registration was launched to determine and assess the irregular migrant labour needs as well as to regulate and control the use of irregular migrant workers (2004:13). The 1996 registration is seen to represent the commencement of ‘regular’ irregular migrant workers registration exercise (Martin 2004: 20), and it provided two-year permits for registered migrant workers (Huguet and Sureeporn 2005: 34). The major development in the 1996 registration was that it included migrant workers from Laos and Cambodia in addition to those from Burma. The number of provinces included in the registration was increased to forty-three, and the number of economic sectors (which are deemed as ‘3-D’) was extended to eleven⁴⁰ (Huguet and Sureeporn 2005, Martin 2004, Darunee 2001). As a result, 372,000 migrant workers registered and 303,988 permits were granted. In terms of the registration process, Darunee explains that:

In order to register, employers had to follow a complicated three-phase process. First, all migrants had to pass a health check at the local hospital. Workers were either classified as ‘pass’, ‘requiring treatment’ or ‘fail’. Those falling within the last category would not be permitted to work, and under the new legislation would be required to leave the country. Second, a fee of one thousand baht had to be paid to the Immigration Office.

⁴⁰ 11 sectors are 1) agriculture; 2) fisheries; 3) fishery-related activities; 4) construction; 5) mining; 6) domestic work; 7) salt fields; 8) timber mills; 9) brick making; 10) production (fish sauce, shrimp paste, squid drying, filleting fish, tobacco and salty fish production, drying tapioca, storage of agricultural goods in silos); 11) other production activities. (Darunee 2001: 1)

Immigration officers recorded a detailed personal history of each migrant, and then the migrants would receive a 'Temporary Residence Permit for Immigrations Awaiting Deportation' (also known as a *Taw Maw 69*). Both the employer and the workers were required to report to the Immigration Office every three months. Third, a work permit had to be issued by the Department of Employment (2001:3).

The 1996 registration was considered a success and the Government was reported to be determined to deport all unregistered migrant workers (Caouette *et al.* 2004). The 1996 registration policy also differed from the 1992 one as the Thai Government made a clearer statement that the work permits that were issued in 1996 would be eligible for extension in 1998 (Huguet and Sureeporn 2005). However, the success of the 1996 registration was brought to an abrupt halt by the economic crisis of 1997:

In response to the Asian economic crisis in 1997 and the rampant unemployment that followed, the Thai government decided that jobs held by foreign migrants should go to Thai workers. Under the April 1998 Cabinet Resolution, 300,000 Thais were to be hired in place of migrant workers. This backfired, however, as few Thai workers wanted the jobs that the migrants had previously held. Subsequently, the Royal Thai Government passed a resolution in May that allowed a limited number of migrants (158,253) to work for one year (Caouette and Pack 2002: 12).

The sudden change in the irregular migration workers policy after 1997 demonstrates how, when it comes a time of crisis, Thai workers are given priority for employment. Indeed, as a result of the economic crisis, many irregular migrant workers were laid-off. In October 1997, the Department of Employment reported that 17,045 migrant workers had been made redundant, particularly in the construction industry, which included high-profile governmental projects, such as the Hopewell rail/road project and the Asian Games venue. A news report by the Bangkok Post suggested that the 'Labour and Social Welfare Ministry has yet to take measures on jobless foreign workers, but in the economic meltdown, the official said priority will be given to Thai nationals' (Bangkok Post, 2 October 1997).

As a result of the 1998 Cabinet Decision, the powers to arrest and deport irregular migrant workers were taken seriously. In the case of Tak Province:

Enforcement of laws against unauthorized migrants was stepped up in the last quarter of 1999, especially in border areas. Thai police raided garment factories and removed unauthorized migrants in Mae Sot several times, so that 1000 garment factories complained of a loss of workers...The Tak Industrial Council in January 2000 complained that Thais was not willing

to replace the migrants who had been removed – the Council said that 20,000 migrants were removed, and only 6,000 Thais applied for the jobs (Martin 2004: 22).

It can be argued that the Cabinet Resolution in 1998 to lay off irregular migrant workers in order to give jobs to Thai nationals was problematic and contradictory for several reasons. Firstly, before the Cabinet Decision in 1998 was made, the Thai government did not conduct a systematic labour market survey to assess which economic sectors were really affected by the economic crisis. Indeed, the impact of the 1997 economic crisis resulted in an increase in the unemployment rate (from 2.1 % or 0.68 million persons in 1997 to 4.6 % or 1.48 million persons in 1998 [Ammar and Orapin 1998]). According to Manning (2002), after the Asian Economic Crisis in 1997, most affected Asian governments believed that the crisis would reverse the role of international labour migration of unskilled workers who took advantage of the economic boom period in 1980s. The Government thought that this would result in the substitution of migrant workers by domestic workers. Manning, however, argues ‘the Asian economic crisis did not reverse the fundamental trend toward greater reliance on unskilled migrant workers in agriculture, manufacturing and service industries’ (2002: 1).

It took Thailand some time to clearly understand the actual impacts of the economic crisis. With regard to unemployment, economic sectors that were affected by the crisis extended from the unskilled labour sectors in manufacturing industries to white-collar jobs in the financial sectors in urban areas (Chalongphob *et al.* 1999). However, what is more significant to the consequences of the 1997 economic crisis is the increase in the underemployment rate and the fall of real wages. The rate of underemployment in Thailand increased from 1.7 per cent in 1977 to 2.8 percent in 1998 and to 3.6 per cent in 1999 (ESCAP 2002: 40). The increase of underemployment is argued to result from the decrease of working hours (Chalongphob *et al.* 1999). In addition to this, it is argued that the causes of rapid expansion of poverty resulting from the crisis derive from the fall in real wages, which increased from 1 per cent in 1997 to 7 per cent in 1998 (*ibid.*). The fall in real wages could be seen as a way in which employers reduced wages in order to lower the production costs, while workers had to agree to lower workload or wage (Baker and Pasuk 1998: 143).

As a result, the Thai policy to deport migrant workers in order to provide more jobs to Thai workers was withdrawn in 1998. It could be argued that with such an unstable economic situation, the recruitment of migrant workers was simply a way in which Thai employers could reduce their costs of production. In addition to this, as revealed by a MOL official during the interview in 2006, only a small number of Thai nationals would be willing to take migrant workers' jobs, largely due to the low wages and the nature of the 3D jobs (MOL official 2006). However, it may not be the Thai workers who did not choose to take the migrant workers' jobs *per se*: rather, employers may not have been willing to take Thai nationals as the result of Thai workers' higher wages as well as the fact that they are less willing to be violated against their labour rights.

This is confirmed by an interview with the manager of a food-processing factory in Samutsakorn province in 2006. Although he acknowledged that migrant workers (Mon people from Burma) should be treated equally to their Thai counterparts and protected by the Thai Labour Protection Act, in practice, as became evident from his account, they are not given the same treatment and protection. For instance, with regard to wages, unskilled Thai workers would be paid at least the basic minimum wage of 184 baht per day. Migrant workers, however, earn wages according to the piece-rate basis (per kilogramme of fish, shrimps or squids processed). The manager indicated that a migrant worker, paid on a piece work basis, could earn 175 baht, which is lower than the legal minimum wage, with additional earnings based on higher labour productivity. But he still maintained that *'the system is fair and does not discriminate against migrant workers.'* The most skilled or experienced migrant workers can earn as much as 400 baht a day (on piece-rate), which the manager rightly pointed out means that they can earn more than Thai workers who receive the basic minimum wage. However, in order to earn 400 baht/day, migrant workers have to do 3-5 hours overtime, which means that they need to work from 8 am -5 pm and from 5.30 pm up to 10.30 pm, a working day of 14 hours, with only an hour and a half break. They work six day a week, meaning that they would have to work 84 hours a week, which is almost double the maximum legal working hours of 48 hours per week.

The manager's response, when I pointed out this rather obvious breach of the Labour Protection Act was as follows:

'We are not forcing migrant workers to work against their will. They are here to earn money and if they are hardworking and are willing to work, we have no rights to stop them. The Thai workers are lazier and tend to be put off by the long hours and the nature of the job. In the food processing industry, we prefer migrant workers to Thai workers, because they work hard and complain less. We are providing them the best we can, if one asks about 'human rights' issues, their rights are less violated here [in Thailand] than in Burma anyhow' (I.1 2006).

Secondly, the way in which the Thai government responded to tackling the unemployment resulting from the economic crisis can be regarded as discriminatory. Although a large number of migrant workers were laid-off as a result of the economic crisis, no action has been taken regarding the requests for redundancy pay or any type of compensation that they are entitled to under the Thai Labour Protection law. The voices of migrant workers were, however, largely silent as, after the Cabinet Decision in 1998, the only option for migrant workers was forced deportation back to their countries of origin. When I raised this issue during the interview with the MOL official in 2006, the response was:

'The government did the right thing. Thai workers are our first priority. It would be very difficult for the government or employers to provide them with any sort of compensation while a number of Thai workers still haven't received assistance. Also, since many migrant workers are not registered, they are 'illegal,' thus they are not entitled to any kind of assistance' (MOL2 2006).

Thirdly, the 1998 Cabinet Decision displayed the inconsistency of the Thai irregular migration management policy and that the constant alterations of the policy are simply made by *ad hoc* Cabinet Decision. When the Thai Government realised that migrant workers were still required, the deportation of migrant workers came to an end, and a series of registration exercises was implemented again in 1998-2000. Nonetheless, the number of registered migrant workers fell sharply (from 372,000 in 1996 to approximately 90,000 in 1998-2000). With the constant policy changes, migrant workers may have felt that the registration would not be beneficial for them as it does not guarantee that they will be protected by the law. Additionally, with the implementation of the deportation policy in 1998, migrant workers would have been led to believe that, by registering with the Thai authorities, they could potentially be

first in line for deportation if another incident similar to the 1997 economic crisis were to occur.

3) Registration exercises from 2001 to 2006

Supang labels the 2001 – 2006 irregular migrant workers registration phase the ‘amnesty’ period (2007:3). Starting in 2001, the electoral victory of Thaksin Shinawatra and his Thai Rak Thai (TRT) party brought about a significant change in the irregular migration management policy. On the one hand it can be argued that, for the first time, the Thai Government took the issue of irregular migration management in a more constructive and pragmatic manner. On the other hand, the Thaksin approach to irregular migration management was not drastically different from the previous registrations. The registration exercises from 2001- 2006 were also *ad hoc* in the sense that the policy has not indicated that a long-term solution will be provided to the issue of irregular migration. Registered migrant workers are still considered ‘illegal’ under Thai Immigration law and may face deportation if their permits expire or their renewals do not occur (MOL official 2006).

The registrations of 2001 – 2006, though being represented as an ‘amnesty’ providing humanitarian opportunity for irregular migrant workers to legally work in the country, can be regarded as the sort of ‘populist and mercantilist’ policies that the Thai Rak Thai party have usually presented (Glassman 2004). As McCargo and Ukrist observe:

The electoral success of Thai Rak Thai in 2001 was closely associated with the party’s so-called ‘populist policies’, especially the proposals for a farmer’s debt moratorium, a million baht development fund for every village and a 30-baht healthcare programme....Were Thai Rak Thai’s ‘populist’ programmes actually policy initiative, or simply alternative means of vote-buying or gaining attention? (2005: 89-90)

The 2001 national irregular migrant workers registration exercise was the first step that the Thai government took to allow illegal migrant workers from Burma, Laos PDR and Cambodia, in all industries and in all provinces (Martin 2004, Sirithon 2004). The only condition was that the migrant worker had to be with an employer, and the employer was liable for the fee payment of 3,250 Baht (approximately £46).

The fee included 1,200 Baht health insurance for state hospitals, 900 Baht for a 6-month work permit, 150 Baht for an ID card and a 1,000 Baht-bond. In addition to this, after six months, migrants were subject to work permit renewal, for which the employers had to pay a further 900 Baht for the work permit, and 300 Baht for a health fee, which accumulates to the total of 4,450 Baht (Martin 2004: 23).

Also, this was the first time that the government made it clear that registered migrants had the rights to social welfare services. As Martin notes:

Migrants are covered by the 30 Baht health plan (most services at hospitals require a 20 Baht co-payment). Hospitals receive about 1,253 Baht a year for each person covered by the plan, which has generated controversy over the financial viability of the programme. MOLSW and Health authorities are debating what to do about migrants who test positive for communicable diseases such as Tuberculosis – if they are simply deported, they are not likely to get treatment (2003: 23).

It was, however, a considerable successful step forward for Thai irregular migration management, as 568,285 migrant workers were registered (MOL 2003). From the interview with the Ministry of Labour official, I have been informed that the main purpose of the first Thaksin-led registration exercise was to assess the actual numbers of illegal migrant workers currently in Thailand and to gain information about them. For example, the government wanted to know which industries and regions they occupied. The results revealed that the majority worked in farming and fisheries, followed by employment as domestic servants and in construction (MOL 2004). However, the ultimate aim of the registration exercise was still the deportation of illegal migrants back to their countries of origin, although no time limit was set on when they would be deported.

The 2001 registration exercise was followed by two renewals in 2002 and 2003. However, the registration exercise policy was opposed by agencies with a role in national security, such as the Police Department and the National Security Office, which argued that the registration exercise would lead to more illegal migrants trying to enter the country, and that this would jeopardise national stability (MOL 2004). The argument lingered for a few years without any consolidated solution. No long-term and conclusive policy could be agreed regarding the future of these migrant workers. Once again, this uncertainty caused increasingly fewer migrant workers to

register for the second and the third renewals in 2002 and 2003. In 2002, 426,331 migrant workers registered and this dropped to 288,780 in 2003 (MOL 2003). During the field visit in 2006, I asked an official from the Department of Employment, Ministry of Labour, to explain this decrease, he replied:

'There are many factors, such as employers, especially from smaller factories, cannot cope with the high registration fees. They think of it as an additional cost, especially since they can find a leeway to avoid inspections from police or the Ministry of Labour. Also, they [the employers] are not sure if there is going to be an extension next year. It is a gamble, really. If there is not going to be another registration, the work permits issued will be expired and thus, migrant workers will become illegal and are subject to deportation again' (MOL21 2006).

Consequently, in 2004, the Cabinet launched a more systematic policy, restructuring the whole irregular migration management framework. In March 2004, the Cabinet approved that: (1) the Provincial Administration Offices (under the Ministry of Interior) would be responsible for a firmer border control by cooperating with the Army and the Police Department. (This was to restrain more illegal migrant workers from coming over Thai borders to be registered.), and; (2) the Ministry of Labour would be the main agency dealing with the entire system of irregular migration management, from strategy planning to the administration of registration exercises and the issuance of work permits. As a result of this, the Ministry of Labour has proposed seven core strategies for the National Framework for Irregular Migration Management in Thailand (MOL 2004), as follows:

1. Employment of irregular migrant workers strategy: the purpose of this strategy is to 'legalise' the status of existing illegal migrant workers in Thailand. The Thai government would cooperate with the countries of origin of the registered migrants to issue valid documentation (i.e. passports, ID cards) in order to proceed with the 'formal' way of work permit application;
2. Strengthening of foreign labour standards strategy: this is an attempt to provide labour protection as well as ensure migrant workers will be treated in the same way as Thai workers;
3. Border control strategy: this is to enforce more border control by cooperating with the Police Department, the Army and the Ministry of Interior – the Governors of each province will be responsible for this matter;
4. Imposing criminal penalty to employers who employ illegal migrant workers: this is an attempt to substantially enforce criminal convictions to employers who refuse to register their illegal migrant workers;
5. Deportation of illegal migrant workers strategy: this is to enforce criminal convictions to migrant workers who refuse to register, as well as to produce a database of deported migrants;

6. Information campaign strategy: this is to provide a clarified information to employers as well as migrant workers about the government policy regarding the irregular migration management as well as to ensure that all government agencies involved do apprehend the policy in the same way;
7. Assessment and evaluation strategy: a systematic assessment and evaluation process will be conducted on yearly basis.

(Author's own translation: MOL 2004)

Before the registration took place in July 2004, the Ministry of Labour assessed the demand of illegal migrant workers from Thai employers, and found out that 248,746 employers indicated that 1,598,752 illegal migrants were required (MOL 2005). The 2004 nationwide registration programme took place in July 2004 and 1,269,074 foreign migrants registered. The fee was 3,800 Baht, including: 1,300 Baht for health insurance, 600 Baht for a medical check-up, 1,800 Baht for a one-year work permit, and 100 Baht for a photo ID card or Tor Ror 38/1⁴¹ card (see picture 6.2 below). This was the first time that unemployed illegal migrants could register, on the condition that they could remain in Thailand for 12 months to find work (MOL 2004).

Picture 6.2 Migrant worker ID card or Tor Ror 38/1



(From MOL 2007)

It is important to note here that one of the major problems is that the registration and the issuance of Tor Ror 38/1 can be problematic as this can make registered migrant workers more prone to further exploitation both from employers and governmental authorities. The report by the Federation of Trade Unions – Burma (FTUB) Migrants Section revealed that most employers confiscate the registration documents from migrants so that they are not able to leave the workplace or change employers:

⁴¹ Tor Ror 38/1 (ทอ ร 38/1) is an abbreviation for 'the population registry for illegal immigrants' or ทะเบียนราษฎรสำหรับคนต่างด้าวซึ่งเป็นผู้หลบหนีเข้าเมืองผิดกฎหมาย. At the top of Tor Ror 38/1 card, it reads the 'ID card for a person without Thai citizenship.'

While 73.3% of the respondents indicated they were registered to work, 56.9% added that their MOL issued work permit and/or migrant worker identification cards were retained by the employer, who provided only photocopies of these critically important documents for workers to carry. Since local officials do not accept photocopies as conclusive evidence of their legal presence in Thailand, the workers become targets of exploitation by factory security guards, police, immigration, and other local officials. A total of 30% of the child workers reported that they were required to live at the factory as a condition of employment, further underling the absolute control exerted over their lives by factory owners (FTUB 2006:x) .

This poses an important question about which party benefits from the process of registration. The fact that migrant workers are prevented from keeping their own documents means that migrant workers are under full control of employers. Therefore, as a result of the registration, employers can exercise further control over migrant workers. Migrant workers, on the other hand, are bound into an even more complicated trap, in which they do not have any other choice but to continue to endure such a restriction.

Nonetheless, in theory, the 2004 registration had a seemingly positive shift towards a more open but regulated policy framework for Thai migration management. Registered migrants became entitled to the Thai labour protection law and a 'repatriation fund' was set from a deduction of 15% of migrant workers' income. Migration News (2004) commented that:

Migrants are to receive refunds of these withheld earnings with interest in their countries of origin if they apply personally within three months. However, the repatriation fund can also be tapped to cover the cost of returning illegal workers, and it is not clear how much will be refunded if illegal migration continues (Migration News 2004).

In 2005, only migrant workers who registered in 2004 could register. The Minister of Labour assessed the employers' demand for migrant workers and it was revealed that 1,881,520 migrant workers were needed (MOL 2007). However, the number of migrant workers who renewed their work permits dropped from 1,284,920 in 2004 to 871,170 in 2005. In March 2006, Thai government's announcement that an additional 500,000 workers were needed to fill labour shortages, which made the government allow unregistered migrant workers (i.e. workers without Tor Ror 38/1) to apply for work permits. However, employers who wished to re-register migrant workers with Tor Ror 38/1 had to pay 10,000 baht and 50,000 baht for those without

Tor Ror 38/1. As a result, only 220,892 workers renewed or registered under the March 2006 policy. In July 2006, the government launched another registration which allowed unregistered migrants to register with new employers under the conditions that if 'their previous employer died, did not pay the worker, unfair dismissal, had stopped or changed business' (MAP 2008). The July 2006 registration had 460,014 migrant workers registered (ibid.).

Despite the fact the registration exercises from 2001 to 2006 appear to be more systematic and constructive, the falling numbers of registered migrant workers illustrates how a great number of irregular migrant workers still feel uncertain about participating in such schemes. This is due to several reasons, including the short validity of work permits, high registration fees, and the inability to change employers. Particularly, as Sirithon argues, 'akin to past exercises, the language of the registration policy continued to emphasize the eventual deportation of migrant workers and threatened to extradite those who failed to register' (2004: 9). She also points out that 'many migrant workers chose not to register in these recent exercises because registration introduced additional costs without offering significant benefits' (ibid.).

4) Registration exercises from 2007-2008

With regard to registration, on 18 December 2007, the Cabinet approved a re-registration of registered migrant workers and extend their temporary stay and work permit for 2 years (until 28 February 2010). However, the 2006 coup d'état brought about changes in the policy in irregular migration management. Despite the fact that the overall policy with regard to the registration exercises remains intact, further enforcement has been taken to restrict the liberty and rights of migrant workers in the country. At the beginning of 2007, the Ministry of Labour announced that the Cabinet had approved the re-registration of registered migrant workers as well as launched a new type of registration for irregular migrant workers to work in five southern provinces, including Pattani, Yala, Narathiwat, Satun and Songkhla. In the view of the Ministry of Labour, the 2007 registration aimed at filling the rapid growth of labour shortages in the Thai economy (MOL official 2007).

More importantly, drastic control over the movements and liberty of migrant workers has been put forward in March 2007. Starting in Phuket province where 32,070 migrant workers registered, a Provincial Decree has imposed on grounds of 'national security' to forbid migrant workers to own or drive cars and motorcycles, use mobile phones or travel outside their dormitory from 8 pm to 6 am (MOL 2007). Similarly, Rayong province also imposed a decree prohibiting them to travel from 10 pm to 6 pm and from 'gathering in groups of five or more – unless they are working' (Thai Press Report 2007). This is said to clamp down possible illegal activities of migrant workers. By the end of 2007, Surat Thani, Ranong, Rayong and Phangnga, Krabi and Chiangmai adopted the same Decree.

It is suggested by a research study ⁴² conducted by the ILO (2006) that employers frequently place restrictions on their workers' freedom of movement:

8% of domestic workers reported they had been confined or 'locked up' by their employers. 60% of domestic workers stated their employers did not allow them to leave the house to meet with others or receive visitors. More than half of employers in agriculture, domestic work and manufacturing felt migrants should not leave the premises outside of working hours without permission. About half of employers across all sectors agreed with the statement that 'we should lock migrants in at night to make sure they don't escape'. Such employers feel the Thai policy of migrant registration obligates them to restrict migrants' freedom of movement to protect their financial investment in workers (having paid registration fees upfront) and to prevent workers from changing employers. Despite perhaps some legitimate concerns of employers wanting to safeguard their economic interests, in doing so, they clearly violate migrant worker's rights to liberty and this increases the realm for exploitation. 10% of migrants in agriculture, fishing and manufacturing could not leave the workplace or living area outside of working hours when they wanted to – the predominant reason being fear of harassment by authorities. Thus beyond employer control, fear and mistrust of the authorities is also a key aspect of why migrants stay in exploitative conditions of work (ILO 2006: xxi-xxii).

This indicates that the restriction on migrants' freedom of movement is partially to protect the 'economic interest' of employers. Since, as discussed above, the registration fees are comparatively high and, through the eyes of employers, it is an 'investment' that they have made in order to legally employ migrant workers,

⁴² The research was a one-year project carried out in 2005, which involved a series of interviews, surveys and questionnaires with 376 migrant workers (in agriculture, fishing and manufacturing) and employers in various geographical sites, such as Bangkok, Nakhon Pathom and Samutsakhon.

therefore it is important for them to ensure that migrant workers do not escape. Another strategy used by employers to prevent migrant workers from running away is retaining their IDs and registration documents. With all of these practices in place, it again raises the question as to who actually benefits from the process of registration. By the prohibition of migrant workers' freedom to travel, the process of registering them enables employers to legitimately enforce further control over migrant workers.

In addition to this, it is important to note here that such a shift to a more strict control of migrant workers occurred when Thailand was governed by the military. Since the coup in September 2006, the military declared martial law which restricts various forms of freedom of expression and political gathering and the restrictions were not withdrawn until January 2007. However, it seems likely that the Thai local authorities have taken the opportunity of the martial law enforcement to extend control over migrant workers in the name of 'national security'. Nevertheless, it is quite apparent that under the circumstance of the Thai political havoc during the 2006 coup, migrant workers did not have any political involvement, or the rights to participate in the Thai political arena anyhow. It is, however, reported that the launch of the Decree was from the 'security' concern between the Governors of the Southern provinces and the Army (Thai Press Report 2007). The issue of 'national security' became the Thai government's prime concern of the irregular migration policy after the military had taken power. The military's stand point with regard to the management of irregular migrant workers was to control and restrict, as can be seen from the statement of General Sonthi Boonyaratglin, the former head of the Council for National Security (CNS) that:

There have been many problems concerning [with migrant workers regarding] high birth rates, disease control, conflicts with Thai people and among themselves along with social issues, which will all become long-standing problems. *They may demand more and more for their rights.* These problems may become unsolvable one day (The Nation 2007)

It is clear that despite the ongoing registration, the Thai state will implement a more strict control over migrant workers. In the view of the Thai government, strict control would prevent migrant workers from accessing more rights and having a voice soliciting for the basic human and labour rights they are entitled. Could this mean

that with no opportunity to ‘demand for their rights,’ migrant workers would remain a supply of cheap labour with no bargaining power and ability to protest, should their rights be violated?

In conclusion, the most important aspect of the irregular migrant workers registration exercises is how they contribute towards the legitimisation of the use of migrant workers as a pool of cheap labour. The Thai Government continues to prevent the permanent settlement of irregular migrant workers. It is the maintenance of the Thai state hegemony which is at the heart of all immigration policies. In the next section, the discussion of the management of irregular migrant workers as a national security policy will be presented. By linking this with the registration policy, as previously discussed, it will be seen that the urgency to regulate the irregular migrant workers derives from Thai anxiety about the national security threats posed by the presence of irregular migrants.

6.4 Regulating the migrant workers: the challenge to national security

The registration exercises were partially launched to allow the law enforcement agencies to intervene in the regulating and monitoring processes of the movement of irregular migrant workers. It was not only the Thai Government which emphasised the threats posed by the inflow of irregular migrant workers; it is also discussed in contemporary media accounts as well as academic papers. The following examples are taken from headlines in major Thai newspapers⁴³;

"Fear aliens will take over flat building in Mahachai",

"Ten thousand migrants raid police sports stadium",

"Unlawful Burmese workers intercepted and arrested",

"Foreign workers found dangerous",

"Number one among diarrhoea cases",

"Hunt for killer of six Burmese workers: Chumphon deputy police commissioner confirms murderer is not Thai",

"Tsunami effects cause rise in crime",

⁴³ The examples of these headlines are taken from a study by researcher Kulachada Chaipipat. The study focused on media coverage of migrants in Thailand and was featured in ‘Foreign Workers Needed but Alienated’, *The Nation*, 26 November 2007.

*"Aliens losing jobs turn to thievery" and
"Point to illegal migrants as a cause for people's panic"*

(The Nation, 26 November 2007).

This is also the argument of Yongyuth (2001)

Hiring undocumented migrants can create all kinds of social problems. These negative impacts include those on social and national security, economic and politics. With million illegal migrants scattered around the country, no one can deny that it will increase crime and more stateless babies will be born. Their families compete for public health and schooling with Thai citizens. Further, contagious diseases such as venereal diseases, tuberculosis, malaria, elephantiasis and HIV/AIDS are believed to be carried by large numbers of illegal migrants (2001: 16).

Yet, even according to the government's own account there is little evidence to confirm these views. In an interview with a MOL official in 2006, I asked the official to justify the Thai government's rationale that the regulation of migrant workers through registration is needed due to the connections between the incoming of migrant workers and rising crime rates in Thailand. He replied,

'there is no need to confirm this by any studies or research as it is a *fact*. Because of the invisibility of migrant workers in the Government's population system, we cannot trace them when they commit crime' (MOL 2 2006).

Without well substantiated evidence, the allegations that migrant workers bring about an increase in crime and contagious diseases can be seen as unsubstantiated and prejudiced. The fact that such claims came from government authorities as well as academic institutions illustrates how discriminatory perceptions or stereotypes towards migrant workers are formed and widely believed. On top of this, the Thai Government implemented a campaign to raise public awareness concerning the threats that migrant workers may pose to the security of Thai society:

To counter private sector pressure to soften migrant labor restrictions, the Ministry of Labor and Social Welfare launched a controversial public awareness campaign that equated migrant workers to poisonous snakes in the backyard. This focus on national security concerns rather than the risks of economic interdependence cast migrant workers as a threat to Thai society. Not surprisingly, when the financial crisis hit Thailand, security reasons were immediately cited as the justification for the government's anti-immigrant policies (Sirithon 2004:5).

As discussed, the irregular migrant workers registration policy was initiated by the National Security Council (NSC). The issue of irregular migration was seen by the NSC as a security issue. It is crucial to look at the notion of 'security' in terms of its meaning and relations to the inflows of foreign migration, particularly in the situation where there is a tug of war between economic development and national security. Hernandez and Tigno (1995) investigate the meaning of security in ASEAN states in the age of migration. They conclude that ASEAN states often 'see threats to their security as originating from within: internal communist insurgencies during earlier periods, communal or ethnic tension and conflict, social discontent and disharmony, weak political institutions, as well as economic failure and underdevelopment' (Hernandez and Tigno 1995: 546). With regard to foreign migration movements within this region, they argue that the increase of migratory movements within ASEAN states intensifies 'sensitivities' towards migrants. Particularly, this is widespread in Southeast Asian nations where nation-building processes occurred through the 'imagined' constructions of the nation and nationalism. As Hernandez and Tigno point out:

Not surprisingly, nations have historically imagined foreigners to be a threat in one sense or another. Ruling elites have somehow perpetuated a narrow sense of ethno-centrism and ethnic integration to the point that these lead to conflict situations...States that receive substantial numbers of expatriates tend to resort to a two-tiered migration policy of encouraging the entry and settlement of highly skilled migrants and permitting the entry of unskilled workers but discouraging their eventual permanent settlement....Policy efforts to homogenize or integrate minority ethnic groups have caused some social tensions to erupt and form undercurrents that constrain progress (1995: 550).

The argument put forward by Hernandez and Tigno is very relevant to the situation of irregular migration management in Thailand. The threat of the irregular migrant workers originates from, and is perpetuated by the Thai state itself. Thus, the challenges which the Thai state is confronting with regard to national security threats posed by irregular migrant workers derive from 'within'. It is the fear and anxiety that foreign migrants will jeopardise the stability of the nation-state as a homogenised ethnic community. This explains why the issue of 'national security' always prevails and dictates the direction of irregular migration management, as well as the overall immigration policies. The closure to permanent settlement in the

irregular migration management and the emphasis on the eventual deportation of all migrants shows how the Thai state is determined to prevent any possibility that multi-ethnic societies would emerge in Thailand. In the eyes of the Thai state, it seems that the growing ethnic diversity manifests as a weakening of political stability.

In the following section, the Thai immigration policies on the administration of ethnic minorities and displaced persons are presented to exhibit how the Thai state has dealt with the management, assimilation and citizenship provision to the ethnic populations. This discussion aims to shed light on how the importance of Thai state hegemony dictates the policy decisions towards the administration of ethnic groups.

6.5 Thailand's immigration policies: the administration of ethnic minorities and displaced persons

This section will critically analyse the Thai immigration policies that are administered by the Ministry of Interior, and will draw on the discussion of the arrival of displaced persons and hill tribe populations from Chapter 5. According to the Ministry of Interior official that was interviewed, ethnic minority administration, as well as immigration policies are shaped by the pressure to maintain 'national security.' It can be argued that the administration of ethnic minorities is seen purely as a national security matter. Referring back to figure 6.1, it can be seen that the national security policy and the administration of ethnic minorities are closely linked. In circumstances in which the Thai state cannot avoid the integration of ethnic groups through long-term settlement or citizenship provision, the Thai state needs to be assured that the conversion to Thai citizenship includes a complete 'Thaification.' This issue will be thoroughly explored in 6.7. The following section, however, attempts to illustrate the ways in which the Thai state has implemented various mechanisms to maintain its hegemony and ethnic cohesion within the Thai state.

As mentioned in Chapter 5, Thailand is not a signatory to the 1951 UN Convention Relating to the Status of Refugees and its 1967 Protocol. All the people who have fled to the Thai borders with 'fear of persecution' are regarded, not as refugees, but as 'temporarily displaced persons' (Caouette *et al* 2004: 7). The Thai government

only allows them to reside in designated areas and there are UNHCR Refugee Camps in Kamchanaburi, Tak, Mae Hongson and Ratchburi province. The UNHCR is responsible for providing shelters and the overall administration of the refugee camps, while the Ministry of Interior (MOI) is responsible for keeping records of the ‘temporarily displaced persons.’ The UNHCR’s latest statistics in 2005 show that there are 149,351 temporarily displaced persons in the refugee camps in Thailand (UNHCR 2007).

The administration of the hill tribes has proved to be problematic under the MOI’s ethnic management policies as, on top of a separate policy regulating the hill tribe populations (see discussed in 6.5.1.2), the Ministry of Interior also duplicates the coloured card system and issues ID cards to some hill tribe populations. The available data for people from ethnic minorities only relates to those who currently hold ‘coloured cards’ indicating their origins and status and permitting them to work in restricted areas and occupations (see Table 6.3).

Table 6.3: Number of the Hill tribe and Ethnic Minorities People in Thailand⁴⁴

No.	Groups/ Colour cards	Number
1	Highlanders (Blue) (Stat. from MOI)	180,212
2	Highlanders (Green with red trim) (Stat. from the Survey by the Miyasawa project)	186,929
3	Nationalist Chinese Soldier (White)	8,703
4	Ethnic Haw Chinese Migrants (Yellow)	4,359
5	Ethnic Haw Chinese (White with orange trim)	12,725
6	Burmese Displaced Persons (Pink)	22,321
7	Burmese Displaced Persons who entered after 9 March 1976 (having permanent address) (Orange)	42,879
8	Burmese Displaced Persons who entered after 9 March 1976 (with employers) (Purple)	17,902
9	Vietnamese migrants (White with blue trim)	14,940
10	Laotian migrants (Blue with dark blue trim)	7,095
11	Nepalese migrants (Green)	988
12	Ex-Malayan Chinese Communist Servicemen (Green)	74
13	Thai Lçu (Orange)	2,040
14	Mlabri tribesmen (Blue)	85
15	Ethnic Tai migrants from Koh Kong, Cambodia (entered before 15 November 1977) (Green)	4,939
16	Ethnic Tai migrants from Koh Kong, Cambodia (entered after 15 November 1977) (Green)	4,020
17	Cambodian illegal migrants (White with red trim)	2,204
18	Ethnic Tai displaced persons from Burma (entered before 9 March 1976) (Yellow with blue trim)	619
19	Ethnic Tai displaced persons from Burma (entered after 9 March 1976) (Yellow with blue trim)	1,386

Source: Adapted from MOI (2004) cited in Kritiya (2004) and Panthip (2008)

⁴⁴ The number of ethnic minorities and displaced persons presented here is under the administration of the MOI, and not included the displaced persons under the UNHCR camps.

The Ministry of Interior has been continuously criticised for its way of managing the ethnic minorities in Thailand, due to two main problems: firstly, the colour card system is complicated as the categories of these groups are unclear and there is no comprehensive criterion on how the Ministry categorises each group; secondly, the MOI still has no long-term plan on how to manage these people, or newcomers, and questions regarding 'citizenship' and basic human rights entitlements are still unanswered (Kritiya 2004, Panthip 2008). To date, based on humanitarian considerations, Thailand will have to continue to receive further politically displaced persons and ethnic minorities from neighbouring countries, yet their reception currently depends upon the Provincial Admission Boards (Caouette and Pack 2002). It seems that this is the MOI's decentralised attempt to avoid the arduous task of status determination and the issuing of coloured cards at the provincial level. However, it fails to take into account the insufficient human resources and technology in most border provinces.

The blurred line between who the Thai government categorises as temporarily displaced persons, migrants, or ethnic minorities, causes significant confusion in the status determination process and the issuing of temporary work permits and colour cards:

There is an arbitrary line between the groups that the Thai government categorises as 'temporarily displaced,' 'students and political dissidents,' and 'migrants.' These faulty distinctions often result in the vast majority of people being denied asylum and protection...Hence untold number of people from Burma are placed at considerable risk while in Thailand and, if deported, are often delivered back into environments that are abusive and deny their most basic rights (Caouette and Pack 2002: 27).

6.5.1 The Chinese

As discussed in Chapter 5 (section 5.2.2), the Thai policy stance regarding the ethnic Chinese has historically aimed at their assimilation into Thai society (Tong and Chan 2001, Schrock *et al.* 1970). The economic power and contributions that the Chinese have brought to the Thai economy since the 16th -17th centuries (Schrock *et al.* 1970:99) has made the Chinese a desirable group to accept as a legitimate part of Thai society.

However, the Thai reactions towards the ethnic Chinese has developed and altered, from favour to detestation and, later, from detestation to favour. As Walwipha points out, 'in some periods, the policies towards the Chinese were conciliatory and positive, at other times; they were very discriminatory – and conflicting' (2001: 80). Therefore, the analysis of Thai policy stances towards the reception and management of Chinese immigration should be viewed here in relation to the Thai political and economic scenarios as described in Chapter 3 and 4. Here, the Thai policies towards the administration of Chinese immigration will be distinguished into 3 main stages: (1) King Rama I- King Rama V reigns (1782-1910); (2) 1910-1935 and; (3) Thai nationalism: the Anti-Chinese era.

According to Skinner (1957: 242), the sentiments towards ethnic Chinese were most welcoming during the first five Kings of Chakri Dynasty (1782-1910). This occurred as a result of the long-standing success in economic cooperation between the Thai and the Chinese and the growing economic influence that the ethnic Chinese has gained. Skinner explains that:

The avowed policy of the first five Jakkri kings was to treat the Chinese at least as well as the Thai. Prior to 1855, Chinese, in contrast to other foreigners, had the right to travel and reside freely outside the capital. This encouraged settlement upcountry, where, because of the thin dispersal of Chinese among the Thai population, assimilation was most rapid. As King Julalongkon [or Chulalongkorn] pointed out in 1907, the Crown regarded the Chinese in Siam 'not as foreigners, but as one of the component parts of the kingdom.' This attitude encouraged the Chinese to conceive of the Thai elite as a benevolent and attractive group, and made them the more eager to achieve status within it. There was seldom if ever a hint of racial consciousness on either side (1957: 242).

As was discussed in-depth in chapter 5, intermarriages between the Thai and the Chinese frequent occurred. In addition to this, a number of Chinese descendants have been provided with an opportunity to integrate into Thai society and were treated with dignity by ennoblement (Skinner 1957). As Skinner elucidates:

[D]escendants of the Chinese ennobled during Julalongkon's reign are among the leading Thai families today. The government succeeded in skimming off the cream of the Chinese elite to serve its ends and not those of Chinese society. With the mass defection of its leaders, the cohesiveness of Chinese society and resistance to assimilation on the part of the Chinese masses were greatly weakened (1957: 242).

It can be seen that the early Thai approach on the management of the ethnic Chinese was to strategically reduce the 'otherness' of the ethnic Chinese in order to reduce potential ethnic clashes between the local Thai and the Chinese. Bearing in mind that Thailand was still in need of the Chinese for Thai economic and social development, the policy towards the ethnic Chinese, hence, appeared to be as cordial as possible. As Thompson argues, 'Making them more "Thai" not only eliminated a political threat but also allowed the ruling class to continue to utilize the vast entrepreneurial talents and power of the Chinese to further economic growth' (1993: 393). This indicates that the hospitality that the Thai state has extended to the ethnic Chinese is an economic strategy, rather than a genuine act of friendliness. Walwipha (2001) rejects Skinner's argument regarding the success of Chinese assimilation, by arguing that it is debatable whether such assimilation is legitimate. The constant changes in the immigration policies (particularly after 1910) have illustrated how the Thai state alters its cordial reactions and, as can be seen in the first Immigration Act of 1927, the Thai state only wished to include a specific group of the ethnic Chinese (i.e. the entrepreneurs). Walwipha concludes that 'the Chinese were commercially important, but were always regarded as outsiders. While there was an alliance between the Thai elites and Chinese businessmen, the relationship was primarily pragmatic, not a product of long-term cultural assimilation' (2001: 80). The assimilation, ennoblement and intermarriages, according to this view, are mere tactics that would enable the wealthy groups - the Thai elites and Chinese entrepreneurs - to achieve their economic aims.

Secondly, what appears to be the first policy the Thai government implemented in order to formally 'manage' the Chinese population can be seen in the Thai Immigration Act of 1927 (Schrock *et al.* 1970:109). In a similar way to the contemporary management of irregular migrant workers, the 1927 Immigration Act aims at 'controlling' and 'regulating' the ethnic Chinese and the newly-arrived emigrants. The significant feature of the Act is that it incorporates the Thai Government's overt intention to screen out specific groups of migrant populations (for instance, women and labourers):

The Thai Immigration Act of 1927, as amended in 1931, attempted to regulate the Chinese influx and to provide the government with an

additional source of revenue. It provided for the exclusion of certain undesirable classes and levied new taxes for a certificate of residence and for a return passport, which had to be purchased at the time of entry into Thailand. These fees were increased the following year, and one year later, a literary clause was added that required all aliens aged twelve years and over to be able to read and write either Thai or their own language (ibid.).

It can be seen that the form of management of the Chinese population from 1910 – 1935 has similarities to the current management of irregular migration. The implementation of registration exercises, conditions and fees were all used as a way to restrict the integration of the labourers. The influx of Chinese immigration reached its peak during 1918-1931 (Thomson 1993: 339). However, these groups of Chinese emigrants were mainly labourers and women, who did not have the same economic power as the entrepreneurs and businessmen. The Immigration Act of 1927 directly illustrates how the Thai state deliberately changed its policy to rule out the opportunity for those who were unlikely to be substantially beneficial to the Thai economy to integrate. As Thomson argues:

One highly apparent ramification of this identity is found in the country's economic expansion and its ability to make use of Chinese entrepreneurial skills. As long as the Chinese are willing to be Thai nationals, to adopt Thai names, and to accept Thai culture and society, the ethnic Chinese have economic and political opportunities to pursue, which in turn have contributed to both recent political stability and rapid economic expansion (1993:409).

It is important to note the inconsistencies in the Thai immigration policy regarding the reception of the ethnic-Chinese migrants, who were seen as 'skilled workers,' as opposed to the current flows of irregular unskilled migrant workers. As Sirithon points out that:

Thai immigration legislation has historically reflected a bias toward skilled foreign workers vis-à-vis their unskilled counterparts. In 2002, the Ministry of Labor announced that legal foreign workers designated as 'skilled' – the vast majority of whom worked for multinational companies – could renew their permits and stay in Thailand for one year, in contrast to the previous six month limit. Registration fees for skilled workers were capped under the 2002 legislation at 1000 baht (\$25.69) per year in comparison to the 3250 baht (\$83.50) that unskilled migrants were forced to pay every six months (2004:6).

The next section will describe a sharp contrast in the Thai immigration and assimilation attitudes and policies with regards to the hill tribe population. As was previously discussed in relation to the Chinese immigration, the way that the hill tribe people have been treated has been a result of their lack of economic and bargaining power with the Thai state.

6.5.2 The hill tribes

The complications relating to the hill tribe populations are due to the Thai 'forced' assimilation policies and restrictions for the provisions of citizenship, human rights protection and social and health welfare. The analysis of the policies regarding the hill tribe people will provide a vivid example of how Thailand has taken inappropriate decisions for managing indigenous and ethnic (as well as religious) minorities, the results of which are still evidential in the recent problem with the Muslim South. In short, the hill tribe people provide a clear case of how the Thai government's attempts to manage the indigenous peoples have involved unsuccessful and inappropriate strategies.

In the early 1950s the Thai government launched a special policy aimed at extending its 'administrative control over the highlands and the highlanders' (Kammerer 1998). The reasons given for this were varied, from expanding the government's rural development projects, social welfare and health provision for the highlanders; to accusations that the government wished to clamp down on opium production, and destruction of forests for agriculture. Most significantly, the government was concerned over the expansion of communism around border areas by the presence of Kuomintang and the ongoing Indochina conflicts (ibid.). The Border Patrol Police embarked on creating 'official' links with the hill tribes in the 1950s. With the cooperation of the Department of Public Welfare⁴⁵, the first school for the hill tribe people was established and a number of social welfare and development projects proliferated (Kritiya and Pornsuk 1997).

⁴⁵ During that period, the Department of Public Welfare was still under the Ministry of Interior. The Department later transferred to the new ministry, Ministry of Labour and Social Welfare in 1993 and to another new-established Ministry, Ministry of Social Development and Human Security in 2002. With the latest government reform in 2002, the Department of Public Welfare was restructured and changed its name to Department of Social Development and Welfare.

It seems that these social welfare and education provisions were not offered in response to the highlanders' requests, and were rather forceful in that the hill tribes have been compelled to reject their ethnic, cultural, spiritual and linguistic identities as a result. Further to this, from the 1960s until the late 1980s, a series of 'resettlement' policies were implemented, which involved moving all hill tribe villages to lower areas. The justification given for this was that it would better facilitate the government's work of providing the highlanders with welfare and development programmes (Kesmanee1988).

The Cabinet decision on February 1989 approved a proposal for the hill tribe administration policy to be under the national security policy framework, with two departments – the Department of Public Welfare (under the Ministry of Labour⁴⁶) and the Department of Provincial Administration (under the Ministry of Interior) – mandated to be responsible for the management of the highlanders. Basically, the Department of Public Welfare's tasks are the resettlement of the highlanders by moving them to self-help lands designated by the Department; and running social and development projects aimed at assimilating the highlanders to be 'Thai' (i.e. to use the Thai language, attend Thai schools, reject their cultural traits and conform with the Thai ways of living) (Kritiya and Pomsuk 1997: 12-13). The Department of Provincial Administration's major responsibility is to control and decide whether a highlander has been successfully assimilated and consequently should be given Thai citizenship.

A major problem with the Thai policy on the hill tribe administration is the lack of cooperation between the Department of Public Welfare and the Department of Provincial Administration. Each department has different definitions of 'highlanders' and different methods of data collection. The Department of Provincial Administration includes the highlanders as a subgroup of the overall ethnic minority population in Thailand (such as the ethnic Tai, Burmese, and Laotian displaced persons), while the Department of Public Welfare separates the highlanders as a specific group of people. Moreover, not only are the numbers of hill tribe people

⁴⁶ The Ministry of Labour and Social Welfare later changed its name to Ministry of Labour, as a result of the Government Reform in 2002.

inconsistent between the two agencies, but also the numbers that I have received from the Department of Public Welfare are inconsistent with those shown on the Department's website. The statistics on the highlanders reported from the latest survey in 2002 conducted by the Department of Public Welfare show that there are 1,203,149 highlanders in Thailand; of which 956,204 people now have Thai citizenship (DSDW 2005). The department's yearbook indicates that the same survey found that there are 923,257 highlanders in Thailand (DSDW 2005). This poses an interesting question regarding this difference of around 280,000 people: what are the main reasons for the difference and what is the validity of the department's methodology in statistical collection system? When asked during the interview with the DSDW official during the field trip in 2006, the official could not quite provide the answer for the above question.

The available data from the Department of Provincial Administration shows only the number of highlanders who are current holders of special identification cards, or the 'coloured cards.' The cardholder highlanders are still waiting for approval to apply for citizenship, therefore they cannot travel outside designated areas, unless they have permission from the Provincial Governor (Martin 2003). As reported in the DPA's statistic in 2002, there were 367,141 highland coloured cardholders (DPA 2005). However, it is still unclear how these coloured cardholders relate to the DPW number of highlanders who have not yet received Thai citizenship. Two research reports on hill tribe people in Thailand by Kritiya (1998, 2004) found that the government officials of both departments could not clarify why the numbers were inconsistent. They also admitted that there was a lack of systematic database collection in both departments.

6.6 Foreign relations policies relating to the management of irregular migration in the Greater Mekong Subregion

Thus far, this chapter has touched upon the domestic management of irregular migrants (both irregular migrant workers and ethnic minority groups). In this section, the analysis will shift towards the international relations policies that have an impact on the management of irregular migration. The international relations policies presented in this section are categorised into four policy frameworks, namely: 1) the

Ayeyawady-Chao Phraya-Mekong Economic Cooperation Strategy or ACMECS; 2) the Greater Mekong Subregional cooperation frameworks or GMS; 3) the Memoranda of Understanding (MOUs) between Thailand and Burma, Laos and Cambodia concerning the management of human migration in the GMS; and 4) the promotion of border trade. It is argued here that these international relations policies do not contribute to the management of irregular labour migration in the region, but rather what they do is facilitate the flows of irregular migration movements, and legitimise the use of migrant workers as a form of cheap labour. The critique of these policies will be extensively presented in Chapter 7 of this thesis.

6.6.1 Introduction and analysis of the Ayeyawady - Chao Phraya - Mekong Economic Cooperation Strategy (ACMECS)

It can be said that an innovative strategy that the Thaksin Government implemented is a new approach to incorporate foreign policies to migration management into Thailand. Decentralised administration and promotion of economic development have been introduced. Thailand now realises that migrant workers are urgently required to fill gaps in the industries where labour shortages exist. In addition to this, Prime Minister Thaksin Shinawatra introduced a new way to solve the shortages with irregular migration from the neighbouring countries to Thailand, by proposing the Ayeyawady - Chao Phraya - Mekong Economic Cooperation Strategy or ACMECS.⁴⁷

The participating countries are Thailand, Burma Laos and Cambodia and, in May 2004, Vietnam also became a member of ACMECS. According to the MFA, the aims of the ACMECS plan of action are:

- ...to increase the competitiveness of Cambodia, Lao PDR, Myanmar, Thailand and Vietnam; generate growth along the borders; facilitate relocation of agricultural and manufacturing industries to areas with comparative advantages; create employment opportunities; reduce income disparity in the four countries, and; enhance solidarity, peace, stability and good neighbourliness in a sustainable manner (MFA 2007).

⁴⁷ Ayeyawady - Chao Phraya - Mekong Economic Cooperation Strategy (ACMECS) was formally known as the Economic Cooperation Strategy or ECS. However, the name has been changed to be in accordance with the Bagan Declaration (MFA 2007).

The ACMECS is a 10-year work plan from 2003 –2012, incorporating a 2-year assessment exercise. The five strategic points for economic development and integration among Cambodia, Lao PDR, Burma, Vietnam and Thailand will be as follows: trade and investment facilitation; agricultural and industrial cooperation; trade and transport linkages; tourism cooperation; and human resource development. It is important to note that the ACMECS is not only about the management of irregular migration within the region, but it is also a large framework for economic cooperation, with the aim of decreasing economic and social disparities among the member countries. However, as mentioned earlier, the sub-programmes, such as the creation of ‘sister cities’ or the so-called ‘economic dams,’ propose that industrial estates will be built with the objective of restricting foreign migration rates to the designated border areas. The important contribution to the irregular migration management of the ACMECS is how the Thai government plans to reduce the number of permits for migrant workers to work in inner provinces but permit unskilled foreign workers to legally work in the border areas only.

It is important to note that the ACMECS does not have the management of irregular migrant workers as its central purpose. It acts as a strategic framework playing a loose part in irregular migration management, but focusing on building up the member countries’ economies through the promotion of economic cooperation. The ACMECS links to the Greater Mekong Subregional cooperation frameworks (GMS) and existing border trade promotion strategies, as can be seen from the recent ACMECS statement which emphasises that:

ACMECS will act as a catalyst to build upon existing regional cooperation programs and complement bilateral frameworks with a view to transform the border areas of the five countries into zones of economic growth, social progress and prosperity, and to blend local, national and regional interests for common benefits, shared prosperity, enhanced solidarity, peace, stability and good neighbourliness (MFA 2007).

Although ACMECS is not primarily aimed at managing the irregular flows of migrant workers to Thailand, components within the framework contribute to the legalisation and regulation of the migrant worker recruiting system. For example, the contract farming initiative has been introduced under ACMECS, aiming to create more job opportunities in neighbouring countries, which as a result would reduce the

incoming flows of illegal migrant workers to Thailand. Government Spokesperson Surapong Suebwonglee announced in December 2005 that;

Contract farming is being conducted between Thailand and neighbouring countries under the Ayeyarwaddy-Chao Phraya-Mekong Economic Cooperation Strategy, or ACMECS. The practice is usually applied to agricultural crops which are labour intensive and aims to substitute imports. Produce from the project will be sent to Thailand for value adding purpose. The project will help generate jobs in neighbouring countries and will support investment expansion between partners. Contract farming is expected to effectively solve illegal border crossing of migrant workers, reduce health and social problems originated from illegal labour and patch up the difference in development levels between Thailand and neighbouring countries. Moreover, the practice will reduce the production capital of Thai goods because of cheaper raw materials and labour cost in the neighbouring countries (Thai Press Reports, 1 December 2005).

Additionally, in February 2005, the Board of Investment invited a major Thai business delegation to visit Burma in order to explore business and investment opportunities. As a result of the trip, it was reported in 2005 that the Thai government and private sector wished to extend the contract farming project to cover the areas in the northern Thai border province of Tak's Mae Sot, Mae Ramad and Pobpra districts (*Global News Wire* 4 November 2005), which would facilitate the recruitment and regularisation of migration flows.

It can be argued that what ACMECS really does is to facilitate the growth of 'legitimate' forms of irregular migrant workers employment. However, what the ACMECS creates is not different from the previous border promotion policies (such as the Board of Investment factory relocation programmes to border areas). The ACMECS is an economically grounded international relations policy development for the expansion of border areas, which would be regarded as 'special economic zones.' With such a strategy for the enhancement of economic cooperation among member countries, it may well increase the flows of 'regular' forms of labour migration, but it does not guarantee any prospects for a better wellbeing and livelihood for migrant workers and their families, or of equal labour protection, fair wages, adequate healthcare and education provision.

The development of industry in Mae Sot (Tak Province) indicates that although the international economic cooperation policies might increase industrial activity they do

not necessarily ensure a better livelihood or the protection of labour rights of migrant workers. As previously discussed in section 6.3.1.2, from the 1990s, the BOI incentive scheme has aimed at promoting the relocation of manufacturing factories through tax-based incentives, such as tax exemptions on import duty for machinery or corporate income tax exemption (Arnold and Hewison 2005: 320). The consequences of such initiatives have been the drastic increase in the number of factories in Mae Sot. In the mid-1990s, there were around 140 factories in Mae Sot and resulting from the BOI scheme, the number doubled to around 300 factories in 2006 (Arnold 2007).⁴⁸ In response to the increase number of factories in Mae Sot, the number of registered Burmese migrant workers is around 180,000 (Arnold 2007) – though the actual number is probably higher - which is higher than the local Thai population of 119,281 (NSO 2008). While employers greatly benefit from the tax exemption incentives, migrant workers are not provided with the protection and equal rights they are entitled to.

The field visit to Mae Sot in 2007⁴⁹ revealed various ways in which migrant workers' rights are violated. Reinforcing the findings of previous research (see Pim 2001; Arnold and Hewison 2005; Huguet and Sureeporn 2005; Arnold 2007), my factory visits and conversations with workers and managers confirmed the widespread existence of a range of violations and maltreatment of migrant workers including: wages below the legal minimum wage, excessive working hours, poor ventilation in workplaces and health and safety standards below what are set out in the health and safety legislation. This reinforces the argument that the benefits accruing from the promotion of border trade and international economic cooperation between Thailand and the sending countries go directly to the employers, while many migrant workers endure harsh and unfair treatment in the factories which result from these policies.

In addition to this, the promotion of border provinces as designated areas in which irregular migrant workers can be legally employed signals the Thai state's emphasis on preventing the flow of irregular migrant workers to inner cities. The intention of

⁴⁸ According to Arnold (2007), this figure is an estimate provided by local government officials and academics. Also, this figure does not include a number of house factories, informal workshops, river factories (the factories situated by the Thai-Burma border along the River Moei), which are located all over Mae Sot as I observed during the field visit in 2007. Only large factories are likely to be fully covered in official statistics.

⁴⁹ The working and living conditions of migrant workers are discussed in greater detail in Section 6.8

such a policy development can be interpreted to be the restriction of the flow of irregular migrant workers to the border areas of the country, so as to prevent the integration and assimilation of these populations. Whilst still committed to maintaining the country's ethnic hegemony, the government recognises the necessity of supplies for cheap migrant labour for economic growth.

6.6.2 The Great Mekong Subregion Cooperation framework (GMS)

Prior to the initiation of ACMECS, Thailand participated in a regional economic cooperation through the Asian Development Bank (ADB)'s assisted framework named the Greater Mekong Subregion programme. According to information from the Ministry of Foreign Affairs, the GMS programme was initiated in 1992 with the technical assistance of the ADB. The participating countries of the GMS programme are Cambodia, Lao PDR, Myanmar, Thailand, Vietnam, and Yunnan Province of the People's Republic of China [MFA 2005] (See appendix 1 for map of the GMS). It is important to note here that the significance of the GMS program to the analysis of irregular labour migration to Thailand relates to the creation of cross-border trade, and the implementation of transport infrastructure linking all of the GMS countries (MFA 2005). According to the MFA, the GMS program is divided into two aspects of cooperation which:

...covers both "the hard" (infrastructure development) and "soft" (multicountry agreements and reforms) aspects of cooperation. It involves the implementation of high priority sub-regional projects in transport, energy, telecommunications, environment, human resource development, tourism, trade, investment and agriculture.

Since the start of the GMS program in 1992, Thailand has played a significant role in promoting its development, particularly with regards to the transport infrastructure projects, including the Kunming (China) – Chiang Rai (Thailand) via Lao PDR road improvement project; the construction of the Thailand sponsored bridge connecting Mae Sai (Thailand) and Tachilek (Burma); and the construction and road improvement of Mawalamyine-Myawaddy-Mae Sot (Thailand). In the GMS Summit in 2002, member countries endorsed the Strategic Framework for the GMS, concentrating on five strategic development aspects, namely: 1) strengthen infrastructure linkages through a multisectoral approach, 2) facilitate cross-border

trade and investment, 3) enhance private sector participation in development and improve its competitiveness, 4) develop human resources and skill competencies, and 5) protect the environment and promote sustainable use of the sub-region's shared natural resources (MFA 2005).

It can be seen that the emphasis of the GMS programme has been on building regional transport infrastructure that would facilitate the growth of border trades and economies. The consequence of its success in relation to this has undeniably been the facilitation of cross-border movement of people. Analysts, such as Athukorala *et al.* (2000) and Yongyuth (2004), see this development as potential gains towards GMS regional integration. More intensive investment and trades within the subregion would lead to closer ties among countries in the region, which, as a result, would make international labour migration in the GMS more acceptable. Ideally, this would make the GMS a 'borderless region.'

Nonetheless, this argument is inadequate, as the integration of GMS has a long way to go, given the fact that many countries in the region still lack political stability. It can be argued that the GMS programme has been developed primarily as an economic cooperation project, promoting the growth of border trade and investment. However, the programme has not yet acknowledged its consequences to the influx of cross-border migrant workers, as well as issues regarding the protection of labour and human rights.

6.6.3 The Memoranda of Understanding (MOUs) between Thailand and Burma, Laos and Cambodia concerning the management of human migration within the region

The initiation of the bilateral Memoranda of Understanding (MOUs) between Thailand and Cambodia, Laos and Burma commenced with the International Symposium on Migration in 1999 (Huguet and Sureeporn 2005:4). As a result of the Symposium, participating countries⁵⁰ made some significant commitments, including:

⁵⁰ The participating countries include 'the Governments of Australia, Bangladesh, Brunei Darussalam, Cambodia, China, Indonesia, Japan, Republic of Korea, Lao PDR, Malaysia, Myanmar, New Zealand,

1. Migration, particularly irregular migration, should be addressed in a comprehensive and balanced manner, considering its causes, manifestations and effects, both positive and negative, in the countries of origin, transit and destination;
2. The participating countries and region should be encouraged to pass legislation to criminalize smuggling of and trafficking in human beings, especially women and children, in all its forms and purposes, including as sources of cheap labor, and to cooperate as necessary in the prosecution and penalization of all offenders, especially international organized criminal groups;
3. Concerned countries, in accordance with their national laws and procedures, should enhance cooperation in ascertaining the identity of undocumented/illegal migrants who seemingly are their citizens, with a view to accelerating their readmission.

(The Bangkok Declaration on Irregular Migration 1999)

In response to the Declaration, the Thai Government initiated bilateral agreements with Burma, Laos and Cambodia aiming to create a system of official migrant workers employment procedures. Thailand has signed the Memoranda of Understanding (MOUs) on the management with Laos PDR (on 18 October 2002), Cambodia (on 31 May 2002) and Burma (on 21 June 2003). The important features of the MOUs include that: 1) the recruitment of workers would be done between the Governments of both countries; 2) the setting up and administration of savings funds for workers by which 15% of their monthly salary is going to be contributed to the fund; and 3) the duration of employment should not exceed two years. However, the work permits can be extended for a further two years, after which workers would have to wait for another three years before re-applying for an employment in the other country (Huguet and Sureporn 2005) [see figure 6.6.3 for details]. Upon completion of the terms, workers have to return to their permanent address in their countries of origin, and the respective government has the responsibility to ensure that they do return to their permanent address.

Papua New Guinea, the Philippines, Singapore, Sri Lanka, Thailand, and Vietnam, as well as the Hong Kong Special Administrative Region' (The Bangkok Declaration on Irregular Migration 1999).

Figure 6.6.3: Thailand-Cambodia-Laos cooperation on the employment of workers under the MOUs



Source: AIT (2008)

It can be said that the most important aspect of the MOUs is to solve the problem of the lack of valid identity or travel documentation. Thailand has imposed a new policy encouraging cooperation with the countries of origins, under Memoranda of Understanding (MOUs) regarding the employment of foreign workers (from Burma, Laos PDR and Cambodia) in Thailand. The countries of origin will have to issue valid documentation, such as passports or ID cards, to registered migrants, in order for these migrants to be legalised and regular.

The ultimate aim that the Thai Government is attempting to achieve by launching a series of foreign relations mechanisms can be seen to be the regularisation of labour migration in the GMS. However, Huguet and Sureeporn (2005) see this development as beneficial in terms of the reduction of human trafficking. However, the more important implication in their view is that:

[T]hese documents reflect the desire of the Thai Government to prevent unregistered migrants from settling in the country and to ensure that registered foreign workers depart the country upon completion of their employment. The Bangkok Declaration makes explicit, in a regional inter-

governmental agreement, that countries of origin have an obligation to accept back their nationals (2005: 36).

This is supported by Caouette *et al.* (2007: 33-34):

The MOUs aim to enhance cooperation in curbing irregular migration in exchange for legal migration opportunities. Workers admitted are expected to receive equal treatment in wages and other benefits as registered migrants. However, the MOUs do not provide enforcement or redress mechanisms. Costs are also much higher than the registration process. The employers have to pay Baht 10,000–50,000 (\$250–1,250) for each worker—a figure that has raised concerns that it may lead employers to attempt obtaining the amount from workers themselves, further reducing the choice of migrant workers to change employment. The withholding of 15 percent of wages by the Thai government, in order to ensure that the migrants return at the end of their contract, is also problematic as it would reduce the already minimal incomes of the migrants during their stay, without assurance of getting it back at a later stage, for sure if they decide to overstay, but also because the system may be corrupt and inefficient. No provisions are made for family reunion, pregnancy, marriage and other personal matters, and there is no possibility of extension beyond a two-year renewal upon return to the country of origin at the end of the first term.

Shifting from the domestic management of irregular migrant workers through a series of registration exercises, the Thai Government has now utilised international relations as machinery for ‘regularising’ irregular movement of labour within the region, while preventing permanent settlement in Thailand. What is highlighted by this policy is the way in which the Thai state elaborates various policy mechanisms and strategies in order to ensure that the maintenance of national security through the persistence of the Thai state hegemony is still strictly sustained.

In the next section, the Thai Citizenship law will be introduced and analysed, in order to understand the bearing this has in terms of the control and management of irregular migrant labour.

6.7 Citizenship law

Thus far, this chapter has mapped out the policies relating to irregular labour migration. From the discussion, it can be seen that the commonality of the policies, from the registration exercises, the management of displaced persons and ethnic minorities to the incorporation of foreign relation policies, is how they work hand-in-

hand to prevent the possibility of non-Thai citizens applying for and receiving Thai citizenship. With particular emphasis on the current policy of irregular labour migration, the Thai state clearly indicates its firm standpoint on the 'temporary' nature of the work permits which, as a result, migrant workers (given their legal status still being 'illegal aliens' under Thai immigration law) would never be given the opportunity to permanently stay in the country nor acquire Thai citizenship.

The discussion in chapter 5 has presented the historical processes by which Thailand has dealt with different groups of migrants. It can be seen that the formation of the Thai nation-building state has had a direct impact on the establishment of 'citizenship' as a political institution. In this section, the discussion will be devoted to the brief historical development of the Thai citizenship-related legislation in order to illustrate how Thai 'citizenship' legal frameworks have been gradually designed to preserve the unity of 'Thainess' and Thai hegemony. As discussed in chapter 4 on Thai nation-building, it can be seen that the birth of the Thai nation-state came along with the establishment of the new political arrangement that the Thai people were legally transformed into 'Thai citizens' as a result of the first Nationality Act called, the 'Naturalisation Act of Ror Sor 130 (B.E. 1911) (Panthip 2006). Corresponding to the nation-building project during the reign of King Vajiravudh, the aim of the Act was to integrate and unify the nation (Cohen 1989). The original idea of the Naturalisation Act R.S. 130 was based on 3 principles, namely 1) the principle of *jus sanguinis* from the father, 2) the principle of *jus sanguinis* from the mother, or 3) Royal Decree, which as Panthip further explains that under the Royal Decree, the Act opened an opportunity for non-Thai population to request Thai nationality if they 'either to have fully assimilated into Thai society or had to clearly demonstrate their potential for assimilation into Thai society' (Panthip 2006: 41).

In 1913, the Thai state passed the Nationality Act of B.E.2456 (1913), which endorsed the rights to citizenship through *jus solis* (citizenship through birthright). Skinner (1973) argues that the formulation of the Nationality Act of 1913 was mainly launched to transform the ethnic Chinese into Thai citizens, as discussed in chapter 4. However, the 1913 Act was in force until 1952. The Nationality Act of B.E. 2495 (1952) replaced the previous act and withdrew the rights to citizenship through *jus solis*. The change of the Act occurred during the period of the Phibun premiership,

which, as presented in chapter 4, was when Thai nationalism reached its pinnacle. The notion of 'Thainess' was clearly defined and in the view of the Thai state, those who do not adhere to 'Thainess' would, hence, be excluded from the realm of the Thai nation-state. The Act, however, was amended again in 1965. The aim of the amendment was to revoke and prevent children born to parents who came from communist countries from attaining Thai citizenship (Panthip 2006: 48). Along with the amendment, the Regulation of Revolutionary Party no. 337 or Por Wor 337 was announced in 1972 stating that the Thai state would:

- (1) revoke the Thai nationality of persons who were born in Thailand before 14 December 1972 of an alien father with non-permanent residence, or an alien mother with non-permanent residence, in circumstances where the lawful father is absent; and;
- (2) refuse to grant Thai nationality to any person born during 14 December 1972 – 25 February 1992 of an alien father with non-permanent residence, or an alien mother with non-permanent residence, in circumstances where the lawful father is absent (ibid.)

Despite the fact that the Regulation was aimed towards those who came from communist countries, it also impacted all groups of people, which resulted in an increased number of stateless populations in the country, such as Chinese, Indian, Vietnamese as well as ethnic minorities such as the hill tribes (ibid.). However, it was not until 1992 that the Cabinet Resolution⁵¹ was launched to allow the opportunity for the populations, particularly those descendants of Vietnamese displaced persons who fled to Thailand during the 1950s to attain citizenship (Vithit 1992: 137). In addition to this, the Thai government amended the Thai Nationality Act in 1992 to grant Thai nationality to children born to either a Thai father or mother (Nyo 2001).

⁵¹ A series of Cabinet Resolutions was launched from 1992 to allow various groups of populations to apply for Thai citizenship, as follow: 1) Thai ethnic immigrants from Kong Island, Cambodia who immigrated into Thailand before 15 November 1977 (Cabinet Resolution on 5 February 1980); 2) ex-militants of the Chinese National Army (Cabinet Resolution on 12 June 1984); 3) civilians of Hor Chinese immigrants (Cabinet Resolution on 12 June 1984); 4) ex-communist Chinese bandits (Cabinet Resolution on 30 October 1990); 5) Lue Thai ethnic group (Cabinet Resolution on 17 March 1992); 6) displaced persons of Thai Ethnicity with Burmese Nationality (Cabinet Resolution on 27 May 1997); 7) Free Hor Chinese Group (Cabinet Resolution on 29 August 2000); 8) Nepali immigrants (Cabinet Resolution on 29 August 2000); and 9) displaced persons with Burmese nationality (Cabinet Resolution on 29 August 2000) (Panthip 2006: 49).

The present Thai Nationality Act of 1992 does have provisions for aliens to acquire Thai citizenship through the naturalisation process, as can be seen in sections 9 and 10 below:

Thailand's Nationality Act B.E. 2508 as amended by Acts B.E. 2535 No. 2 and 3 (1992)

Section 9. An alien woman who marries a person of Thai nationality shall, if she desires to acquire Thai nationality, file an application with the competent official according to the form and in the manner prescribed in the Ministerial Regulations.

The granting or refusal of permission for acquisition of Thai nationality shall lie with the discretion of the Minister.

Section 10. An alien who possesses the following qualifications may apply for naturalisation as a Thai:

- (1) becoming *sui juris* in accordance with Thai law and the law under which he has nationality;
- (2) having good behaviour;
- (3) having regular occupation;
- (4) having a domicile in the Thai Kingdom for a consecutive period of not less than five years till the day of filing the application for naturalisation;
- (5) having knowledge of Thai language as prescribed in the Regulations.

Despite the fact that the Thai Nationality Act has provisions for the acquisition of Thai nationality and the naturalisation of aliens, such a provision is only available for people with legal immigration status, but irregular migrant workers are still regarded as 'illegal aliens' under Thai law, so they are not eligible for this provision. Additionally, as can be seen from section 9, the ultimate decision to grant or refuse Thai nationality to an applicant is up to the Minister. This means the acquisition of Thai nationality is ultimately purely at the Minister's discretion, and if the Minister does not take it to be in Thailand's interests to grant Thai nationality, (s)he can refuse to do so. According to the interview with the Ministry of Interior official in 2006, the process usually takes a very long time and only a few applications for Thai nationality have been successful.

6.8 Working and living conditions of migrant workers in Thailand: some evidence

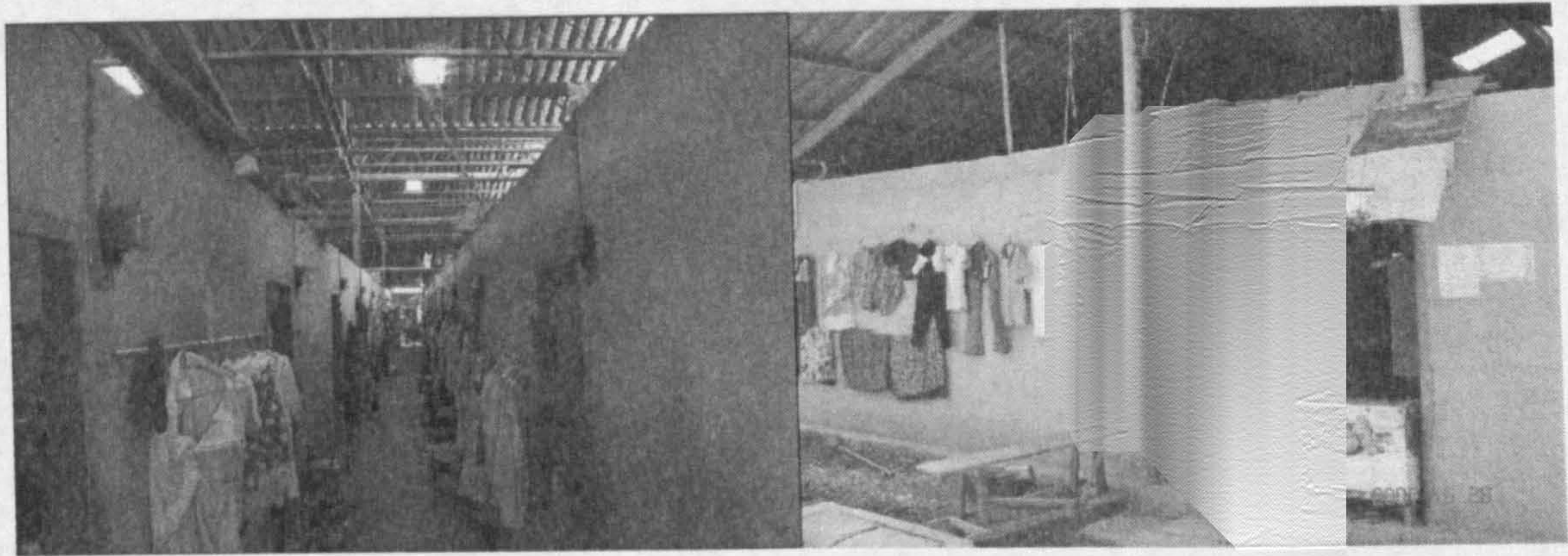
This chapter has mapped out policies related to Thai irregular labour migration management. As discussed earlier in Chapter 2 on economic nationalism, the existing policies provide opportunities to employers to legally employ migrant workers. However, do these policies improve the life of migrant workers in Thailand? The

field visits in 2006 and 2007 revealed that even in factories that registered all migrant workers, they are still not provided with decent living conditions.

A number of academic research papers have dealt with the living conditions and various forms of labour exploitation that migrant workers (registered or not) are facing (see Kritiya and Pornsuk 1997, Pim 2001, Skeldon 2001, Caouette *et al.* 2004, Sirithon 2004, Kritaya and Panthip 2005 and Caouette *et al.* 2007). Although this thesis was not primarily aimed at examining the exploitation and experiences that migrant workers encounter, the field visits undertaken for my research (See Chapter 1 for details) did reveal important realities which confirm the view that the current policies relating to irregular labour migration do not necessarily protect migrant workers. As previously discussed, despite being registered, a majority of migrant workers earn less than the legal minimum wage. The research conducted by Caouette *et al.* (2007) presents similar findings with regard to wage differentiation and hierarchy of labour between Thai and migrant workers. A food processing factory in Samutsakorn, for instance, hire 1,400 migrant workers and none of them is at a managerial level. It was revealed by the factory manager that managerial or supervisory positions are exclusively for Thai workers. Additionally, they report that migrant workers do not receive benefits such as paid sick leave, health care costs or compensation for work place injuries (*idem*: 39).

In both field trip sites (Mae Sot, Tak and Samutsakorn), migrant workers were found to be exposed to various kinds of health risks. Workers' dormitories in Samutsakorn, for instance, are unhygienic and most workers have to share a room between 6-8 people (see picture 6.8.1). Most dormitories do not have access to clean water and since there is no proper waste disposal system in place, rubbish is discarded in nearby canals (see picture 6.8.2).

Picture 6.8.1: Migrants' dormitory in Samutsakorn, Thailand



Picture 6.8.2: Behind the Migrants' dormitory in Samutsakorn, Thailand



Poor living conditions can trigger infectious diseases among migrant workers.
According to Caouette *et al.* (2007:49)

These inadequate sanitary and living environments directly relate to the high incidence of infectious and parasitic diseases among migrants...In Thailand, malaria is the main cause of death among migrants, with a growing number of other mosquito-borne diseases such as dengue fever and lymphatic filariasis (commonly known as elephantiasis). Cholera and especially tuberculosis are prevalent and on the rise among migrant workers, thus forming a renewed threat to the Thai population. According to the 2004 registration data tuberculosis was the disease with the highest prevalence among tested migrants, with 5,300 out of the 9,500 sick applicants found infected. Other significant health hazards include diseases related to malnutrition such as beriberi; skin

and eye infections; sexual and reproductive health problems, and occupational and traffic accidents.

Based on these realities, the gap between what is promised in the policies and what is actually occurring in practice can be clearly seen. Registration of migrant workers does not guarantee that their well-being and rights are going to be protected. This may partially account for the decrease in the number of migrant workers registered each year (see figure 5.6.1). As discussed in section 6.2, by having Tor/Ror 38/1, migrant workers are even more prone to restrictions as employers could use these registration documents as a way to impose their control over migrants. Also, there are uncertainties from migrant workers' side on to what extent they would benefit from registration. According to Jean D'Cunha, a Regional Programme Director of UNIFEM East and South East Asia Regional Office:

The processes of registration are extremely time-consuming and the period for registration was very short. The workers want the period to be extended. In addition, the registration is open only to those who are above 18. There is a lack of clarity on health checks and procedures. It scares migrant workers because they do not know what they are tested for or if they will be deported if they are HIV-positive or pregnant. Furthermore, there is no confidentiality in the results of these tests. Employers pay in advance for the cost of registration and deduct this from the salary of the workers - which put the workers into debt (AIT 2008:12).

6.9 Conclusion

This chapter has presented the Thai government policies relating to the management of irregular migrant workers. Starting from the domestic administration of irregular migrant workers, through a series of irregular migrant workers registration exercises, the Thai Government has now shifted towards utilising international relations as a mechanism to 'regularise' the use of migrant workers.

It can be seen that the policies relating to the management of irregular migrant workers can be divided into two facets: 1) the Thai state's intention to 'regularise' the use of migrant workers for the benefits of the economy; and 2) the regularisation and administration of migrants and ethnic minority populations. The first facet is exhibited through the registration of irregular migrant workers and international

relations policies. The overarching aim of these policies is to 'regulate' whilst allowing the use of irregular migrant workers who are deemed necessary for the Thai economy. Despite the fact that these policies also guarantee the protection of the labour and human rights of migrant workers, the enforcement ensuring the protection of rights of migrant workers is still weak. The fact that the enforcement of the laws protecting migrants rights remain so weak, suggests that the Thai state turns a blind eye to the violation of the rights of migrant workers, especially in terms of their wages, as this contributes to reduced production costs, particularly in export-manufactured products. The second facet is the maintenance of national security and state hegemony through the administration of ethnic minorities, the border control by the police and the army, and the prevention of permanent settlement and citizenship provision for migrants and ethnic minorities. This facet is the way in which the Thai state incorporates various policy mechanisms in order to prevent the integration of non-Thai citizens.

This thesis has argued that the Thai government's lack of concern for the situation of migrant workers, and the absence of evidence of their commitment to protection of their rights and to ensuring decent living and working conditions is more than an oversight. Combined with the repeatedly stated view that the 'benefits for the Thai people have to come first,' the existing policies are aimed at assisting the country's economic growth by facilitating the use of migrant workers as cheap labour. Coupled with limited current citizenship provision which permits the possibility for migrant workers to fully integrate to Thai society as 'citizens,' there seems to be no promising future for migrant workers and their families.

The next chapter will provide a critical analysis of the contradictions arising from the necessity to regulate irregular migrant workers and argue for the urgency to construct a strategic framework in order to assimilate, and provide rights to citizenship for, the migrants and their families. The implications that the present policies on irregular migration management have on the notion of Thainess, identities and citizenship are vivid and invalidated by the deficiency in policy discussion on the citizenship rights of the irregular migrant workers. The current policies on irregular migration management are a regurgitation of the same old patriotic nationalist justifications to prevent the assimilation and integration of the non-Thai population. Chapter 7 will

argue that the prevalence of Thai nationalism as the central notion of formal 'Thai identity' dominates the policy formulation of the management of irregular migration. Here, I will deconstruct modern-day 'Thainess,' what it means to the Thai society, and its implications for contemporary ethnic relations.

Chapter 7:

The Thai Dilemma: the contradictions between the management of irregular migration in Thailand and the maintenance of Thainess and Thai citizenship

7.1 Introduction

Thus far, this thesis has attempted to bring out the connections between the Thai nation-building processes, the maintenance of Thai hegemony as a dependable mechanism to sustain the Thai state's national security, and the current management of irregular migration. Rather than being simply an economic and immigration management matter, the irregular migration management policy illustrates the way in which the Thai state's political agenda of sustaining Thai ethnic purity and 'Thainess' continues to play an important role in developing ways to impede the integration of non-Thai citizens.

This thesis is endeavouring to establish that the consequences of the Thai state's persistence in attempting to maintain ethnic hegemony by preventing opportunities for non-Thai citizens to become political members will be the further exacerbation and complication of ethnic relations within Thai society. The lack of provision for citizenship or permanent residency within the current irregular migration management policy is a proven example of how the Thai state deliberately used irregular migrant workers as a supply for cheap labour, whilst avoiding any commitment to repay the migrant workers' contributions to the country's economy through citizenship or permanent residency provision. Moreover, the Thai state's efforts to protect its national security and cohesion through the maintenance of Thai hegemony and ethnic unification could turn out to be self-defeating. There is a strong possibility that, through consistently undermining the identities and rights of ethnic minorities in Thailand, resistance and conflicts between the ethnic minorities and the Thai state will in fact be worsened and national security and cohesion will be put under an even greater strain. The Muslim-South insurgency, as presented in chapter 5 of this thesis, provides a good example of how the diffusion of 'Thainess' and the oppression of existing ethnic minority identity have created severe conflicts and violence.

It is the parallel but conflicting needs for the maintenance of Thai economic competitiveness through the use of irregular migrant workers and the perseverance for Thai hegemony that make it challenging for the Thai state to find a solution to this intricate matter. This chapter aims to show that the Thai state ought to re-assess the issue of irregular migration management. It is argued that irregular migration management should not be looked at as a mere short-term economic policy and should not be divorced from political developments of the modern Thai nation-state and the existing impact of Thai nationalism.

Reflecting on the core research question of this thesis on the implications of the past and present policies in irregular migration management and the relevant immigration policies to the construction of 'Thainess,' Thai identity and citizenship, different research terrains that have been mapped out throughout this thesis will now be brought together. Section 7.2 will utilise the theoretical groundings discussed in chapter 2 to critically analyse the connection between the formation of the Thai nation-state and nation security. This will provide an answer to the question of why the maintenance of 'Thainess' and Thai hegemony are seen by the Thai state as necessary components for sustaining 'national security.' This will be followed by section 7.3 which discusses the Thai emphasis on 'economic growth' in relation to the Thai meaning of 'development.'

As examined in Chapter 3, from the launch of the National Economic and Social Development Plans, Thailand has focused on boosting its economic productivity and has relied on annual economic growth rate as an indication of the country's development performance. As a result of these economic plans, Thailand has emerged as one of the fastest-growing economies, despite the fact that the rapid economic growth has created even larger economic and social disparities between the rich and the poor, as well as between the urban and the rural (see section 3.3 for detailed discussion). The impact of the rapid economic growth on political, social, cultural, and environmental conditions is incessant and will not be examined in detail here. However, the focus on 'economic growth' as Thailand's top agenda has been displayed by the irregular migration management policy: despite the Thai state's effort to prevent the existence of non-Thai populations and maintain the purity and

unity of Thainess, the government still has to rely on irregular migrant workers as they are currently the cheapest source of labour. Section 7.3 is going to draw upon the different mechanisms and regulations (as mapped out in Chapter 6) that the Thai state is using in order to 'control' these populations and to prevent the possibility for them to integrate into Thai society.

The discussion in section 7.3 will connect back to the discussion in chapter 5 of this thesis. The historical development of different groups of migrants and ethnic minorities and the Thai policy responses to these groups show the inconsistencies in Thai immigration policies. Whilst Chinese immigrants were permitted or even encouraged to assimilate and adopt Thai citizenship, the hill tribes, on the contrary, were not offered similar treatment. It was argued earlier in Chapter 5 that the criteria that the Thai state appears to use to determine which non-Thai populations are eligible to fully integrate to the Thai society is that of their economic well-being. This argument will be expanded in this section to analyse and reiterate the connections between economic wealth and the increase in political and social integration of non-Thai citizens to the Thai society.

Building upon the arguments presented in sections 7.2 and 7.3, section 7.4 will conclude by focusing on the current policy in irregular migration management, as presented in chapter 6. This section will develop the argument that, since 'Thainess' and Thai nationalism still play important roles in shaping the directions of the irregular migration management policy, the future of the policy development needs to be expanded to include international relations mechanisms (i.e. the signing of the MOUs, the GMS cooperation frameworks). I will then address the research question of whether such policies will help to solve the intricate and complex issues of domestic ethnic relations in Thailand. Based on the information presented in chapter 6, this section will argue that the existing policies and further policy prospects might, to certain extents, facilitate the 'management' level of irregular migrant workers administration, but they will not do anything to prevent ethnic conflicts, discrimination and incohesion.

7.2 Revisiting Thainess and Thai Nationalism: the question of national security

Based on Anderson's theoretical grounding, this thesis has argued that a nation-state is imagined, manoeuvred and politically constructed by various political and social mechanisms (Anderson 1991). Such an approach rejects the earlier primordial and perennialist assumptions that take nation-states as emerging based on primordial ties or shared historical, ethnic or linguistic ties (Hutchinson 2000, Smith 1998). The primordial or perennialist explanations may be apt to certain circumstances, but in the case of Thailand, the analysis presented in Chapter 4 illustrates the historical evidence that, from the period of the late 19th century until the early part of the 20th century, Thailand has undergone a nation-building process.

The notion of the 'nation-state' as a political institution that is demarcated by specific geographical boundaries is argued to have been brought to South East Asia by colonialism (Owen 2005: 78). The significance of 'boundary' to the formation of the Thai (then Siamese) nation-state was gradually developed from the economic interactions with the colonies. Thongchai (1994) extensively explains the connections between the arrival of colonialism in the 19th century and the changing meaning of 'boundary' to the Siamese government. In pre-modern Siam, as Thongchai explains, the concept of boundary was understood as a delineation of areas, districts or towns:

[t]he sphere is a realm or the limits of a kingdom could be defined only by those townships' allegiance to the centre of a kingdom. The political sphere could be mapped only by power relationships, not by territorial integrity. Thus to talk about the frontiers of a sovereign unit – *anakhet*, *khopkhanthasima* – meant those marginal authorities in the remote townships or those chiefdoms at the margin of the sphere of power rather than the frontier space itself (Thongchai 1994: 79).

Thongchai further argues that the British were responsible for the complications and conflicts introduced by the notion of 'boundary.' It was when a series of trade agreements were signed during the early 19th century, (such as the Burney Treaty of 1826 and the Bowring Treaty of 1855 [which was discussed in chapter 3]), that the concept of 'boundary' emerged as an indication of national political integrity and sovereignty.

The emergence of Siam as a nation-state can be seen as a consequence of the very introduction of the concept of the geographical boundary or, as Thongchai calls it, 'the geo-body' of Siam. The geographical territory demarcation had immense implications. It broke down the old political administration structure of the kingdom and replaced it with the Western concept of nation-states. As a result of the introduction of 'nation-state' as the new political arrangement in South East Asia, these new states had to acclimatise and adopt different apparatuses in order to 'make' their very own nation-states.

As presented in Chapter 4, the making of Siam as a nation-state started off with the process of modernisation, which aimed at creating what Jackson (2004) calls the 'public field of images of a "civilised" Siam.' The processes of making the image of a civilised Siam and nation-building can be argued to support Anderson's theoretical argument that nation-states are 'imagined' and constructed by political tools manoeuvred by the state authorities. Relating back to the discussion on nation-building in Chapter 4, it can be seen that the nation-building processes in Thailand occurred in two major stages: first during King Vajiravudh's reign and second during the primeministership of Phibun Songkhram. During these two periods, the Thai nation-state was not merely altered through modernisation processes to create the image of Siam as an equally civilised state to those of the Western colonies but, rather, it was recreated as a restricted regime in which comprised a distinction between the Thai and the 'other' was central.

The concept of 'Thainess' was heavily promoted as a social and political norm during these two periods. The apparatuses used to promulgate the ideology of Thainess were varied (from the propaganda against the Chinese to the forced assimilation and suppression of ethnic minority identities). More significantly, 'Thainess' can be said to have emerged as the centre of the Thai political aspiration when the country's name was changed from Siam to Thailand. It appears as if a sort of nation-state re-branding strategy occurred, which reinforced the 'imagined' belief that 'Thailand' is a nation of ethnic homogeneity. The name-change from Siam to Thailand validated the political ideology of Thailand as an exclusive state for the Thai people. The distinction between the Thai and the non-Thai has become

increasingly visible, as a result. Furthermore, after the name change in the period from 1939 to 1942, twelve conventions of 'Cultural Mandates' were launched with the aim of fortifying the Thai hegemonic unity against the backdrop of expansion of non-Thai ethnic communities in Thailand. Reynolds sums up the features of the Cultural Mandates as follows:

The name-change from Siam to Thailand was promulgated in the first Cultural Mandate issued on 24 June 1939, the seventh anniversary of the coup that overthrew the absolute monarchy. A second Mandate of ten days later set out in the most general terms what would constitute treasonous activity, for example revealing information to foreigners that might be damaging to the nation or acting against the national interest as agents or spokespersons for foreign governments. This edict helped to foster the belief in the ruling elite and the population at large, a belief later translated into legislation, that certain political groups or political activity – most notably communist – was 'un-Thai' or even 'anti-Thai' and thus dangerous, subversive, and destabilizing. By this Mandate Thai identity and national security were forever joined. The fourth Cultural Mandate of 2 August 1939 discouraged use of the terms northern Thais, northeastern Thais, southern Thais, and Islamic Thais in favour of 'the Thais'. The fourth, sixth, and eighth Mandates of 1939-1940 were designed to channel loyalties towards national symbols such as the flag, the national anthem, and the royal anthem and to encourage the prosperity and well-being of the Thai as against Chinese or ethnic minorities. The words of the national anthem had to be approved by the army, another instance of the way identity was to be framed in terms of national security. With economic nationalism one of the hallmarks of the first Phibun regime, the fifth Mandate issued in December 1939 exhorted Thais to support the indigenous economy and to practise economic self-reliance (2002: 5).

As suggested in the above extract, special attention ought to be given to the section relating to the second Mandate, which included a clear statement that particular political beliefs or activities (in this case, communist) are 'un-Thai.' As was argued in Chapter 5, there are hill tribe groups which provide valid examples of how the Thai state has rejected the opportunity of some groups to be assimilated and given Thai citizenship as a result of their accused act of communism. Communism has become a frequent rhetoric that the Thai state has used to prevent the integration of the non-Thai populations. By this, it can be seen that 'Thainess' is not a mere cultural notion, but that the concept has been deliberately politicised by the state. Thainess is, thus, regarded as an integral component which needs to be constantly maintained, scrutinised and modified so as to preserve Thai national security (Pinkeaw 2003, Reynolds 2002).

The motivation behind the Thai nation-building was predominately grounded in the making of Thailand as an ethnic hegemonic nation-state. This directly contrasts with pre-modern Siam, in which a diversity of ethnic groups was present and the Siamese society was relatively multicultural. One important by-product of the promulgation of Thainess is the lucid inclusion and exclusion of people within the territory. The uniformity of Thainess creates a set of criterion that states the 'Thai mentality' that Thai citizens should (or rather must) conform with. These notions of inclusion and exclusion that Thainess generates create a social and political reality that implies that if one does not conform to Thainess, one is to be regarded as a potential threat to the Thai national security. As Pinkeaw argues:

[w]hile Thai-ness was characterized by a seemingly bounded, essential and natural culture, ethnic classification also created fixed and essentialised non-Thai identities. The demarcation of the geographical and cultural boundaries of the modern Thai nation-state led not only to the territorial incorporation within the boundary of the nation of peoples with diverse cultural practices, but also to the cultural exclusion of people who do not partake of the bounded Thai identity (2003: 161).

Therefore, Thainess as well as the promotion of Thai nationalism, is used as a political mechanism for unifying the Thai nation-state and eradicating the diversity of ethnic and cultural groups, in order to strengthen and sustain national security and homogeneity.

So, what does Thainess really mean in the modern era? Here, I would like to propose that there are two aspects of Thainess that are important for understanding it. The first aspect is the formality of 'Thainess,' which derives from the notion of Thainess that was propagated during King Vajiravudh and the Phibun era. Often known as the 'official Thainess,' this aspect of Thainess evolved from the Thai state's deliberate attempt to create a unified Thai ethnic identity. The most valid example would be the above-mentioned Cultural Mandates, which started with the country's name-change from Siam to Thailand. The name-change signified the unification of Thailand as the country exclusively of the 'Thai' people. The amendment of the Nationality Law in 1943 changed the pro-assimilation policy towards the Chinese migrant population, as stated in the 1913 Nationality Act, by denying the rights to citizenship by *jus solis* to citizenship through *jus sanguinis*. The closures of Chinese schools and the

enforcement of a Thai standard curriculum were implemented in the 1930s (see Watson 1976). The promotion of buying and using Thai manufactured goods, rather than those from Chinese-owned manufacturing industries, was placed in the fifth Cultural Mandate in 1939 (Skinner 1957). The ban on wearing 'sarongs', the use of Malay names and language, and the use of Sharia and Islamic laws were implemented as a part of centralisation of Thai cultural hegemony in 1930s (see Brown 1988). The national flag, national anthem and the royal anthem were amended and launched in the Forth Cultural Mandate in 1939. The Thai national flag was changed to five horizontal bands, which are composed of three colours: red, blue and white. The colours signify the trinity of Thainess: the nation, religion and the monarchy respectively. The national anthem was composed in 1939 and is still used to date. The anthem translated into English reads as follows:

Thai National Anthem:

*Thailand embraces in its bosom all people of Thai blood.
Every inch of Thailand belongs to the Thais.
It has long maintained its sovereignty,
because the Thais have always been united.
The Thai people are peace-loving,
But they are no cowards at war.
They shall allow no one to rob them of their independence,
Nor shall they suffer tyranny.
All Thais are ready to give up every drop of blood
For the nation's safety, freedom and progress.
(Thai Government 2004)*

The first and the second of lines of the anthem clearly state the nationalistic ideology that Thailand is the nation for the Thai people and that Thailand aspires to the 'purification of the Thai blood.' The 'formal' enforcement of such nationalist sentiments leads on to the second aspect of Thainess. Reynolds has posed the question of how the notions of Thainess have become successfully embedded in the consciousness of the Thai people, and argued the meanings of Thainess are constructed and fostered in the consciousness of the Thai nationals by a series of cultural programs engineered by the ruling elites and state managers (2002: 25-6). This is done with an intention of creating a shared sense of belonging, and what Reynolds calls the 'false consciousnesses,' in order to rule the state with little or no resistance.

Based on Billig's analytical framework of 'Banal Nationalism', the impacts of the promotion of formal 'Thainess' and Thai nationalism continue to survive and prevail in the Thai society into the present era. In a more subtle manner, Thainess is fortified by the every-day routines, experiences and lives of Thai citizens. The national anthem that Thai citizens have to sing every morning and evening, at 8 AM and 6 PM, fosters the nationalistic ideology of Thai hegemony. The anti-Burmese xenophobia that Thai education imbues in the consciousness of Thai students makes them think of the Burmese as the rivals and the Thais the heroes. The everyday racially prejudiced languages used against particular ethnic groups also fortifies this 'Thainess', with 'Lao' meaning being 'unfashionable' or even 'stupid,' and '*Jek*' (a term describing the Chinese) implying being dirty, loud and improper. The banality of Thai nationalism and these types of discriminatory behaviours are seen by most Thai nationals as normal and acceptable. Hence, it is not surprising to hear the Thai government officials repeatedly stating that no matter how much ill-treatment the migrant workers have to endure, that they are needed to assist the Thai economic growth and that '*the benefits of the Thai people have to come first.*'

Despite the fact that the projection of Thainess and Thai nationalism may appear to be less obvious now than during the eras of King Rama Vajiravudh or Phibun, they still subtly dominate the ideologies and mainstream beliefs of the Thai people. Since the formulation and promulgation of Thainess started in the early 20th century, the dominance of Thainess has been systematically embedded in all aspects of the Thai way of life, both in the public and private spheres. The examples this thesis has presented have made it evident that the policy of irregular migration management has been driven by the force of Thai hegemonic maintenance. The rhetorical assertions that the 'benefits of the Thai people have to come first,' juxtaposed with the preservation of Thai hegemony, generates a policy that allows Thailand to manipulate the irregular migrant workers as a source cheap labour without granting them the opportunities to integrate.

Connors (2005) argues that the contemporary meaning of Thainess is not fixed but changes with 'time and context.' The construction of Thailand as a modern nation-state brought about by the ruling elites in Bangkok who have been educated in the

West in the late 19th to early 20th Century and came back to Thailand with the westernised notion of 'nation-state' and 'nationalism.' The reconstruction of Thainess as the uniformity of identity, belief and race has been introduced and propagated as one of the foremost political strategic mechanism to maintain the country's national security and sovereignty. In relation to this, a citizenship law was introduced to define the Thai citizens, or even explicitly so, the Thai race. Thainess, as the national ideology, has been fostered through various governmental policies and measures. Through the trinity of Thainess, Nation, Religion and Monarchy, it is believed that the Thai are one. Connors (2003) points out that;

While what resulted might appear as a cacophony of identity claims and reckless conflation of ideology/identity, state actors succeeded in constructing an elastic complex of Thai ideology/identity. This complex was attentive to both the strains inherent in developmental needs relating to change, and to the hegemonic needs for stabilizing the social field around Thainess. Responding to this task, the National Security Council (NSC), an inter-agency body within the Prime Minister's Office, composed of senior military figures, high-ranking public servants and university officials, me to consider options. The aim was ideological planning. (Connors 2003:136)

The process of ideological planning by the NSC started off in 1970s, having the prevention of communism as the ultimate regime and defending democracy. The efforts to create the unity of Thai identity, through the reproduction of the 'official' Thainess were immense, and to a great extent, were significantly successful. The consequences of the Thai ideology and policies still linger on until the present day. The consistence of Thainess, predominantly the triad of Nation, Religion and Monarchy, continues. Thongchai's recent work has touched on the issue by emphasising the 'monarchy' component of Thainess. He argues that the making of the Thai nation-state and Thai nationalism emerge as a part of the anti-colonial project. Despite the fact that Thailand has never been colonised, the 19th – early 20th centuries saw Thailand, or the Old Siam, in a 'semicolonial condition' (Thongchai 2008). The struggles to fight against imperialism were done by the intensification of the Thai nation-state and particularly the role of the monarchy. Through time, unlike other Southeast Asian nations, the significance of the monarchy to the Thai state has become even stronger, as Thongchai writes:

State apparatuses were modernised without a serious break with monarchical rule, royal hegemony or its culture. Thai nationalism, when it emerged, reflected this history: Siam was an imagined community neither of a people—whether politically or ethnically defined—nor of a ‘race’, but of a monarchy. The first form of nationalism in early 20th century Siam was what I call royal nationalism, a nationalism defined by loyalty to the monarchy. It remains a strong force today and forms the foundation of the dominant nationalist discourse. To this day, if someone expresses any dislike or criticism of the King, he or she will be asked ‘Are you Thai?’, since being Thai is equated with being royalist (2008:584)

Today, the promulgation of Thainess is not a task implemented by the Thai state authorities *per se*, but the public, together with the media, advertising, film and other similar industries, who take part in extending the values of Thainess. The 2001’s film *Suriyothai*, for instance, tells a nationalistic legend about Queen Suriyothai, who lost her life in a battle against the Burmese during the 16th Century Ayutthaya. The study of Amporn (2003) on the hybridisation of Thainess through *Suriyothai* supports Connors’ argument that ‘Thainess’ is constantly changing through time and context. Amporn argues that the launch of *Suriyothai* was a response to the aftermath of the 1997 economic crisis, when Thai society was in desperate need of a morale boost:

...the construction of ‘Thai-ness’ through the film *Suriyothai* is intimately linked to the post 1997 economic and cultural crisis in Thailand. As in other cases of ‘invented tradition’ when a society undergoes rapid development which shatters its social and political order, Thailand needs to reconstruct a ‘great’ past in order to lay down its future agenda. *Suriyothai* seeks to construct the past to re-stabilize the country’s long-held belief that it has been able to maintain its sovereignty and will do so in the future. To understand this, one must realize that myth-making and personal glorification are a normal occurrence in any society. Heroes and heroines are created to unify the country; very frequently for political purposes....*Suriyothai* has exemplified how the politics of national identity always implies a rearrangement of relations of cultural power, both locally and globally. It also illustrates the fact that all nationalisms are hybrids, not just because they are constructed relationally with ‘others,’ but because they are continually staged and produced for multiple audiences, both inside and outside national community. *Suriyothai* is but a reflexive of the narrative voice: ‘us looking at them looking at us’ (2003: 306-7).

It is unlikely that the dominance of Thainess will be lessened either through time or the influence of global culture *via* globalisation. Unless something unprecedented happens, the Thai state will always have its way to ensure the survival of Thai hegemonic identity. The establishment of the Ministry of Culture was, according to the Ministry, to protect the trinity of Thailand and maintain the Thai identity

(Ministry of Culture 2008). In addition to this, the National Security Office is an agency whose objective is to maintain Thai hegemony through reinforcing the belief that Thai national security would be at stake, was Thailand to lose its long-standing hegemony. Moreover, the latest National Security Policy of 2007-2011 stresses the importance of the unity of Thai nationals and the preservation of the institution of the monarchy: the embodiment of Thainess (NSC 2008).

In summary, the influence and importance of Thainess is vast. It is argued here that the Thai government has wrongly believed that propagating Thainess will create social cohesion in the modern Thai society. The persistence of the drive for Thai hegemony will not provide peace, but rather create increasingly complex and embedded social and political conflicts between different ethnic groups. The adherence to Thainess clashes with the fact that the Thai society is not composed solely of a unified ethnic homogeneity, but by a diversity of peoples that will gradually develop the Thai society into a multi-cultural one. Hence, it is argued that the reliance on 'Thainess' as a strategic political instrument for maintaining national security and cohesion is no longer plausible. The enforcement of 'Thainess' and the centralisation of the Thai hegemonic identity will, instead, be harmful to the overall social cohesion of Thailand. The situation in the South has proven to be a valid illustration of how the centralisation of Thainess and the attempt to get people to renounce their own ethnic traits creates tensions between the ethnic minorities and the central state. In the current context, where the influxes of irregular migrant workers increase rather rapidly, Thainess will create greater disparity and inequality between the majority of the population and the ethnic minorities. .

7.3 The management of irregular migration policy and its connection to 'Thainess'

As argued in the previous section, the prevalence of Thainess has remained dominant in Thai society until the present day. However, the complex situation which Thailand is now facing in the modern world is the dilemma between the maintenance of Thai hegemony and the need for the continuation of rapid economic growth. Thus far, Thailand's solution to this dilemma has been to formulate a policy that allows

irregular migrant workers to temporarily work and reside in the country, but denies them the opportunity for permanent residency or citizenship.

The motivations behind the irregular migrant worker registration exercises can be broken down into three key elements. The first is the urgency to 'regulate' and 'control' the movements of irregular migration on the basis of maintaining 'national security.' As chapter 6 argued, the irregular migration management policy is centred on controlling and regulating migrant workers. As a result, different types of measures are used as surveillance mechanisms. From 1992-2000, the policy restricted the movement of irregular migrant workers by forbidding them to travel outside designated areas. It was the employers who could register the migrant workers, which meant that the workers were not allowed to change jobs. The implementation of bond payments indicated the restrictions that the government imposed upon the employers: that they had to ensure that their registered workers were not changing jobs or travelling outside the registered provinces. Despite the amnesty programmes that the Thai government launched through open registrations for all irregular migrant workers in all provinces from 2000, the regulations attached to the policy indicated that the policy was still aimed towards controlling, regulating and monitoring irregular migrant workers.

The second element is the maintenance of economic growth through allowing employers (particularly in labour-intensive manufacturing and agro-processing industries) to take on irregular migrant workers as a source of cheap labour. Despite the government's assurance to enforce the labour protection package as stated in the Labour Protection Act of 1998, in practice, both registered and unregistered migrant workers are not given the basic minimum wage, and their working hours are above the legal limit (see section 6.3.2 for further discussion). The Thai government's efforts to ensure suitable treatment of the migrant workers does not reflect the statement in the policy, even though it is within the Thai government's powers to guarantee that the policy is effectively put into practice, and the migrant workers are provided with the protection and rights they are entitled to.

It is argued that through this lack of commitment to ensure equal labour protection for irregular migration workers, the Thai state appears to deliberately allow the

employers to manipulate migrant workers and use them as a supply for cheaper labour. As presented in the discussion of the Thai economic history in chapter 3, Thai economic policy since the 1950s has concentrated heavily on boosting the economic growth rate and GDP. Prawase Wasi's critique of such an economic development approach being 'heavy at the top but shaky at the bottom' can never be more apt (Baker and Pasuk 2000). The rapid industrialisation and the expansion of the manufacturing industry for export purposes have created an even larger gap between the rich and the poor and a greater disparity between rural and urban (Motonishi 2006). This economic development approach has posed an important question about the meaning of 'development' that Thailand has held for the past fifty years.

Often, the rapid economic growth during the 1980s has earned Thailand epithets such as the 'Thai economic miracle,' 'Asia's Fifth Tiger,' and the 'Superleague' (Parnwell and Arghiros 1996). However, these epithets did not last long. The 1997 economic crisis has put Thailand in a situation that requires it to re-think the 'sustainability' of its economic development. Parnwell and Arghiros (1996) and Dixon (1999) have examined the question of 'development' in Thailand, and have described the pattern of Thailand's economic development as 'uneven':

Uneven development is the manifestation in space (i.e. between places, sectors and people) of the problem of unequal access to natural, social, political and economic resources. The word 'access' is used advisedly here because it introduces connotations of fairness and justice, as opposed to simple patterns of distribution, and thus has an influence on how uneven development is seen. Uneven development may be a predominantly economic phenomenon, but it is not essentially an economic problem: the 'problem' rests with society and particularly the disadvantaged areas and peoples who tend to be left behind or overlooked as development proceeds. It may be an 'endemic characteristic of capitalist society' Parnwell and Arghiros (1996: 2).

Dixon (1999) argues that Thailand's development policy has almost directly opposed the 'neo-liberal development orthodoxy,' which concentrates strongly on deregulation, liberalisation, reduction of state intervention in economic activities and promotion of direct foreign investment and trans-national corporations. The period of the 1980s saw a rapid expansion of export-oriented industrialisation and the growth of manufacturing industries. However, the government appeared to concentrate on the expansion of industrialisation without investing in infrastructure

and social developments, which, as a result, has put Thailand in a position of less 'comparative advantage' to other Newly Industrialising Economies (NIEs) in the region. As Dixon argues, the lack of infrastructure, the increase in labour wages and land costs, and the shortage of skilled labour resulting from inadequate investment in education have reduced foreign investment. Unlike other NIEs such as Taiwan, South Korea or Singapore, Thailand's lack of infrastructure and skilled labour meant that it could not upgrade to skilled and capital-intensive activities. Dixon points out that:

Thailand has become heavily dependent on the export of manufactured goods to the EU, USA, and increasingly, to other parts of Pacific Asia. Thus the economy is extremely vulnerable to the loss of markets through increased protectionism or loss of comparative advantage. In addition, the economy has become much more trade dependent than was the case during the 1970s when Thailand's low degree of integration with the global economy provided a degree of insulation from the prevailing unstable trading conditions. While the opening of the Thai economy has been both a contributing factor to, and a consequence of, the reorientating and sustaining of economic growth, it has made the Kingdom far more vulnerable to external 'shocks'. There is no evidence to suggest that the Kingdom has become any more able to deal with such events than it was during the early 1980s – a view confirmed by the handling of the 1997 crisis (1999: 249).

To date, the Thai state persists in retaining a similar pattern of economic development. The legitimised use of irregular migrant workers is due to the fact that the Thai state intends to assist the employers to be able to maintain the costs of production. The temporary legalisation for the employment of irregular migrant workers is an easy way-out that the Thai state opts for instead of a long-term and constructive development plan that would enable Thailand to be ready for the emerging change in economic structure. Again, the meaning of 'development' to Thailand remains the same. The emphasis on economic development and high economic growth rate are still the Thai economic goal. Instead of learning from the past failure of such an economic approach, Thailand still ventures upon the same route. It can be argued that if the previous economic policy, which concentrated on the high rate of economic growth, created a wider gap between rich and poor people, the irregular migrant workers, will be placed at the lowest end of the poverty scale.

This links into the third element of the irregular migration management policy. As we saw in chapter 6, even registered migrant workers are still regarded as illegal aliens under the Thai Immigration Act of 1979. The policy of irregular migration management interweaves different legislations, which are coordinated in a system that aims to prevent the migrant workers from gaining permanent residency or citizenship. By law, registered migrant workers can stay and work in Thailand under the provision stated in section 12 of the Immigration Act which specifies that the registered irregular migrant workers are 'aliens' awaiting deportation, but who the Cabinet has the authority to permit to temporarily work until their deportation.

The third element of the irregular migration management policy incorporates an important political concern regarding the maintenance of Thai hegemony and the refusal of integration for the non-Thai population. It is obvious that the irregular migration management policy, from the first registration exercise in 1992 to date, is formulated to legitimize the use of irregular migrant workers on a temporary basis. Deliberately, the policy still confirms the 'irregular' nature of migrant workers, registered or not and, as a consequence, they are still regarded as illegal immigrants awaiting deportation. The policy obviously does not ameliorate the lives of migrant workers nor ensure that their rights are truly protected. This partly explains the shortfall in each registration exercise. The policy is more for facilitating benefits for Thailand through the economic contributions of the migrant workers than for the migrant workers. Moreover, the policy also helps the Thai state with the monitoring and surveillance of the migrant workers' movement. For the name of national security, the policy enables the Thai state to keep a closer eye on the migrant workers and their communities. It is questionable whether such intervention can really be positive to the relationship between the Thai state and the irregular migrant workers.

Furthermore, based on the accusation that the irregular migrant workers are potential threats to the national security, the policy also creates sentiments of discontent on the migrant workers' side, and unease for the Thai people at large. The Thai state's allegations here repeat the same propagandisation strategy that was used against the Chinese communities in the early 20th century. On the grounds of national security, the Thai state still utilizes the strategy of propagandisation to maintain its ethnic hegemony. This discussion will be linked to the next section on the future prospect of

the irregular migration management and its implications for Thainess and hegemonic maintenance.

7.4 The Incorporation of Foreign Relations Policies in the Irregular Migration Management: Implications for Future Prospects

In the previous section, three important elements of the irregular migration management policy and its implications to the notion of Thailand and the maintenance of Thai hegemony were mapped out. It can be seen that the way in which the Thai state has allowed for and legalised the use of irregular migrant workers has been for the benefits of the Thai economy. This section will analyse the current and emerging policy in irregular migration management, which merges with the arena of foreign relations policies. However, it is argued that with the policy direction moving towards the systematisation of migrant worker recruitment through bilateral agreements between Thailand and sending countries, the maintenance of Thai hegemony will be strengthened even further. The MOUs and the GMS economic cooperation strategy may facilitate the regularisation and management of irregular migrant workers, yet it will not solve nor prepare for the possible emergence of a multi-ethnic society, as a result of the large number of migrant workers and their families residing in the country.

As discussed in chapter 6, the management of irregular migration in Thailand has expanded to incorporate foreign relations policies seeking collaboration with the sending countries. Mainly centred on the ACMECS and MOUs, I argue that these two policies fit with the domestic irregular migration management in terms of their overt prevention of the long-term settlement of the migrant workers. Here, I will deconstruct the implications of the ACMECS and MOUs for the notion of Thainess and the maintenance of Thai hegemony.

The Ayeyawady- Chao Phraya – Mekong Economic Cooperation Strategy (ACMECS) was introduced during the Thaksin administration in 2003 and the strategy remains active, despite the coup d'état in 2006. With regard to the management of irregular migration, the component in the ACMECS that promotes the creation of 'sister cities' or 'economic dams,' is a way to prevent the irregular

migrant workers from entering the inner parts of Thailand. By this, it can be seen that this is not any different from the previous registration exercises that forbade the movement of migrant workers in the designated areas.

In addition to this, industrial estates will be built which will enable employers to gain access to workers more easily in the economic dam areas. As previously discussed in chapter 6, this type of relocation of factories is not a new initiative. The promotion of border trade has been seen since the 1980s, and the presence of manufacturing industries in border provinces can be seen in many provinces in Thailand. Mae Sot district, in Tak province, is a good example. Research conducted by Arnold and Hewison illustrates the way in which the relocation of factories to Tak has increased the level of the manipulation of the labour rights of the migrant workers (2006: 167). As Arnold and Hewison explain, the relocation of manufacturing factories (particularly garments, textiles, cement, food and ceramic ones) derives from the investment promotion zone that Thailand's Board of Investment (BOI) initiated. Tak province is considered as Zone 3 which, Arnold and Hewison explain, has 'the highest level of privileges.' Through exemption of corporate income taxes and import duty for raw materials and machinery, the number of factories in Mae Sot has risen dramatically from 1993. Arnold and Hewison argue that:

BOI incentives are a response to capitalism's global drive for lower production costs. In fact, while labour is often only a small portion of total production costs, particularly for medium- and large-scale enterprises, labour is usually the primary target in the pursuit of savings. An additional incentive for relocation on the Thai-side of the Burmese border is that allows firms access to cheap Burmese labour without the international condemnation that would greet a factory opening inside Burma (1996: 167).

More importantly, Arnold and Hewison argue that, as a result of the BOI's investment promotion scheme, the expansion of manufacturing industries has put Burmese migrant workers in a more vulnerable situation:

Burmese migrant workers are caught in a complex web of issues involving poverty, trade, workers' rights and globalization. The expansion of international trade puts downward pressure on wages and conditions in firms that engage in global competition to expand markets and increase profits. Because of difficult conditions at home, Burmese workers in Thailand are vulnerable, and will often face high levels of exploitation,

including long hours, unsafe conditions and wages well below Thailand's minimum. Most live in cramped and unsanitary dormitories and enjoy few rights. In particular, Burmese migrant workers cannot form their own trade unions and are not permitted to be union committee members; in other words, rights such as freedom of association are denied (ibid.).

It is important to discern who is actually benefiting from the ACMECS. As the example of Tak province shows, the employers could lower their production costs and hire cheaper labour as a result of the relocation of factories to border provinces. Hence, it could be foreseen that under the ACMECS, what is occurring in Tak will be duplicated in these 'sister cities,' where employers will be provided with an opportunity to legally hire migrant workers. Again, the question of the meaning of 'development' arises, as it can be clearly seen that the ACMECS benefits the employers by legitimising the manipulation of the irregular migrant workers. As argued earlier, as a result of the ACMECS, the benefits would go directly to the employers, while the workers still have to tolerate low-paid and unregulated employment. The 'development' contributed by the ACMECS will go towards people at the top, such as the employers, rather than to the workers themselves.

In a similar light, the MOUs signed between Thailand and Burma, Laos and Cambodia, aim at regulating the irregular movement of migrant workers by government-to-government (G2G) coordination. As explained in detail in chapter 6, the implementation of the MOUs would be to create a system of official migrant workers employment procedures, in which the governments of Thailand and the sending countries would collaborate in the recruitment process. One important aspect of the MOU's initiation is the restriction of the duration that migrant workers can work and reside in Thailand. Under the MOUs, migrant workers can work for two years in Thailand and will be able to renew their contract once. After the two terms, they then have to wait for three years until they can re-apply for employment in Thailand. In addition to this, the sending government has to ensure that the returned migrant workers return to their permanent addresses in their countries of origin.

Indeed, the MOUs may facilitate the systematisation of migrant worker recruitment and solve the problems of human trafficking and smuggling or excessive placement fees. More importantly, however, the MOUs also have the hidden function of preventing migrant workers and their families from permanently settling in Thailand.

Under the limit of time restriction, the migrant can only occupy a specific job for a maximum period of four years, which provides no opportunity for their career advancement or long-term residency in Thailand. It can be seen that the MOUs can provide another political instrument to prevent migrant workers from permanently residing in Thailand and from having an opportunity to integrate into Thai society.

Under the new initiatives to incorporate foreign relations policies with the domestic management of irregular migration, the Thai state appears to be deliberately engineering its policies towards the legitimisation of the employment of irregular migrant workers in order to reduce the production costs for export goods. All this, whilst still trying to preserve Thai ethnic hegemony through preventing the permanent settlement of migrant workers and denying them residency or citizenship. Therefore, it can clearly be seen that the incorporation of foreign relation policies will enable Thailand to fully benefit from the contributions offered by the migrant workers, but the Thai state will not have to prepare for the future prospects of long-term settlement of the populations. Indeed, such an immigration approach is not exclusive to Thailand, but the degrees of violations against the migrant workers, and the excessive effort to preserve Thai hegemony, will make it appear that Thailand has a deliberate intention to manipulate and discriminate against the migrant workers. This, consequently, will create an 'image' of Thailand as a discriminatory and unjust society – an image which is utterly in contradiction to the impression that the Thai state has endeavoured to present of the country as the 'Land of Smiles.'

7.5 Conclusion

The management of irregular migration policy exemplifies the way in which Thainess and Thai nationalism play a role in shaping immigration policies that benefits the Thai economy, whilst preventing the opportunity for migrants to politically integrate into Thai society. It has been argued that by investigating the meaning of Thai nation-state, it can be seen that the process of Thai nation-state making has been completed with various types of nationalist instruments which were deliberately manoeuvred by the ruling elites as discussed in chapter 4.

Thus far, it can be seen that the process of Thai nation-state making is incessant. Up until today, Thailand still implements different political and cultural policies in order to assure that the Thai official identity, or 'Thainess,' and Thai hegemony are preserved, sustained and dominant. By appealing to Billig's theoretical framework of 'banal nationalism,' it has been shown that the diffusion of Thainess has been well embedded in the fabric of Thai society, in the everyday life and in the consciousness of Thai nationals. The normalisation of Thainess and the maintenance of Thai hegemony are visible in all aspects of Thai life: public and private, political and cultural.

The management of irregular migration policy reflects the blatant discrimination against non-Thai populations, both in policy and practice. The lack of policy discussion concerning permanent residency and citizenship provision reveals the Thai state's refusal to provide the opportunity for these migrant workers to integrate and become political members of the Thai state. In addition to this, the incorporation of the regional cooperation frameworks and foreign relations policies such as the ACMECS and MOUs reiterate the Thai state's effort to restrict and limit the duration of residence that migrant workers are permitted.

Chapter 8: Conclusion

Thus far, this thesis has attempted to provide a new approach to the understanding of the irregular labour migration in Thailand, as well as its policies and possible consequences. It has been argued that the contemporary irregular labour migration management policies convey a profound implication of how 'Thainess' still dominates and prevails in both the Thai political and economic discourses. This thesis has aimed to show that, despite the fact that the irregular migration management policies are often regarded as economic policies, the foundation of the policies reflect far more important underlying issues with regard to Thailand as a nation-state, Thai identity, and the Thai perception towards the 'others.'

The rhetoric which was frequently articulated by Thai government officials was that the policies have to protect and benefit Thai people, reflecting the way in which the government prioritises the political, economic and social welfare protection and assistance of its own citizens above non-Thais. These results in the reality that non-Thai citizens are provided with unequal and often inadequate protection and thus their rights are more likely to be infringed.

In order to answer the core research question of this thesis which was : *what are the implications of 'Thainess,' Thai identity and citizenship on the past and present policies in irregular migration management and the relevant immigration policies,* this thesis has drawn upon the history of economic and political development in the country, particularly related to two important issues. First, economic development in Thailand has led the country to become an export-industrialised base that requires a large pool of manpower. After two decades of rapid economic expansion of EOI, Thailand's labour wages have risen, along with production and capital costs and, as a result, Thailand has had to search for a cheaper labour supply in order to maintain its market competitiveness amongst strenuous global economic competition. Aided by the political and economic problems of its neighbouring countries, Thailand has taken the opportunity to recruit the nationals of its neighbours, who have fled from

economic and political hardship, as a large pool of labour supply in the low-paid and so-called 3-D sectors.

Second, based on the discussion in Chapter 4, the history of political development reveals the way in which Thailand has been constructed as a nation-state, and how its nature has been transformed over time. The making of the Thai nation-state has been largely based on the creation of the notion that Thailand is an ethnically homogenous society. By propagating the idea that Thailand is a homogenous nation, the existence of other ethnic or cultural groups has been subsequently suppressed by the state which sees multi-ethnicity as a potential threat to the Thai society. As discussed in Chapters 5 and 6, this rationale has dominated the formation of the immigration policies for decades and provides two possibilities for the management of migrants or ethnic minorities, which are either a total restriction of potential political inclusion of non-Thai citizens through the lack of provision for Thai citizenship, or a forced renunciation of their ethnic or cultural identity and forced compliance with Thai identity through the process of Thaification.

The thesis has illustrated that two different drivers - that of the political project of protecting the hegemony of the Thai nation and the economic requirement to access cheap labour in the form of migrants from neighbouring countries - has shaped the formulation of the irregular labour migration management policies. The theoretical discussion of the origins of nation-states and nationalism in relation to the process of nation-building has provided the analytical grounding for the study. Primarily based on Anderson's 'imagined communities' framework and Thongchai's analysis of the 'Thai geo-body,' the Thai nation-state is shown to be constructed in a manner which privileges Thai ethnicity. Thai nationalism and Thainess are the key elements in the process of nation-building and the ultimate goal is to preserve 'Thai hegemony.' Related to Billig's concept of 'banal nationalism,' the promotion of Thai nationalism and Thainess has been constantly highlighted in various aspects of Thai society, from formally in the Thai education system to informally in popular media or day-to-day life. Through time, the impacts of Thai nationalism and Thainess are deeply embedded in the inner fabric of Thai society. As discussed in Chapter 7, the part of the strategy of the construction of Thainess and the strengthening of the Thai state has been through the through the eradication of the existing minority cultures and the

denial of diversity. The discussion in Chapter 5 on the forced assimilation of the Chinese during the early 19th century through the closing down of Chinese schools, or the ban on using Malay names for the Malay Muslims in the Southern provinces provide particular examples of the ways in which this has been accomplished. Alongside this suppression, there has been a parallel project to ensure that the Thai collective identity is strengthened and conformed to by all Thai citizens. The key element of this project includes the maintenance of the country's symbols or the trinity of Thainess.

One of many by-products of the promulgation of Thai nationalism and Thainess has been the ways in which the policies to regulate and manage irregular labour migration have been developed. The political history of Thai nation-state building is analysed in Chapter 4 to investigate the rationale behind the strict immigration controls and the relatively lax protection of the rights of migrants. It is argued that the irregular migration management policy formulation derives from the hegemonic nature of Thai nationalism, which is prepared to accept some degree of mistreatment of non-Thai groups on the grounds that the benefits of the Thai people always have to come first.

The findings from primary research between 2004 and 2007 supported the hypothesis that Thai nationalism and Thainess have played a pivotal part in the formulation of the irregular labour migration management policy. As discussed in chapter 1, it has been constantly stressed by the MOL officials that the rationale behind the registration are to preserve the Thai national security. The analysis of these policies, which are discussed in depth in Chapter 6, reveals that the registration of migrant workers allows the Thai state to have access to information about migrant workers, including their identity, location, occupation and employers. This, it is argued by the Thai government, is necessary to monitor the migrant population which has a propensity to commit crimes and anti-social acts. Additionally, the registration imposes further restrictions on freedom of movement of migrants and their rights to freely change employers.

It has also been argued that the initiation of the Thai irregular migration management policies emerge as a quick-fix way of legitimising the use of irregular migrant

workers. Further facilitated by the incorporation of the foreign relations mechanisms (such as the bilateral agreements through MOUs between Thailand and sending countries, the ACMECS, and other GMS cooperation projects), the inflows of migrant workers to Thailand would be even more convenient, yet these policies still fail to ensure that the rights of migrants are protected. The discussion in Chapter 6 led to a conclusion that employers tend to benefit most from the policies by getting legal access to migrant workers as cheap labour while the government shows little commitment to ensuring that the wellbeing and rights of registered migrant workers are protected in accordance to Thai labour law. On the other hand, migrant workers' mobility is increasingly restricted, and the successive registration exercises provide further opportunities for employers to exercise control over migrant workers.

In addition to this, these policies create further restrictions preventing long-term settlement of the migrant populations by limiting the duration that the workers can reside and working in Thailand for the maximum period of 4 years, as discussed in Chapter 6. It is apparent that this effort has been made by the Thai state to ensure that the migrants would only serve the purpose of providing labour supply to the Thai economy, but do not have the possibility to permanent stay in Thailand or integrate into Thai society. The registration policy, the incorporation of international relations frameworks and citizenship legislation all contribute to the prevention of long-term settlement of migrant workers.

However, despite the policies and effort to control the irregular movement of migrant workers, the influxes of migrant workers from the neighbouring countries are not going to decrease. Particularly, the unforeseen circumstances, such as the recent incident of the Cyclone Nagis that hard hit Burma in May 2008, will possibly contribute to the increase flow of migrant workers to Thailand. Another challenge that the Thai government is going to face deriving from this type of situation is how Thailand is going to determine the status of these populations – whether or not they are to be seen as labour migrants or displaced persons fleeing from natural disasters. Coupled with the political instability in Burma in the post-Cyclone Nagis era, Thailand has to rethink how to cope with the potential increase in the numbers of migrant workers in a more proficient, practical and humanitarian manner.

This is indeed a critical moment in Thailand's history. In the past, we have seen the Thai state coping with various groups of immigrants and ethnic minorities. It is suggested here that the Thai state needs to incorporate the past experiences by connecting the human migratory flows and analysing the way in which the Thai state has responded to different groups of migrants. As the analysis of chapters 5 and 6 on the history of human migratory movements to Thailand and the policies responding to them has tried to point out, the domineering force of 'Thainess' and the maintenance of Thai hegemony for the sake of 'national security' still prevail. However, 'Thainess' never seems to be fixed, but its meaning and application are always changing. As for the case of Chinese immigration, Thainess could mean accepting the 'other' to integrate into Thai society in order to strengthen the national economy. However, the case of the hill tribes implicates the way in which 'Thainess' has been exhibited to be stern and shielding against the potential 'threats' from the aboriginal populations and the alleged communist expansion. Or, the story of the Malay Muslims has revealed that 'Thainess' mean the unification of the Thai nation-state through the forced 'Thaification,' which, as a result, leads to violence and insurgencies at an unprecedented level.

Hence, it can be seen that 'Thainess' contains the power to decide who can and cannot be included in the Thai state and how they are to be included. This links to the discourse on 'citizenship' which is discussed in chapter 6. It has been pointed out that the current policy on irregular labour migration does not have any provision to incorporate the possibility that migrants could apply for citizenship. This implicates two important points: firstly, it reflects the Thai hegemonic maintenance that forbids the possible integration of non-Thai populations. Particularly, since the migrant workers from Burma, Laos and Cambodia do not have the same economic power as the Chinese, thus, they are not deemed as the desired populations. Secondly, it could be argued that should the Thai state provide the opportunity to acquire Thai citizenship for the irregular migrant populations, it might implicate the way in which these populations would then be able to enjoy the same rights and welfare provision as their Thai counterparts. As a result, they would then be protected by the Thai labour law, which would allow them to form labour unions and no longer have to abide to the ongoing labour rights violations. More importantly, this would mean that Thailand can no longer use migrant workers as a supply for cheap labour as well.

In the view of the Thai state, 'Thainess' has such an important function that the state has to assure that 'Thainess' is always protected and preserved. To take as an example, the symbols that the Thai authorities have created are the invention of the foremost embodiment of 'Thainess', the three pillars of nation, religion and the monarchy, the Thai national anthem, the Thai three-coloured flag which each colour represents the trinity, the change of name from Siam to Thailand (Chanwit 2005). A more recent intervention includes the cultivation of Thai nationalistic sentiments through the media. More significantly, the re-affirming of the supreme role of the monarchy as the heart of Thainess has constantly been maintained and protected as an 'untouchable' institution that every Thai citizen has to cherish. To take as an example, the *lèse majesté* legislation is created to protect the institution and it seems that recently, it has been overly used to justify the protection of 'Thainess.' Giles Ungpakorn commented that;

The *lèse majesté* laws are not really designed to protect the institution of the monarchy. In the past the laws have been used to protect governments, to protect military coups. This whole image is created to bolster a conservative elite well beyond the walls of the palace (*Telegraph*, March 2007).

It is argued here that the monarchy, as well as other nationalistic symbols and institutions, are used as a political mechanism to maintain Thai national identity claiming that they will help strengthen Thailand as a nation-state. What is more significant is that they will serve the purpose of the creators and the maintainers, the elites, to retain the legitimacy of their power, whether political or economic.

As discussed, the notion of Thainess has been socialised and normalised starting from schools, households to workplaces. Everyday in schools, public places, on televisions and radios, it is mandatory that the Thai national anthem has to be played twice a day, at 8 am and 6 pm. Through processes of socialisation, Thainess has become an ideology, a norm, or even a cult which may have more to do with people's faiths and beliefs, than the cultural traditions or ways of living.

Therefore, it can be understood why in the eyes of the Thai authorities, being a Thai citizen is not simply a straightforward matter. For instance, the hill tribe people who have been given Thai citizenship are those who have been through a process to confirm their loyalties to the monarch and, in some cases, changed their religion from animism to Buddhism (MOI 2006). The process could take more than a

generation to complete. The construction of Thainess, as a collective official identity, and by extension, the process of becoming a Thai citizen implies the complete renunciation of other cultures and beliefs.

The refusal of citizenship provision for the irregular migrant workers is ostensibly based on the grounds that Thainess and Thai citizenship are for those who have undergone the process of Thai socialisation which implies that Thai hegemony is created and its citizens are moulded to embrace and display the loyalty and patriotism for the three pillars of Thainess. One important aspect of the construction of Thai hegemony is the avoidance of the assimilation and integration of the non-Thai populations, who may not have the essential loyalty to the core values and beliefs of Thainess, therefore the Thai government sees them as potential threats to national hegemony and sovereignty.

This thesis, offers an integrated analysis of irregular labour migration policies to include the impacts of the Thai nation-state and Thainess on the emerging ethnic and racial relations within Thai society. The policies, as mapped out in Chapter 6, do not incorporate nor prepare for the possibility that, given Thailand's porous borders with neighbouring countries and lax immigration controls (particularly in border provinces), the number of newly-arrived migrant workers is likely to increase over time. It is also likely that existing migrant workers and their families are likely to remain in Thailand due to the prolonged political and economic instability in the sending countries (especially Burma), Thailand will need to alter its approach to the control of migrant labour to cope with the probable growth of diversity and multi-ethnicity within contemporary Thai society. The irregular labour migration policies are, thus, not a matter of mere logistics, but concern political and social factors, and could aggravate ethnic tensions and divisions. The discussion in Chapter 5 examined ways in which Thailand has dealt with different groups of migrants and ethnic minorities, and the case of the recent insurgencies in the South is a valid illustration of how Thailand has failed to effectively manage 'differences' within the Thai state.

The mapping out of relevant policies in Chapter 6 has shown that the Thai state has extended policies concerning irregular labour management to include not only domestic management, but regional cooperation with the sending countries. Overall the policies can be seen to function at three levels: firstly, the domestic management

of irregular migration through the registration of migrant workers; secondly, the international cooperation with sending countries through the MOUs, ACMECS and GMS frameworks; and thirdly, citizenship legislations. This thesis suggests that even though, theoretically, these policies are not directly linked in the sense that the Thai government would regard them as a holistic or an integrated irregular labour migration management framework, in practice, the impacts of these policies are intertwined and serve the ultimate aim of the Thai state to protect its 'hegemony' by restricting the possibility of irregular migrants becoming Thai citizens. As argued in Chapter 1, the preoccupation of the state which maintaining the construction of an ethnic homogeneity within the Thai State underlies its policies of restricting integration or settlement by non Thai groups, as well as constantly seeking to reproduce a situation of "manufactured" consent to the Thai project through a series of cultural, educational and political interventions.

Special attention should be drawn to the emerging bilateral and multilateral agreements between Thailand and the sending countries and among the GMS nations. Thus far, it is evident that under existing frameworks, such as the GMS, ACMECS and BOI schemes, the incoming flows of migrant workers have increased by these initiatives. Indeed, these international cooperation frameworks may contribute to a systematic and regulated recruiting system of migrant workers between governments. Yet, as pointed out in Chapter 6, these initiatives do not deal with the issue of how the presence of non-Thai migrants would change inter-ethnic relations in the country. In the context of irregular labour migration, the continuing (re) construction of "Thainess" has to be critically analysed in relation to its possible 'negative' impact to racial and ethnic divisions and discrimination in Thai society. In addition to this, under the ACMECS, Thailand and countries in the GMS are contemplating transforming the region into a so-called 'borderless' region, where the improvement of transportation linking countries within the region and a more flexible immigration control are to be taken place. One important implication of this is if Thailand is to become the economic centre of the region as it aspires to, Thailand would be well advised to prepare for the consequences in terms of the multi-ethnicity may emerge as a result.

This thesis has argued that 'Thainess' is omnipresent in the construction of Thai immigration policies. By deconstructing the current irregular labour migration

policies from the analysis of the Thai nation-state, Thai nationalism and the notion of Thainess, it has unveiled the potential outcomes of the emerging ethnic conflicts and insurgencies. This thesis suggests that 'national security' cannot be achieved by suppressing diversity of peoples or forbidding the integration of the non-Thai populations. The Thai state has to accept the existence of multi-ethnicity within Thai society and that does not necessarily mean Thailand is at stake or losing its sovereignty. Should Thailand deem that irregular migrant workers are essential to the Thai economy, the Thai state has to acknowledge the 'responsibility' to treat them with 'respect' and 'dignity' they deserve. This is to reconstruct the Thai nation-state as a truly hospitable and accommodating place for all.

Appendix 2: Details of Irregular Migrant Workers Registration Exercises from 1992-2008

Policies	PM Anand Panyarachun	PM General Chavalit Yongchaiyudh	PM Chuan Leekpai		
	1992-1993	1996	1998	1999	2000
Policy summary	Employers were allowed to register Burmese migrant workers in 9 Thai-Burma border provinces	Regulate and control the employment of illegal migrant workers in unskilled labour and housemaid workers.	Regulate and control the employment of illegal migrant workers only in unskilled labour sector.	1) Regulate and control the employment of illegal migrant workers only in unskilled labour sectors; 2) Arrest and deport illegal migrant workers who do not register; 3) Promote the employment of Thai workers	Same as 1999
Measures/ implementations					
Nationality	Burmese	Burmese, Lao and Cambodian			
Areas	9 border provinces (later extended to include another 22 coastal provinces in 1993)	43 provinces	54 provinces	37 provinces	37 Provinces
Sectors	5 sectors	11 sectors	47 sectors	18 sectors	18 sectors
Quota	Not specified	Not specified	158,000 persons	106,000 persons	unlimited
Duration of work permit	4 years	2 years	1 year	1 year	1 year
Fees	5,000 Baht Bond, 1,000 Baht fees	1,000-Baht bond; 1,000-Baht fee and 500-Baht health fee	1,000-Baht bond; 700-Baht medical exam fee, 500-1,200-Baht provincial health fee	1,000-Baht bond; 700-Baht medical exam fee; 1,000-Baht health card	
Numbers of registered migrants	706 migrants registered	372,000 registered, 303,988 permits granted	90,911 migrants registered	99,974 migrant registered	106,684 persons registered; 99,656 permit granted
Government agencies	Department of Employment, MOLSW	Same as 1992	Department of Provincial Administration, MOI	Department of Employment, MOLSW	Same as 1999

Policies					
	PM Thaksin Shinawatra				
Year	2001	2002	2003	2004	2005
Policy summary	1) First amnesty to all illegal migrant workers in specific unskilled labour sectors; 2) Promote the employment of Thai workers.	1) Extension of first amnesty to all illegal migrant workers in unskilled labour sectors; 2) Arrest all unregistered migrant workers; 3) Promote the employment of Thai workers	Same as 2002	1) Second amnesty to all illegal migrant workers in unskilled labour sector and their family members; 2) Promote the employment of Thai workers 3) Mae Sot Border Economic Zone Project was approved by the Cabinet 4) MOUs with Burma, Laos and Cambodia 5) Registered migrants are to be covered by the 30-Baht Universal Health Scheme	Extension of second amnesty
Measures/ implementations					
Nationality	Burmese, Lao and Cambodian				
Areas	Nationwide				
Sectors	All sectors				
Quota	Unlimited	Unlimited	409,339 persons	Unlimited	814,247 persons
Duration of work permit	6 months	6 months	1 year	6 months -1 year	6 months -1 year
Fees	3,250 Baht-registration fee, 1,200 Baht-health insurance, 900 Baht-six month work permit and 1,000 Baht-bond	900 Baht-six month-work permit fee, 300 Baht-health fees.	900 Baht-six month-work permit fee, 300 Baht-health fees.	1,800 Baht-work permit (1 year) or 900 Baht for 6 months, 100 baht-registration fee, 600 Baht-medical exam fee, and 1,800 Baht-health insurance	1,800 Baht-work permit (1 year) or 900 Baht for 6 months, 100 baht- registration fee, 600 Baht-medical exam fee, and 1,800 Baht-health insurance
Numbers of registered migrants	568,245 migrants registered	409,339 migrant registered	288,780 migrants registered	1,284,920 migrants registered, 814,247 permits granted	343,777 migrants renewed
Government agencies	Department of Employment, MOLSW	Department of Employment, MOLSW	Department of Employment, MOL	Department of Employment, MOL; Department of Provincial Administration, Ministry of Interior.	Department of Employment, MOL; Department of Provincial Administration, Ministry of Interior.

Policies	PM Surayud Chulanont			PM Samak Sundaravej	
Year	2006	2007		2008	
Policy summary	<p>March Reg: 1. Renewal of registered migrant workers (with Tor Ror 38/1)</p> <p>2. Allow unregistered migrant workers to apply for work permits (due to labour shortages)</p> <p>July Reg: 1. Migrants could register with a new employer only if their previous employer had died, could prove that they had forced or didn't pay the worker, unfair dismissal had stopped or changed business, migrants changing employers needed to pay an extra 450 baht.</p>	<p>1) Renewal of the 2006 registration</p> <p>2) Launching the special registration for 5 southern provinces (Pattani, Narathiwat, Yala, Satun and Songkhra)</p> <p>3) Military-ruled government stepped up enforcement to control the rights of migrants by enacting provincial decrees to ban of the use of mobile phones in 5 southern provinces, riding motorbikes or leaving their household between 8.00 – 6.00.</p> <p>4) Attempts to regulate migrant workers by the MOUs – i.e. some 70,000 migrants were recruited through the system of MOUs and verification of identification process has been enforced.</p> <p>5) Possible further extend of the decrees banning the rights of migrants to use mobile phones, riding motorbikes and travelling between 8 pm – 6 am.</p>			
Measures/ implementations					
Nationality	Same as 2001				
Areas	Nationwide				
Sectors	All sectors				
Quota	n/a	n/a		n/a	
Duration of work permit	1 year work permit (renewable)			2 years (until 2010)	
Fees	<p>1. Registration fees: 3,800 baht: (100 baht for new card, 1,800 baht for one year work permit, 600 baht for health check up, 1,300 baht for health insurance.</p> <p>2. Additional 10,000 baht-bond deposit for migrant workers with Tor Ror 38/1 and 50,000 baht-bond deposit for unregistered migrants (March Reg.)</p>	Health check up 600 baht, health insurance 1,300 baht		600-Baht medical examination fee and 1,300-Baht health fee	
Numbers of registered migrants	<p>220,892 migrants registered (March Reg)</p> <p>460,014 workers registered (July Reg.)</p> <p>Total: 680,906</p>	<p>141,289 workers registered (March Reg.)</p> <p>394,443 workers registered (July Reg.)</p> <p>10,540 workers registered in Southern provinces and 70,000 migrant workers recruited through MOU (Laos and Cambodia)</p> <p>Total: 616,272 migrants registered.</p>		n/a	
Government agencies	<p>Department of Employment, MOL; Department of Provincial Administration, Ministry of Interior.</p> <p>Enforcement agencies such as the Army and the Police Department have taken more roles in monitoring the movements of migrants in Thailand.</p>				

Source: Adapted from MOL (2003-2008), Martin (2004), Supang (2007), MAP (2008)

Appendix 3: Relevant Thailand's Historical Chronology

Time	Events
1238-1448	Sukhothai Kingdom
1351-1767	Ayutthaya Kingdom
1768-1782	Thonburi Kingdom
1782-1932	Rattanakosin Kingdom
1851-1868	King Mongkut (Rama IV)'s reign
1855	Bowling Treaty
1868-1910	King Chulalongkorn (Rama V)'s reign
1910-1925	King Vajiravudh (Rama VI)'s reign
1913	The first Nationality Act
1914-1918	World War I
1925	Accession of King Prajadhipok (Rama VII)
1932	The end of Absolute Monarchy
1938-1944	1 st Field Marshal Phibunsongkram's prime ministership
1939	Country's name was changed from Siam to Thailand
1948-1957	2 nd Field Marshal Phibunsongkram's prime ministership
1937-1945	World War II
1950	Accession of King Bhumibol (Rama IX)
1959-1963	Field Marshal Sarit Dhanarajata's Prime Ministership
1963-1973	Field Marshal Thanom Kittikachorn
1973	14 October Massacre
1976	6 October Student Massacre
1980-1988	General Prem Tinsulanonda
1988-1991	General Chatchai Choonhavan
1992	Black May Massacre
1997	Economic Crisis
2001-2006	Thaksin Shinawatra's prime ministership
2006	Coup d'état by the Council for National Security (CNS)
2006-2008	Surayud Chulanont's prime ministership
2008	People's Power Party's electoral victory and Samak Sundaravej became Prime Minister

Appendix 4: Fieldwork Summary

1. Fieldwork I (2005)

Date: October – November 2005 (1 month)

Aims: 1) An initial empirical research aiming for gathering information, data and documents concerning the past and present policies in irregular migration management and related policies; 2) Further research on issues and problems that arise as a result of foreign immigration to Thailand. This information and perspective was gathered from interviews with NGOs.

Research Methods: Documentary research
Secondary data reviewing (policy, working paper and statistics)
Semi-structured interview

Outputs:

1. Policies in irregular migration management, including regulations and practises, will be clarified (by semi-structured interviews with government officials).
2. Clear institutional involvement in irregular migration management framework in Thailand will be produced.
3. Policy documentation, statistics, relevant legislations will be compiled for further analysis.
4. Issues and problems with the government's policies in irregular migration management will be identified (by semi-structured interviews with NGOs and the academia).

Interviewees: Officials from;

Ministry of Labour

National Economic and Social Development Board Officials

Ministry of Interior

Ministry of Foreign Affairs

Ministry of Social Development and Human Security

International Organisation for Migration – Bangkok Office

Questions for the Ministry of Labour officials

1. Under the MOL's policies, who are the irregular migrant workers, what are the implications of the term, and why did the MOL decide to use this term?
2. What are the differences between the irregular migrant workers and other migrants that the Ministry of Interior is responsible? What criteria are used to delineate these populations?
3. What are the MOL roles in irregular migration management policies and which agency is the main authority concerned for the mandate?
4. What are the MOL's policies and plans in the management of irregular migration policies and how these connect and incorporate with other ministries' works?
5. What are the long-term plans for the MOL to manage the irregular migrant workers?
6. How does the MOL evaluate the success of the past policies and what are the obstacles and problems that the MOL has identified?
7. How does the MOL prepare to deal with such arising problems?
8. Is the management of irregular migration a main priority of the MOL? Discuss on the MOL's overall mandate and budget and resources that have been put to the management of irregular migration in comparison to other works

Questions for the Ministry of Interior

1. What are the MOI's roles and policies in irregular migration management, immigration and the management of the hill tribe and ethnic minorities?
2. What are the differences among different groups of migrant populations and ethnic minorities under the MOI's administration and how can the MOL be assured that these are different groups from the irregular migrant workers who are under the MOL's administration?
3. What are the MOI's policy implications in issuing ID cards and Thai citizenship to the ethnic minorities who have remained in Thailand for a long period of time? What are the MOI's (or the Thai government) justifications or rationales for not giving these populations an opportunity to apply for permanent residency or citizenship?
4. As a number of migrants and ethnic minorities in Thailand are regarded as political displaced persons and a number of these people reside in the UNHCR refugee camps, these populations are still regarded as illegal aliens under the Thai law as the Thai government is not a signatory to the 1951 UNHCR refugee convention. What is the Thai government's stance on this, what are the reasons for not signing the convention and does the government have the intention to do so?

5. Racism and ethnic conflicts may have been seen not as a major issue in Thailand. However, since there has been recent religious conflicts in the South, does the MOI, as the main agency dealing with overall domestic peace and security issues in the country, have any measures and strategies in eliminating racial, religious and ethnic conflicts that may arise or worsen?
6. Is the management of irregular migration (or ethnic minorities) a main priority of the MOI?

Questions for the MFA and NESDB

1. What are the roles of your organisation in the management of irregular migration? How does it link to other ministries?
2. What are the main aims and objectives of the GMS economic cooperation policy that the NESDB and MFA are joint administrators? And to what extents, it relates to the management of irregular migration?
3. The GMS economic cooperation's workplan stated that this framework will help to assist the neighbouring countries to reach their full economic potential, which as a result of that would decrease irregular migration of these countries' citizens to Thailand, how your organisation plan to assist these countries successfully, given that the Thai economy is still not stabilised and internal political conflicts, especially in Burma, are still unresolved? And why does Thailand need to assist these countries?
4. How does the GMS economic cooperation policies differ from the promotion of the border trade or the renowned 'change the battlefield to the marketplace' policy of Prime Minister Chatchai during 1980s?
5. Is the management of irregular migration a main priority of the MFA and NESDB?

2. Fieldwork II (2006)

Date: 28 November – 15 December 2006 (3 weeks)

Aims: 1) Further interview officials from (1) Ministry of Labour, (2) Ministry of Foreign Affairs, (3) National Economic and Social Development Board, (4) National Security Office (pending upon permission from the NSO), (5) Ministry of Interior, (6) UNHCR, (7) IOM, and (8) CARE International, Thailand on the alteration of immigration-related policies; 2) the visit to a seafood processing factory in Samutsakorn, in August 2006 investigate the system of wages and the 'piece-rate' system that the factories have been implementing, particularly applied for the migrant workers, not Thai workers. This issue has not been raised in the policies in migration management and apparently, the 'piece-rate' system that most food processing factories utilise does not abide by the Labour Protection Act (1998) that the registered migrant workers are entitled to. This specific issue will be a useful case

study illustrating how the gap between the policies and what is actually happening in practice.

Research Methods: Documentary research

Secondary data reviewing (policy, working paper and statistics)

Semi-structured interview

Summary:

The fieldtrip was taken place in Bangkok, Thailand, with aims to assimilate governmental documentations on the changes and updates on the irregular migration management, foreign relations and citizenship related policies. I have interviewed with officials from 1) Ministry of Labour, 2) Ministry of Foreign Affairs, 3) National Economic and Social Development Board. However, the National Security Office and the Ministry of Interior refused to give the interview providing that the issues regarding the management of irregular migration and citizenship are not directly related to the mandates of their organization. Also, the issues regarding assimilation and ethnic relations are said to be a 'sensitive' subject that involves 'national security' issues. With regard to the current political circumstance of the country, the officials from these agencies refused to provide information claiming that the Thai government's policies regarding this matter are still unclear and pending upon the new constitution.

However, from the interviews and documents gathered from the fieldtrip, it can be concluded that the management of irregular migration in Thailand will be driven by the Memoranda of Understanding between Thailand and the sending countries (Laos, Cambodia and Burma). During 2004 up to the present, the process of recruitment has gradually been transformed into an international arrangement, i.e. the recruitment would be done between the Government of Thailand and the sending countries. This is an endeavour to 'legalise' and 'regulate' the employment of irregular migrant workers as well as to eliminate trafficking in persons. Also, further international relations policies, such as the ACMECS, Great Mekong Subregion economic cooperation framework, Emerald Triangle Cooperation Framework, are launched and initiated by the Thai government aiming to assisting the neighbouring countries to achieve their full economic potential, which as a result, would reduce the incoming of migrant workers to Thailand. With the attempt to 'reduce' the incoming labour migration, the Ministry of Labour's official declared that Thailand does and will increasingly depend on migrant workers to labour shortage industrial sectors, particularly fisheries and food processing. However, it is rather apparent that the migrant workers do not only occupy in these industries, yet an equal number of migrant workers are working in occupations that labour shortages are not proved (by a research conducted by Mahidol University) to exist, such as in garments, construction and housemaids. The underlying rationale behind the management of irregular migration policies (as well as the new MOUs) remains the Thai government's economic survival to reduce the production costs.

Interviews with the academicians working in the issues of irregular migration Thailand appear to be divided into two groups. The first is led by the Thailand Development Research Institute (TDRI), which is the main institution providing

policy recommendation to the Thai government regarding the management of irregular migrant workers. The TDRI has emphasised the importance of migrant workers to the national economy, arguing that labour shortages do exist and Thailand's economy is at stake if the employment of migrant workers ceased. TDRI is currently researching on the possibilities to utilise the levy system in order to push the fee-paying responsibility to employers. The second groups are led by Mahidol University and Thammasat University. Dr. Panthip Kanchanachitra Saisoonthon of Faculty of Law, Thammasat University, expressed her point of views and drawn upon her recent articles regarding citizenship rights of the ethnic minorities in Thailand. The key problem with the management of irregular migration relies on the fact that given the circumstances with political conflicts in the sending countries, particularly Burma, the arrival of irregular migrants will not reduce, yet increase rather substantially as a result of the emerging economic cooperation policies that promotes border trade and tourism. The problem with the management of irregular migration is about the future. The citizenship rights has been a problematic issue in Thailand and with the irregular migrant workers, it will a repetition of past problems with the hill tribe, stateless persons, displaced persons and ethnic minorities groups.

4. Fieldwork III (2007)

Date: July 2007

Aims: As a part of the International Development Research Centre (IDRC)-supported research project on 'Gender, Cross-Border Migrant Workers and Citizenship: a Case Study of the Burmese-Thai Border,' I was invited to present a paper on 'Managing Burmese Migrant Workers: Questions to assimilation and Citizenship Policy in Thailand' at the Workshop on Analysing Linkages between Migrant Workers, Commodity Chains and Regional Development in Mae Sot, on 7 July 2007, at Mae Sot district, Tak province. The visit in Mae Sot was an opportunity to observe the effects of the irregular labour migration management policy on the lives of migrant workers and whether or not the policy really improves the regularisation of migrant worker recruitment system.

Research Methods: Observation

Secondary data reviewing (policy, working paper and statistics)

Semi-structured interview

Appendix 5: Interviews with key informants

Interviews

1. Industrial Managers

I.1 Factory Manager (Food processing factory, Samutsakorn Province). 2006.

Interview with the author on July 2006. Bangkok [Electronic recording in possession of author]

I.2 Factory Manager (Garment factory, Tak Province). 2007. Interview with the author on July 2007. Tak

2. Government officials

MFA 1MFA official. 2006. Interview with the author on 2 December 2006. Bangkok [Electronic recording in possession of author]

MOI1 MOI official. 2006. Interview with the author on 30 November 2006. Bangkok [Electronic recording in possession of author]

MOL1 MOL official. 2004. Interview with the author on 14 July 2004. Bangkok [Electronic recording in possession of author]

MOL1 ---- 2005. Interview with the author on 26 June 2005. Bangkok [Electronic recording in possession of author]

MOL 2 ---- 2006. Interview with the author on 28 November 2006. Bangkok [Electronic recording in possession of author]

MOL 3 -- 2007. Interview with the author on 4 December 2007. Bangkok [Electronic recording in possession of author]

Bibliography

Abe, S. and Srawooth Paitoonpong. 2004. The Thai economy: a picture from the past. *TDRJ Quarterly Review*, December. [online], [Accessed 24 September 2005], Available from World Wide Web: <www.info.tdri.or.th/library/quarterly/text/d04_1.pdf>

Adam, B., U. Beck, and Loon, J. V. 2000. *The risk society and beyond: critical issues for social theory*. London: Sage.

Ageuttant, J.L. 1996. Impact of population on hilltribe development in Thailand. *Asia Pacific Population Journal*. 11 (4), pp.47-72.

Asian Institute of Technology. 2008. *Round table discussion on past and current research on migrant workers in Thailand*. Pathumthani: AIT.

Albritton, Robert B. and Sidthinat Prabudhanitisarn. 1997. Culture, region, and Thai political diversity. *Asian Studies Review*, 21 (1), pp. 61 – 82

Ammar Siamwalla and Orapin Sobchokchai. 1998. *Responding to the Thai economic crisis*. Bangkok: United Nations Development Programme.

Amporn Jirattikorn. 2003. Suriyothai: hybridizing Thai national identity through film. *Inter-Asia Cultural Studies*, 4 (2), pp. 296 – 308.

Anderson, B. 1991. *Imagined communities: reflections on the origin and spread of nationalism*. London: Verso. 1994. Imagined communities. In: Hutchinson, J. and A. D. Smith. (eds.) *Nationalism: a reader*, Oxford: Oxford University Press. pp.89-96.

--- 1994. Imagined communities. In: Hutchinson, J. and A. D. Smith. (eds.) *Nationalism: a reader*, Oxford: Oxford University Press. pp.89-96.

--- 2005. *Under three flags: anarchism and the anti-colonial imagination*. London: Verso.

Anthias, F. and N. Yuval-Davis. 1992. *Racialized boundaries*. London: Routledge.

--- 1994. Women and the nation-state. In: Hutchinson, J. and A. D. Smith. (eds.) *Nationalism: a reader*, Oxford: Oxford University Press. pp.312-316.

Aranya Siriphon. 2006. Local knowledge, dynamism and the politics of struggle: a case study of the Hmong in Northern Thailand. *Journal of Southeast Asian Studies*. 37 (1), pp. 65-81.

Arnason, J. P. 2001. Nations and nationalism: from general theory to comparative history. *Journal of Intercultural Studies*. 22 (1), pp. 79-89.

- Arnold, D. 2007. *Capital expansion and migrant workers: Flexible labor in the Thai-Burma border economy*. Bangkok: Mahidol University.
- Arnold, D. and Hewison, K. 2005. Exploitation in global supply chains: Burmese migrant workers in Mae Sot. *Journal of Contemporary Asia*, 35 (3), pp. 319 - 340.
- Athukorala, P. et al. 2002. *Growth, Employment and Migration in Southeast Asia: structural change in the Greater Mekong Countries*. Cheltenham: Edward Elgar
- Backman, C. 2007. *The Role of Religion in the Insurgency in the South of Thailand*. Ph.D. thesis, Malmö University.
- Baker, C. and Pasuk Phongpaichit. 1998. *Thailand's Boom and Bust*. Bangkok: Silkworm Books.
- 2005. *A history of Thailand*. Cambridge: Cambridge University Press.
- (eds). 2008. *Thai capital: after the 1997 crisis*. Bangkok: Silkworm Books.
- Bangkok Declaration on Irregular Migration, International Symposium on Migration "Towards Regional Cooperation on Irregular/Undocumented Migration," held 21 - 23 April 1999
- Barmé, S. 1993. *Luang Wichit Wathakan and the creation of a Thai identity*. Singapore: Institute of Southeast Asian Studies.
- Batson, B.A. 1984. *The end of the absolute monarchy*. Singapore: Oxford University Press.
- Bauman, Z. 2004. *Identity*. Oxford: Polity.
- 1995. *Life in fragment: essays in postmodern morality*. Oxford: Blackwell.
- 1988. Strangers: the social construction of universality and particularity. *Telos*, 78, pp.7-42.
- Beck, U., A. Giddens, and S. Lash (eds). 1994. *Reflexive modernization: politics, tradition and aesthetics in the modern social order*. Cambridge: Polity.
- Benhabib, S. 2004. *The rights of others: aliens, residents, and citizens*. Cambridge: Cambridge University Press.
- Benmayor, R. and A. Skotnes. (eds). 1994. *Migration and identity*. Oxford: Oxford University Press.
- Benner, E. 1995. *Really existing nationalism: a post-communist view from Marx and Engels*. Oxford: Clarendon Press.

- Billig, M. 1995. *Banal nationalism*. London: Sage.
- Biwas, S. 2002. W(h)ither the nation-state? Nation and state identity in the face of fragmentation and globalisation. *Global Society*, 16 (2), pp. 175-198.
- Black, L. and J. Solomos. 1999. *Theories of race and racism*. New York: Routledge.
- Boonsanong Punyodyana. 1971. Later-Life Socialization and Differential Social Assimilation of the Chinese in Urban Thailand , *Social Forces* 50 (2), pp. 232-238.
- Brettell, C. and Hollifield, J. F. 2000. *Migration theory : talking across disciplines*. London : Routledge.
- Breuilly, J. 1993. *Nationalism and the state*. Manchester: Manchester University Press.
- Brown, D. 1988. From Peripheral Communities to Ethnic Nations: Separatism in Southeast Asia. *Pacific Affairs*, 61 (1), pp. 51-77.
- 1994. *The state and ethnic politics in Southeast Asia*. London : Routledge
- Brown, R. A. 2000. *Chinese big business and the wealth of Asian nations*. Basingstoke: Palgrave.
- 2004. *Labour, politics, and the state in industrializing Thailand*. London: Routledge.
- Busakorn Chantasasawat. 2006. Burgeoning Sino-Thai Relations: Heightening Cooperation, Sustaining Economic Security. *China: an International Journal*, 4 (1), pp. 86-112.
- Caouette T. and Pack , M. 2002. *Pushing Past the Definition: Migration from Burma to Thailand*. Washington: Refugees International and the Burma Project.
- Caouette, T. et al. 2004. *Migrant Domestic Workers: from Burma to Thailand*, Institution of Population and Social Research: Nakorn prathom
- . 2007. Labour migration in the Greater Mekong Sub-region. . [Online], [Accessed 26 July 2008], Available from World Wide Web: http://apmrn.usp.ac.fj/regional_members/LaborMigration%20in%20GMS.pdf
- Carl, Grudy-Warr. 1994. Coexistent borderlands and intra-state conflicts in mainland Southeast Asia. *Singapore Journal of Tropical Geography*, 14 (1), pp.42-57.
- Castells, M. 1997. *The power of identity*. Oxford: Blackwell.
- Castles, S. and Miller, M. J. 1998. *The age of migration : international population movements in the modern world*. London : Macmillan.

Castles, S. 2005. Nation and Empire: Hierarchies of citizenship in the new global order. *International Politics*, 42, pp.203-24.

Central Intelligence Agency (CIA). 2007. *The World Factbook*. [online], [Accessed 24 September 2005], Available from World Wide Web:
<<https://www.cia.gov/library/publications/the-world-factbook/>>

Cesarani, D. and Fulbrook, M. 1996. *Citizenship, nationality, and migration in Europe*. London: Routledge.

Chai-anan Samudavanija. 2002. State-identity creation, state-building and civil society. In: C.J. Reynolds, (ed). *National identity and its defenders: Thailand today*. Chiangmai: Silkworm books.

2002. *Thailand : state-building, democracy, and globalization*. Bangkok, Thailand : Institute of Public Policy Studies.

Chairat Charoensin-o-larn. 1988. *Understanding postwar reformism in Thailand: a reinterpretation of rural development*. Duangkamol: Bangkok

Chaiwat Satha-Anand. 1998. The politics of Cultural Citizenship: a second look at 'Buddhist Cultural Tradition and the Politics of National Identity in Thailand. In: Dominguez, V.R. and Wu, D.Y.H. *From Beijing to Port Moresby: the politics of national identity in cultural policies*. Routledge: London.

--- 2004. Praying in the rain: the politics of engaged Muslims in anti-war protest in Thai society. *Global Change, Peace & Security*, 16 (2), pp. 151 – 167.

--- 2005. *The life of this world: negotiated Muslim lives in Thai society*. Singapore: Marshall Cavendish.

Chalian, G. (ed) 1989. *Minority peoples in the age of nation-states*. London: Pluto.

Chalongphob Sussangkarn, F. Flatters and S. Kittiprapas. 1999. Comparative Social Impacts of the Asian Economic Crisis in Thailand, Indonesia and Malaysia. *TDR Quarterly Review*, 14 (1), pp. 3-9

Chan Kwok Bun and Tong Chee Kiong. 1993. Thinking Assimilation and Ethnicity: The Chinese in Thailand. *International Migration Review*, 27 (1), pp. 140-168.

--- (eds.) 2001. *Alternate identities: the Chinese of contemporary Thailand*. Singapore: Times Academic Press.

Chānwit Kasētsiri. 2005. *Čhāk Sayām pen Thai nām nan samkhan chanai?*. Krung Thēp : Matichon.

Chataway, J. et al. 1998. *Finding out fast: investigative skills for policy and development*. London: Sage.

Chayan Vaddhanphuti *et al.* 2002. State-making, contested spaces and identification. [online]. [Accessed 24th October 2007], Available from World Wide Web: <<http://www.yale.edu/seacrn/CRNTHAIpros.doc>>

Chayan Vaddhanphuti. 2005. The Thai State and ethnic minorities: from assimilation to selective integration. In: Kusuma Snitwongse and W. Scott Thompson. *Ethnic conflicts in Southeast Asia*. [Bangkok], Thailand : Institute of Security and International Studies, Chulalongkorn University.

Cheah, Yan-Chong. 2005. "Khon Thai" maichai "Khon Thai" t̄æ p̄n khr̄ayāt chāt phāsā : rūam khwām̄rū "Thaisuksā" khōng "sātsatrāchān sōng phāendin". Krung Thēp : Matichon

Chetana Nagavajara. 1993. "Unsex Me Here": An Oriental's Plea for Gender Reconciliation. *Silpakorn University Journal*. 12 (special issue), pp. 250-68.

Cheyroux, B. 2003. Fruits and vegetables in Thailand's rice bowl: the agricultural development of poldered raised bed systems in Damnoen Saduak area. [online]. [Accessed 24th October 2007], Available from World Wide Web: <http://std.cpc.ku.ac.th/delta/conf/Acrobat/Papers_Eng/Volume%202/Cheyroux.pdf>

Chirot, D. and Reid, A. 1997. *Essential outsiders: Chinese and Jews in the modern transformation of Southeast Asia and Central Europe*. London: University of Washington.

Chit Phumisak (ed.) 1976. *Kuam pem ma khong kham Siam, Laos, and Khom lae laksana thang sangkom khong chonchat*. Bangkok: Kungsayam Printing House.

Chua, A. 2004. *World on fire : how exporting free market democracy breeds ethnic hatred and global instability*. London: Arrow.

Chupinit Kesmanee. 1994. Dubious Development Concepts in the Thai Highlands: The Chao Khao in Transition. *Law & Society Review*, 28 (3), pp. 673-686.

--- 1989. The poisoning effect of a lovers triangle. Highlanders, opium and extension crops, a policy overdue for review. In: McKinnon, John; Bernard Vienne (eds.). *Hill tribes today*. Bangkok: Golden Lotus.

--- 1998. Hilltribe Relocation Policy in Thailand. *Cultural Survival*, 12 (4), pp.2-6.

Clark, C. and Chan, S. (eds.) 1992. *The evolving Pacific Basin in the global political economy: domestic and international linkages*. London: Lynne Rienner.

Cohen, P. (ed). 1989. *The symbolic construction of community*. London: Routledge.

--- 1999. *New ethnicities, old racism?* London: Zed Books.

- Cohen, E. 1989. Citizenship, nationality and religion in Israel and Thailand. In: Kimmerling, B. *The Israeli State and Society: Boundaries and Frontiers*. New York: SUNY.
- 1991. *Thai society in comparative perspective: collected essays*. Bangkok: White Lotus.
- 2001. *Thai tourism: hill tribes, islands, and open-ended prostitution: collected papers*. Bangkok: White Lotus Press.
- Cohen, P.T. and Pearson, R.E. 1998. Communal Irrigation, State and Capital in the Chiang Mai Valley (Northern Thailand): Twentieth-Century Transformations. *Journal of Southeast Asian Studies*. 29 (1), pp. 86-11.
- Connors, M. K. 2002. *Democracy and national identity in Thailand*. London: Routledge.
- 2003. Goodbye to the security state: Thailand and ideological change. *Journal of Contemporary Asia*. 33 (4), pp.431-448.
- 2005. Thailand: the Facts and F(r)ictions of Ruling. In: *Southeast Asian Affairs*. Singapore: ISEAS.
- Coxhead, I. and Jiraporn Plangpraphan. 1999. Economic boom, financial bust, and the decline of Thai agriculture: Was growth in the 1990s too fast? *Chulalongkorn Journal Of Economics* [online]. 11 (1), [Accessed 21st January 2008] Available from World Wide Web: <http://aae.wisc.edu/coxhead/papers/CJE.pdf/>
- Craig, R. 1987. *Thai radical discourse: the real face of Thai feudalism today*. Ithaca: Cornell University.
- (ed). 2003. National identity and its defender: Thailand today. Chiang Mai: Silkworm.
- Damrong Rajanubhab. 2001. *The chronicle of our wars with the Burmese: hostilities between Siamese and Burmese when Ayutthaya was the capital of Siam*. Bangkok: White Lotus.
- Darling, F.C. 1970. The Evolution of Law in Thailand. *The Review of Politics*. 32 (2), pp. 197-218
- Dawisha, A. 2002. Nation and nationalism: historical antecedents to contemporary debates. *International Studies Review*, 4 (1), pp. 3-22.
- Day, G. and A. Thompson. 2004. *Theorizing Nationalism*. New York: Palgrave Macmillan.
- Delang, C.O. 2003. *Living at the Edge of Thai Society: the Karen in the highlands of northern Thailand*. London : RoutledgeCurzon.

- Derichs, C. and Heberer, T. 2006. Introduction: Diversity of Nation-building in East and Southeast Asia. *European Journal of East Asian Studies*, 5 (1), pp. 1-13.
- Dessaint, A. Y. 1971. Lisu Migration in the Thai Highlands. *Ethnology*, 10 (3), pp. 329-348.
- Dessaint, W. and Dessaint, A. 1982. Economic systems and ethnic relations in Northern Thailand. In: Walker, A. R. ed. 1992. *The highland and heritage: collected essays on Upland North Thailand*. Singapore: Suvarnabhumi Books.
- Dixon, C. 1998. *The Thai economy: uneven development and internationalisation*. New York: Routledge.
- Dominguez, V.R. and Wu, D.Y.H. 1998. *From Beijing to Port Moresby: the politics of national identity in cultural policies*. Routledge: London.
- DSDW. 2005. *DSDW 2005: Annual Report*. Bangkok: DSDW.
- Duncan, C. R. (ed). 2004. *Civilizing the margins: Southeast Asian government policies for the development of minorities*. Ithaca: Cornell University Press.
- Dwyer, P. 2004. *Understanding social citizenship: themes and perspectives for policy and practice*. Bristol: The Polity Press.
- Eade, J. 1997. *Living the global city: globalization as local process*. London: Routledge. [online]. [Accessed 21st January 2008] Available from World Wide Web: <http://aae.wisc.edu/coxhead/papers/CJE.pdf/>
- ESCAP. 2002. A note on unemployment in the wake of the Asian economic crisis and some responses.
- Falkus, M. 1995. Thailand industrialization: an overview. In: Medhi Krongkeaw. *Thailand's industrialization and its consequences*. Houndmills: Macmillan, pp. 13-32
- Faist, T. 2000. *The volume and dynamics of international migration and transnational spaces*. Oxford: Oxford University Press
- Featherstone, M. 1990. *Global culture: nationalism, globalization and modernity: a theory, culture & society special issue*. London: Sage.
- Feeny, D. 1989. The Decline of Property Rights in Man in Thailand, 1800-1913 *The Journal of Economic History*, 49 (2), pp. 285-296.
- Ferquist, J, 2005. The flight of Lao war captives from Burma back to Laos in 1596: a comparison of historical sources, *SOAS Bulletin of Burma Research*, 3 (1), pp. 41-68.
- Findlay, A, and Li, F. L. 1999. Methodological Issues in Researching Migration *The Professional Geographer*, 51 (1),pp. 50–59

- Fitzgerald, C.P. 1965. *The third China: the Chinese communities in Southeast Asia*. London: Publications Centre.
- Frey, M., R. Pruessen and Tan Tai Yong. (eds.) 2003. *The transformation of Southeast Asia: international perspectives on decolonization*. Armonk: M.E. Sharpe.
- Gans, C. 2003. *The limits of nationalism*. Cambridge: Cambridge University Press.
- Garth, A. 1973. *Silent invasion: the Chinese in Southeast Asia*. London: Macdonald.
- Geertz, C. 1963. The integrative revolution: Primordial sentiments and civil politics in the new states. In: Clifford Geertz (ed.), *Old Societies and New States: the Quest for Modernity in Asia and Africa*. New York: Free, pp.105–119.
- Gellner, E. 1983. *Nations and Nationalism*. Oxford: Blackwell
- 1994. Nationalism and modernization. In: Hutchinson, J. and A. D. Smith. (eds.) *Nationalism: a reader*, Oxford: Oxford University Press. pp.55-63.
- 1994. Nationalism and high cultures. In: Hutchinson, J. and A. D. Smith. (eds.) *Nationalism: a reader*, Oxford: Oxford University Press. pp.63-70.
- 1997. *Nationalism*. London: Weidenfeld & Nicolson.
- Giddens, A. 1985. *The nation-state and violence*. Cambridge: Polity Press.
- 1990. *The Consequences of modernity*. Cambridge: Polity
- 1991. *Modernity and self-identity: self and society in the late modern age*. Cambridge: Polity.
- 1997. *Nationalism*. London: Phoenix.
- Girling, J. 1981. *Thailand: society and politics*. London: Cornell University Press.
- Glassman, J. 2004. Economic "Nationalism" in a post-nationalist era - The political economy of economic policy in post-crisis Thailand. *Critical Asian Studies*. 36 (1), pp.37-46
- Goldberg, D. 1993. *Racist culture*. Oxford: Blackwell.
- Gramsci, A. 2006. Hegemony, intellectual and the state. In: John Storey. *Cultural Theory and Popular Culture: A Reader*. London: Pearson.
- Gritsch, M. 2005. The nation-state and economic globalization: soft geo-politics and increased state autonomy. *Review of International Political Economy*, 12 (1), pp.1-25.

Guéhenno, J.M. 2000. *The end of the nation-state*. Minneapolis : University of Minnesota Press.

Guibernau, M. 1999. *Nations without states: political communities in a global age*. Malden: Blackwell Publishers.

Hall, S. 1991. Old and new identities, old and new ethnicities. In: King, A. (ed). *Culture, globalization and the world system*. Basingstoke: Macmillan.

--- 1998. *The state of the nation: Ernest Gellner and the theory of nationalism*. Cambridge: Cambridge University Press.

Hall, S. and Paul Du Gay. (eds). 1996. *Questions of cultural identity*. London: Sage.

Halvorsen, R. 1995. Fiscal incentives for investment in Thailand. In: Anwar Shah. ed. *Fiscal incentives for investment and innovation*. Oxford: Oxford University Press, pp.399-436

Hamilton-Hart, N. 2000. Thailand and Globalization. In: Samuel S. Kim. *East Asia and Globalization*, New York: Rowman & Littlefield Publishers, pp.187-208

Hedman, E.L.E. 2001. Contesting state and civil society: Southeast Asian Trajectories. *Modern Asian Studies*, 35 (4), pp. 921-951

Heidhues, S. 2000. *Southeast Asia: a concise history*. London: Thames & Hudson

Helleiner, E. and A. Pickel (eds.) 2005. *Economic nationalism in a globalizing world*. Ithaca : Cornell University Press.

Hernandez, C.G. and Tigno, J.V. 1995. ASEAN labour migration: Implications for regional stability. *The Pacific Review*, 8 (3), pp.544-557.

Hewison, K. 1989. *Bankers and Bureaucrats: capital and the role of the state in Thailand*. New Haven: Yale University Southeast Asia Studies.

--- 2005. New-liberalism and domestic capital: the political outcomes of the economic crisis in Thailand. *The Journal of Development Studies*. 40 (2), pp.310-330.

Higham, C. and Rachanie Thosarat. 1998. *Prehistoric Thailand: from early settlement to Sukhothai*. London: Thames and Hudson.

Hill, Alex Maxwell. 1988. *Merchants and migrants: ethnicity and trade among Yunnanese Chinese in Southeast Asia*. New Haven: Yale University Southeast Asian Studies.

Hillier, B. 1984. *The social logic of space*. Cambridge: CUP.

- Hindley, D. 1968. Thailand: the politics of passivity. *Pacific Affairs*, 41 (3), pp. 355-371.
- Hinton, A. 2006. Khmerness and the Thai 'Other': Violence, Discourse and Symbolism in the 2003 Anti-Thai riots in Cambodia. *Journal of Southeast Asian Studies*. 37 (3), pp. 445-468.
- Hillier, B. 1984. *The social logic of space*. Cambridge: CUP.
- Ho, K.C. and So. A. 1997. Semi-periphery and borderland integration: Singapore and Hong Kong experiences. *Political Geography*. 16 (3), pp. 241-25.
- Hobsbawm, E. 1990. *Nations and Nationalism since 1780: Programme, myth, reality*. Cambridge: Cambridge University Press.
- 1994. The nation as invented tradition. In: Hutchinson, J. and A. D. Smith. (eds.) *Nationalism: a reader*, Oxford: Oxford University Press. pp.76-83.
- Hollway, W. 1989. *Subjectivity and method in psychology: gender, meaning and science*. London: Sage.
- Horstmann, A. 2002. *Class, culture and space: the construction and shaping of communal space in South Thailand*. London: Verlag.
- Hosking, G. and G. Schopflin. (eds). 1997. *Myths and nationhood*. London: Hurst.
- Huguet, J.W. and Sureeporn Punpuing. 2005. *International Migration in Thailand*. Bangkok: IOM.
- Hutchinson, J. and A. D. Smith. (eds.) 1994. *Nationalism: a reader*. Oxford: Oxford University Press
- 2000. *Nationalism: Critical Concepts*.
Oxford: Oxford University Press
- Hutchinson, J. 1987. Cultural nationalism and moral regeneration. In: J. Hutchinson and A. D. Smith. (eds.) 1994. *Nationalism: a reader*. Oxford: Oxford University Press
- 2000. Ethnicity and modern nation. *Ethnic and Racial Studies*, 23 (4), pp.651-669.
- I
- Ingram, J. C. 1955. *Economic change in Thailand since 1850*. Stanford: Stanford University Press.
- Ignatieff, M. 1994. *Blood and belonging: journeys into the new nationalism*. London: Vintage

--- 1984. *The needs of strangers*. London: Chatto & Windus.

IOM. 2004. *Glossary on Migration*. [Accessed 17 April 2005]. Available from World Wide Web:

<http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published_docs/serial_publications/Glossary_eng.pdf>

IPSR. 2008. Glossary of Terms in Population and Social Research. [Accessed 17 April 2008]. Available from World Wide Web: <<http://www.popterms.mahidol.ac.th/popterms/framemean.htm>>

Islam, S. M. 1998. The Islamic Independence Movements in Patani of Thailand and Mindanao of the Philippines. *Asian Survey*. 38 (5), pp. 441-456.

--- 2003. Labelling tribals: forming and transforming bureaucratic identity in Thailand and Indonesia in a historical setting. [Accessed 17 April 2005]. Available from World Wide Web: <http://grad.usask.ca/gateway/art_Islam_spr_03.pdf>

Isin, E. F. and Turner, B. (eds). 2002. *Handbook of Citizenship Studies*. London: Sage.

Jackson, P.A. 2004. The performative state: semi-coloniality and the tyranny of images in modern Thailand. *SOJOURN: Journal of Social Issues in Southeast Asia*, 19 (2), pp. 219-253

Jamaree Chiengthong. 2003. The politics of ethnicity, indigenous culture and knowledge in Thailand, Vietnam and Lao PDR. [online]. [Accessed 17 October 2007], Available from World Wide Web: <http://www.rockmekong.org/pubs/Year2003/social/06_jamaree.PDF>

James, P. 2006. Globalism, nationalism, tribalism: bringing theory back in. London: Sage.

Janoski, T. and Gran, B. 2002. Political citizenship: foundations of rights. In: Isin, E. F. and Turner, B. (eds). 2002. *Handbook of Citizenship Studies*. London: Sage.

Jenkins, R. 1995. Nations and nationalisms: towards more open models. *Nations and Nationalism*, 1 (3), pp. 369-90.

Jenkins, R. 2004. *Social identity*. London: Routledge.

Jonsson, H. 2004. Mien Alter-Natives in Thai Modernity. *Anthropological Quarterly*, 77 (4), pp. 673-704

Jory, P. 2001. The King and us: representations of monarchy in Thailand and the case of Anna and the King. *International Journal of Cultural Studies*. 4 (2), pp. 201-218.

--- 2003. Problems in Contemporary Thai Nationalist Historiography. [online], [Accessed 31 January 2007]. Available from World Wide Web: <http://kyotoreview.cseas.kyoto-u.ac.jp/issue/issue2/article_251.html>

--- 2006. Religious labelling: from 'Patani Malayu' to 'Thai Muslim.' *ISIM Review*, 18, pp.42-43. [online], [Accessed 31 January 2007]. Available from World Wide Web: <http://www.isim.nl/files/Review_18/Review_18-42.pdf>

Joseph, J. 2002. *Hegemony: a realist analysis*. London: Routledge.

Kahn, J. S. 1998. *Southeast Asian identities: culture and the politics of representation in Indonesia, Malaysia, Singapore, and Thailand*. Singapore: Institute of Southeast Asian Studies.

Kammerer, C. 1998. Of Labels and Laws: Thailand's Resettlement and Repatriation Policies. *Cultural Survival*, 12 (4), pp.7-12.

Kasian Tejapira. 2001. *Commodifying Marxism: the formation of modern Thai radical culture 1927-1958*. Kyoto: Kyoto University Press.

--- 2002. Post-Crisis economic impasse and political recovery in Thailand: the resurgence of economic nationalism. *Critical Asian Studies*, 34 (3), pp. 323-356.

Katzenstein, P. J. (ed) 1996. *The culture of national security: norms and identity in world politics*. New York: Columbia University Press.

Keith, M. and S. Pile (eds). 1993. *Place and the politics of identity*. London: Routledge.

Kennedy, P. and Danks, C. J. 2001. *Globalization and national identities: crisis or opportunity?*. Basingstoke: Palgrave.

Keyes, C. F. 1966. Symposium on Northeast Thailand: ethnic Identity and Loyalty of Villagers in Northeastern Thailand. *Asian Survey*, 6 (7) pp. 362-369.

--- 1979. *Ethnic adaptation and identity: the Karen on the Thai frontier with Burma*. Philadelphia: Institute of the Study of Human Issues.

--- 1987. *Thailand : Buddhist kingdom as modern nation-state*. London: Westview.

--- 2002. Presidential Address: "The Peoples of Asia"-Science and Politics in the Classification of Ethnic Groups in Thailand, China, and Vietnam. *The Journal of Asian Studies* [online]. 61 (4), p. 1163-1203.

Kritaya Archavanitkul. 1998. *An Overview of Transnational Migration in Thailand: Policy and Areas of Research*. Nakorn Phrathom: Institute of Population and Social Research, Mahidol University.

- Kritiya Archavanitkul and Pornsuk Kedsawang. 1997. *Migrant Women from Thailand's Neighbouring Countries in Thailand's Commercial Sex Trade*. Nakorn Phrathom: Institute of Population and Social Research, Mahidol University [in Thai].
- Kritiya Archavanitkul and Panthip Kanchanachitra-Saisoonthon. 2005. *Questions and challenges to the Thai Government's policy for the migrant workers' health and their rights*. Nakorn Phrathom: Institute of Population and Social Research, Mahidol University [in Thai].
- Krai Yudht Dhiratayakinant. 1995. Public - Private Sector Partnership in Industrialization. In: Medhi Krongkeaw. *Thailand's industrialization and its consequences*. New York: St. Martin's Press.
- Knowles, C. 1992. *Race, discourse and labourism*. London: Routledge.
- Kohn, H. 1962. *The age of nationalism: the first era of global history*. New York: Harper and Row.
- Kolstø, P. 2006. National symbols as signs of unity and division. *Ethnic and Racial Studies*, 29 (4), pp. 676 - 701
- Koser, K. 2005. Irregular migration, state security and human security. [online], [Accessed 31 January 2007]. Available from World Wide Web: <<http://www.gcim.org/attachements/TP5.pdf>>
- Kulick, E. and Wilson, D. 1992. *Thailand's turn: profile of a new dragon*. Basingstoke : Macmillan.
- Kullada Kesbooncho Mead. 2004. *The rise and decline of Thai absolutism*. London: Routledge.
- Kusuma Snitwongse and W. Scott Thompson. 2005. *Ethnic conflicts in Southeast Asia*. [Bangkok], Thailand : Institute of Security and International Studies, Chulalongkorn University.
- Kymlicka, W. 2005. *Multiculturalism in Asia*. Oxford: Oxford University.
- Lauridsen, L. S. 1998. The Financial Crisis in Thailand: causes, conduct and consequences?. *World Development*. 26 (8), pp.1575-1591.
- 2002. Struggling with globalisation in Thailand: Accumulation, learning or market competition. *Southeast East Asia Research*, 10 (2), pp.155-183.
- Lawler, J. 1996. Diversity issues in South-East Asia: the case of Thailand. *International Journal of Manpower*. 17 (4/5), pp. 152-167.
- Lawler, J. J. and Chokechai Suttawet. 2000. Labour Unions, Globalization and Deregulation in Thailand. *Asia Pacific Business Review*, 6 (3/4), pp. 214-238.

- Lears, T.J.J. 1985. The concept of hegemony: problems and possibilities. *The American Historical Review*. 90 (3), pp. 567-93.
- Leerssen, J. 2006. Nationalism and the Cultivation of Culture. *Nations and Nationalism*, 12 (3), pp. 559–578.
- Lefebvre, H. 1996. *The production of space*. Oxford: Blackwell.
- LePoer, B. 1987. *Thailand: a country study*. [online], [Accessed 4 September 2005]. Available from World Wide Web: <<http://lcweb2.loc.gov/frd/cs/thtoc.html>>
- Li, F.L.N. *et al.* 1995. Discourse on migration and ethnic identity: interviews with professionals in Hong Kong. *Transactions of the Institute of British Geographers*. 20 (3), pp. 342-359.
- Liow, J.C. 2006. *Muslim Resistance in Southern Thailand and Southern Philippines: Religion, Ideology, and Politics*. Washington: East-West Center.
- Lindblad, J.T. 2003. The economic impact of decolonization in Southeast Asia: Economic nationalism and Foreign Direct Investment, 1945-1965. In: M. Frey, R. Pruessen and Tan Tai Yong. (eds.). *The transformation of Southeast Asia: international perspectives on decolonization*. Armonk: M.E. Sharpe.
- Lister, R. 1997. Citizenship: towards a feminist synthesis. *Feminist Review*, 57 (1), pp.28-48
- LOC. 2008. Glossary – Thailand. [online], [Accessed 7 December 2007]. Available from World Wide Web: <http://lcweb2.loc.gov/frd/cs/thailand/th_glos.html>
- Maiz, R. 2003. Framing the nation: three rival versions of contemporary nationalist ideology. *Journal of Political Ideologies*, 8 (3), pp.251-267.
- Mackerras, C. 2003. *Ethnicity in Asia: a comparative introduction*. London: Routledge Curzon.
- Manning, C. 2002. Structural Change, Economic Crisis and International Labour Migration in East Asia. *The World Economy*, 25 (3), pp. 359–385.
- MAP. 2008. Details of registration policies. [online], [Accessed 4 January 2008]. Available from World Wide Web: <http://www.mapfoundationcm.org/news/detailof_re96_08.html>
- Marsden, W. E. 2000. 'Poisoned history': a comparative study of nationalism, propaganda and the treatment of war and peace in the late nineteenth and early twentieth century school curriculum. *History of Education*, 29 (1), pp. 29 – 47.
- Martin, D. (ed.). 1986. *The New Asylum Seekers: Refugee Law in the 1980s*. Martinus Nijhoff Publishers : The Netherlands

Martin, P. 2003. *Thailand: improving management of foreign workers*. Bangkok: International Labour Office and International Organisation for Migration.

---. 2007. *The economic contribution of migrant workers to Thailand: Towards policy development*. Bangkok: International Labour Office and International Organisation for Migration.

Marx, A. W. 2003. *Faith in nation: exclusionary origins of nationalism*. New York: Oxford University Press.

---. 2002. The nation-state and its exclusions. *Political Science Quarterly*, 17 (1), pp.103-126.

Massey, D. et al. 1997. Migration theory, ethnic mobilization and globalization. In: Guibernau, M. and Rex, J. (eds.). *The ethnicity reader: nationalism, multiculturalism and migration*. Oxford: Blackwell

Mayer, S. 1998. Critical issues in using data. In: Chataway, J. et al. *Finding out fast: investigative skills for policy and development*. London: Sage.

McCargo, D. 2004. Buddhism, democracy and identity in Thailand, *Democratization*, 11 (4), pp.155 – 170

--- (ed.). 2007. *Rethinking Thailand's Southern Violence*. Singapore: NUS press.

McCargo, D. and Ukrist Pathmanand. 2005. *The Thaksinization of Thailand*. Copenhagen: NIAS.

McKinnon, J. and Vienne, B. 1989. *Hilltribes today: problems in change*. Bangkok: White Lotus-Orstom.

Medhi Krongkeaw. 1995. *Thailand's industrialization and its consequences*. New York: St. Martin's Press.

Medhi Krongkeaw et al. 2006. Economic growth, employment, and poverty reduction linkages: the case of Thailand. [online], [Accessed 8 October 2008]. Available from World Wide Web:

<<http://www.ilo.org/public/english/employment/recon/poverty/download/disc20.pdf>>

Miles, R. 1989. *Racism*. London: Tavistock.

Miller, D. 2000. *Citizenship and national identity*. Cambridge: Polity.

Miller, T. 2002. Cultural Citizenship. In: Isin, E. F. and Turner, B. (eds). 2002. *Handbook of Citizenship Studies*. London: Sage.

Ministry of Culture. 2008. Ministry of Culture Website. [online], [Accessed 4 January 2008]. Available from World Wide Web: <<http://www.m-culture.go.th>>

MFA. 2005. The Greater Mekong Subregion (GMS) Program. [online], [Accessed 4 January 2008]. Available from World Wide Web: <<http://www.mfa.go.th/web/1252.php>>

--- 2007. Ayeyawady-Chao Phraya-Mekong Economic Cooperation Strategy (ACMECS). [online], [Accessed 4 January 2008]. Available from World Wide Web: <<http://www.mfa.go.th/web/1657.php?id=1172>>

MOL. 2003. *Irregular migrant workers registration exercises report 2000-2003*. Bangkok: MOL.

--- 2004. *Yearbook of Employment Statistics*. Bangkok: Ministry of Labour.

--- 2006. *Yearbook of Employment Statistics*. Bangkok: Ministry of Labour.

--- 2008. Minimum wage 2008. [online], [Accessed 4 January 2008]. Available from World Wide Web: <http://eng.mol.go.th/statistic_01.html>

Morley, D., Chen, K.-H. and Hall, S. (1996) *Stuart Hall : critical dialogues in cultural studies*, London: Routledge.

Mortimer, E. and R. Fine. 1999. *People, nation and state: the meaning of ethnicity and nationalism*. London: I.B. Tauris.

Morris, L. 1994. *Dangerous classes: the underclass and social citizenship*. London: Routledge.

Motonishi, T. 2006. Why has income inequality in Thailand increased?: an analysis using surveys from 1975 to 1998. *Japan and the World Economy*, 18 (4), pp. 464-487.

Mukherjee, C. and Wuyts, M. 1998. Thinking with Quantitative Data. In: Chataway, J. et al. *Finding out fast: investigative skills for policy and development*. London: Sage.

Mulder, N. 1997. *Thai images: the culture of the public world*. Chiang Mai: Sikworm Books.

Muscat, R.J. 1994. *The fifth tiger : a study of Thai development policy*. Helsinki, Finland : United Nations University Press.

Nairn, T. 1997. *Faces of nationalism: Janus revisited*. London: Verso.

Nakano, T. 2007. Alfred Marshall's economic nationalism. *Nations and Nationalism*, 13 (1), pp.57-76.

Neher, C.D. (ed.) 1978. *Modern Thai politics: from village to nation*. Cambridge: Schenkman.

- NESDB. 2003. Poverty in Thailand 2002. [online], [Accessed 8 October 2008], Available from World Wide Web: <http://poverty.nesdb.go.th/poverty_new/doc/news/wachat_20031112085802.ppt>
- Nipon Paopongsakorn and Somkiat Tangkitvanich. 2001. Industrial restructuring in Thailand: a critical assessment. [online], [Accessed 24 September 2005], Available from World Wide Web: <http://www.tcf.or.jp/data/20000127-28_Nipon_Poapongsaorn_-_Somkiat_Tangkitvanich.pdf>
- NSO official. 2005. Interview with the author on 30 November 2005. Bangkok [Electronic recording in possession of author]
- Nyo, Nyo. 2001. Burmese Children in Thailand: Legal Aspects. Legal issues on Burma on Burma Journal. 10, [online], [Accessed 24 September 2005], Available from World Wide Web: <<http://www.burmalibrary.org/docs/LIOB10-NyoNyo.htm>>
- Ogena, N. B. 1997. Globalization with equity: policies for growth in Thailand. Nakhon Pathom: Mahidol University.
- O'Laughlin, B. 1988. Interpreting institutional discourses. In: Chataway, J. *et al.* *Finding out fast: investigative skills for policy and development*. London: Sage.
- Owen, N.G. 2005. *The emergence of modern Southeast Asia: a new history*. Honolulu: University of Hawaii Press.
- Özirimli, U. 2005. *Contemporary Debates on Nationalism: a Critical Engagement*. Basingstoke: Palgrave Macmillan.
- Panthip Kanchanachitra-Saisoonthon. 2006. Development of concepts of nationality and the efforts to reduce statelessness in Thailand. *Refugee Survey Quarterly*, 25 (3), pp.40-53.
- Papastergiadis, N. 2000. *The turbulence of migration : globalization, deterritorialization, and hybridity*. Cambridge: Polity Press.
- Parnwell, M. (ed.). 1996. *Uneven development in Thailand*. Aldershot : Avebury.
- Parnwell, M. and Arghiros, D. 1996. Introduction: Uneven development in Thailand. In: Parnwell, M. (ed.). *Uneven development in Thailand*. Aldershot : Avebury.
- Pasuk Phongpaichit. 2000. Civilising the state: State, civil society and politics in Thailand. *Watershed* 5 (2), pp. 20-27.
- Pavin Chachavalpongpun. 2005. *A plastic nation: the curse of Thainess in Thai-Burmese relation*. Lanham: University of America.
- Peleggi, M. 2002. *Lords of things: the fashioning of the Siamese monarchy's modern image*. Honolulu : University of Hawaii Press.

Phya Anuman Rajadhon. 1963. *Thai traditional salutation*. Bangkok: Fine Arts Department.

Pfaff, W 1993. *The wrath of nations: civilization and the furies of nationalism*. New York: Simon & Schuster.

Pim Koetsawang. 2001. *In search of sunlight: Burmese migrant workers in Thailand*. Bangkok: Orchid Press.

Pinkaew Laungaramsri. 2003. 9 Ethnicity and the politics of ethnic classification in Thailand. In: Mackerras, C. *Ethnicity in Asia: a comparative introduction*. London: Routledge Curzon.

--- 2006. Women, nation and the ambivalence of subversive identification along the Thai-Burmese border. *SOJOURN: Journal of Social Issues in Southeast Asia*, 21 (1), pp. 68-89.

Pisit Leeahtam. 1991. *From crisis to double digit growth: Thailand's economic adjustment in the 1980s*. Bangkok: Dokya.

Piyanuj Ratprasatporn and Kobkit Thienpreecha. 2002. Foreign investment in Thailand: review of the current legislative regime. [online], [Accessed 10 January 2007], Available from World Wide Web: <http://www.boi.go.th/english/download/business_analysis/26/foreign-investment-laws.pdf>

Piyasiri Wickramasekera. 2002. Asian Labour Migration: Issues and Challenges in an Era of Globalization. [online], [Accessed 24 September 2005], Available from World Wide Web: <<http://www.ilo.org/public/english/protection/migrant/download/imp/imp57e.pdf>>

Phonphimon Trichot. 2005. *Rai Phndin : Senthang chak Phama Su Thai a Journey of Ethnic Minority*. Bangkok: Chulalongkorn University Press.

Rapport, N. 1995. Migrant selves and stereotypes. In: Pile, S. and N. Thrift. *Mapping the subject: geographies of cultural transformation*. London: Routledge.

Reicher, S. and Hopkins, N. 2001. *Self and nation : categorization, contestation, and Mobilization*. London: Sage.

Reinhardt, N. 2000. Back to Basics in Malaysia and Thailand: The Role of Resource-Based Exports in Their Export-Led Growth. *World Development*. 28 (1), pp. 57-77.

Renard, D.R. 2000. The differential integration of Hill people into the Thai state. In: Turton, A. *Civility and savagery: social identity in Tai states*. London: Routledge.

--- 2006. Creating the Other Requires Defining Thainess against Which the Other Can Exist: Early-Twentieth Century Definitions. *Southeast Asian Studies*. 44 (3), pp. 295-320.

Reynolds, C. J. and Hong Lysa. 1983. Marxism in Thai Historical Studies. *The Journal of Asian Studies*. 43 (1), pp. 77-104.

Reynolds, C. J. 1987. Thai radical discourse: the real face of Thai feudalism today. Ithaca: Cornell University.

--- 2001. Globalisers vs Communitarians: Public Intellectuals Debate Thailand's Futures. *Singapore Journal of Tropical Geography*. 22 (3), pp. 252–269.

--- 2002. *National identity and its defenders: Thailand today*. Chiangmai: Silkworm books.

Rigg, J. 2003. Exclusion and embeddedness: the Chinese in Thailand and Vietnam. In: Ma, Laurence J.C. and C. Cartier. (eds.). *The Chinese diaspora : space, place, mobility, and identity*. Lanham : Rowman & Littlefield.

Robert, M. 1966. Development strategy in Thailand: a study of economic growth. New York: Praeger.

Robinson, R. 1989. Structures of power and the industrialisation process in Southeast Asia. *Journal of Contemporary Asia*. 19 (4), pp. 371-397.

Robinson, W. 2004. Thailand : Background Paper on Human Rights, Refugees and Asylum Seekers. [online], [Accessed 24 September 2007], Available from World Wide Web: Available online at <<http://www.unhcr.ch/cgi-bin/texis/vtx/publ/opendoc.pdf?tbl=RSDCOI&id=415c0f414&page=publ>>

Robinson, W. I. 2005. Gramsci and Globalisation: From Nation-State to Transnational Hegemony. *Critical Review of International Social and Political Philosophy*. 8 (4), pp. 559 — 574.

Roche, M. 1992 *Rethinking citizenship: welfare, ideology and change in modern society*. Cambridge: Polity Press.

--- 2002. Social citizenship: grounds of social change. In: Isin, E. F. and Turner, B. (eds). 2002. *Handbook of Citizenship Studies*. London: Sage.

Rock, M.T. 1995. Thai industrial policy: How irrelevant was it to export success? *Journal of International Development*, 7 (5), pp. 745-757

Ross, Helen, and Suwattana Thadaniti. 1995. The environmental costs of industrialization. In Thailand's industrialization and its consequences. In: Medhi Krongkeaw. *Thailand's industrialization and its consequences*. New York: St. Martin's Press.

Roth, R. et. al. 2006. Coup chief cites intense conflicts. CNN, 19 September. [online], [Accessed 24 September 2006], Available from World Wide Web: <<http://www.cnn.com>>

Saichol Sattayanurak. 2007. The Construction of Mainstream Thought on “Thainess” and the “Truth” Constructed by “Thainess” [online], [Accessed 24 September 2007], Available from World Wide Web: Available online at <http://www.fringer.org/wp-content/writings/thainess-eng.pdf>

Sainz-Pardo, P.V. 2002. The Contemporary Relevance of the 1951 Convention Relating to the Status of Refugees. *The International Journal of Human Rights*, 6 (2), pp. 23-34.

Sakdina Sontisakyothin. 2004. Labor Movements in Thailand: Principle Changes and the Three Pillars Management Solution. [online], [Accessed 24 September 2005], Available from World Wide Web: <<http://adbi.adb.org/conf-seminar-papers/2004/09/09/598.labor.movements.thailand/>>

Saroja D. Dorairajoo. 2002. From Mecca to Yala: Negotiating Islam in Present-day Southern Thailand. In: *The Symposium: 'Islam in Southeast Asia and China: Regional Faithfulness and Faultiness in the Global Ummah'*, 28 November – 1 December 2002, Hong Kong [online] Available at the World Wide Web:// <<http://www.islamsymposium.cityu.edu.hk/abstract/09Dorairajoo.pdf>>

--- 2006. Violence in the south of Thailand. *Inter-Asia Cultural Studies*, 5 (3), pp. 465 – 471.

Sassen, S. 1988. *The mobility of labor and capital: a study in international investment and labor flow*. Cambridge : Cambridge University Press.

--- 1996. *Losing control? : sovereignty in an age of globalization*. New York: Columbia University Press.

--- 1998. *Globalization and its discontents*. New York: New Press.

--- 1999. *Guests and aliens*. New York: New Press.

--- 2000. *Cities in a world economy*. London : Pine Forge Press.

--- 2002a. *Global networks, linked cities*. London: Routledge.

--- 2002b. Towards Post-National and Denationalized Citizenship. In: Isin, E. F. and Turner, B. (eds). 2002. *Handbook of Citizenship Studies*. London: Sage.

--- 2003. Globalization or denationalization? *Review of International Political Economy*. 10 (1), pp.1-22.

--- 2005a. When national territory is home to the Global: old borders to novel borderings. *New Political Economy*, 10 (4), pp.523-541.

--- 2005b. The repositioning of citizenship and alienage: emergent subjects and spaces for politics. *Globalizations*, 2 (1), pp. 79-94.

- Schlossstein, S. 1911. *Asia's new little dragon: the dynamic emergence of Indonesia, Thailand and Malaysia*. Chicago: Contemporary Books.
- Schrock, J. L. *et al.* 1970. *Minority groups in Thailand*. Washington: Department of the Army.
- Scott, J.C. 1998. *Seeing like a state: how certain schemes to improve human condition have failed*. New Haven: Yale University Press.
- Scupin, R. 1998. Muslim accommodation in Thai society. *Journal of Islamic Studies*, 9 (2), pp.229-258.
- Selway, J. 2007. Turning Malays into Thai-men: nationalism, ethnicity and economic inequality in Thailand. *South East Asia Research*, 15 (1), pp.53-87.
- Shigehara, T. and C. F. Keyes. 1999. *Cultural crisis and social memory: modernity and identity in Thailand and Laos*. Richmond: Curzon.
- Sirithon Thanasombat. 2004. Vulnerabilities and visibility: Thailand's management of female domestic workers from Burma. *Journal of Public and International Affairs*, 15, [online], [Accessed 24 September 2005], Available from World Wide Web: <http://www.princeton.edu/~jpia/pdf2004/Chapter%2012.pdf>
- Skeldon, R. 2001. Irregular migration in the Greater Mekong Subregion: policy dimensions of a growing issue, in *Labour Migration and Trafficking within the Greater Mekong Subregion*, Bangkok. [online], [Accessed 24 September 2005], Available from World Wide Web: < http://www.ilo.org/public/english/region/asro/bangkok/child/trafficking/downloads/migration_a4.pdf>
- Skinner, W.G. 1957. *Chinese society in Thailand: an analytical*. Ithaca: Cornell University Press.
- Smith, Anthony D. 1979. *Nationalism in the twentieth century*. Oxford: Martin Robertson.
- 1983. *State and nation in the Third World*. Sussex: Weatsheaf books.
- 1988. *The ethnic origins of nations*. Oxford: Blackwell.
- 1991a. *Myths and memories of the nation*. Oxford: Oxford University Press.
- 1991b. *National Identity*. Harmondsworth : Penguin.
- 1995. *Nation and Nationalism in the global era*. Cambridge : Polity Press
- 2001. *Nationalism: Theory, Ideology, History*. Cambridge: Polity Press.

--- 2003. *Chosen people: sacred sources of national identity*. Oxford: Oxford University Press.

--- 2004. *The antiquity of nations*. Oxford: Polity.

Smith, R. M. 2002. Modern Citizenship. In: Isin, E. F. and Turner, B. (eds). 2002. *Handbook of Citizenship Studies*. London: Sage.

Somers, M. 2006. Citizenship, statelessness and market fundamentalism: Arendian right to have rights. In: Bodemann, Y.M. and Yurdakul, G. 2006. *Migration, citizenship and Ethos*. New York : Macmillan.

Somboon Siriprachai. 2002. The Thai State Intervention: market failure or political failure. [online], [Accessed 6th February 2008]. Available from World Wide Web: <[http://econ.tu.ac.th/archan/somboon/Conferences'%20Papers/The%20Thai%20State%20Intervention%20Market%20Failure%20or%20Political%20Faulure%20\(in%20English.pdf/](http://econ.tu.ac.th/archan/somboon/Conferences'%20Papers/The%20Thai%20State%20Intervention%20Market%20Failure%20or%20Political%20Faulure%20(in%20English.pdf/)>

Somphop Mānarangsan. 1989. *Economic development of Thailand, 1850-1950: response to the challenge of the world economy*. Bangkok: Chulalongkorn University.

Somsak Tambunlertchai. 1993. Manufacturing. In: Warr, G. P. *The Thai economy in transition*. Cambridge: Cambridge University Press.

Stalin, J. 1973. The Nation. In: Hutchinson, J. and A. D. Smith. (eds.) 1994. *Nationalism: a reader*. Oxford: Oxford University Press

Stern , A. 1998. *Thailand's Migration Situation and its Relations with APEC Members and Other Countries in Southeast Asia*. ARCM : Bangkok

Stubbs, R. 1999. War and Economic Development: Export-Oriented Industrialization in East and Southeast Asia. *Comparative Politics*. 31 (3), pp. 337-355.

Sujit Wongthes. 2004. *Tribes and ethnic groups in Suvarnabhumi, ancestors of the Thais*. Matichon: Krung Thep.

--- 2005. *Khon thai mā čhāk nai*. Matichon: Krung Thep.

--- 2006. *Suwannaphūm : ton krasāe prawattisāt Thai*. Matichon: Krung Thep.

Sulak Sivaraksa. 1990. *Siam in crisis*. Bangkok: Matichon.

--- 2005. *Conflict, culture, change: engaged Buddhism in a globalizing world*. Boston: Wisdom Publications.

Supang Chantavanich and Risser, G. 1996. Intra-Regional Migration in Southeast and East Asia : Theoretical Overview, Trends of Migratory Flows, Labour Linkages, and Implications for Thailand and Thai Migrant Workers , report submitted to 'The International Workshop on Thai Migrant Workers in South-East and East Asia , May 23 – 24, 1996, Bangkok

Supang Chantavanich. 1999. Thailand's Responses to Transnational Migration during Economic Growth and Economic Downturn. *Journal of Social Issues in Southeast Asia*, 14 (1), pp. 159-177.

--- 2006. *Sampheng : prawattisāt chumchon Chāoċhīn nai Krung Thēp*. Krung Thēp : Sūn Čhīnsuksā, Sathāban Ēchīasuksā.

--- 2007a. *Thailand Policies towards Migrant Workers from Myanmar*. In: The Asia Pacific Migration Research Network Conference, 26–29 May 2007. Fuzhou: Fujian Normal University.

--- 2007b. Factors Affecting Thailand Immigration Policies during 1992- 2004. [online], [Accessed 6th February 2008]. Available from World Wide Wed: <www.iss.nl>

Suphat Suphachalasai. 1995. Export-led industrialization of Thailand. In: Medhi Krongkeaw. *Thailand's industrialization and its consequences*. New York: St. Martin's Press.

Suhrke, A. 1971. The Thai Muslims: some aspects of minority integration. *Pacific Affairs*, 43 (4), pp. 531-547.

--- 1975. Irredentism Contained: The Thai-Muslim Case. *Comparative Politics*, 7 (2), pp. 187-203.

Suryadinata, L. 1997. *Ethnic Chinese as Southeast Asians*. Singapore: Institute of Southeast Asian Studies.

--- 2004. *Chinese and nation-building in Southeast Asia*. Singapore: Marshall Cavendish International.

Sutthida Malikaew. 2007. Rights-Thailand: restrictions make life tough for migrant workers. [online], [Accessed 6th February 2008]. Available from World Wide Wed: <<http://ipsnews.net/news.asp?idnews=38929#share>>

Syed Serajul Islam. 1998. The Islamic Independence Movements in Patani of Thailand and Mindanao of the Philippines. *Asian Survey*, 38 (5), pp. 441-456.

Tanube, S. and Keyes, C. F. 1999. *Cultural crisis and social memory: modernity and identity in Thailand and Laos*. Richmond: Curzon.

Tambini, D. 2001. Post-national citizenship. *Ethnic and Racial Studies*, 24 (2), pp. 195 – 217

Tamir, Y. 1993. *Liberal Nationalism*. New Jersey: Princeton University Press.

- Telegraph special correspondent. Swiss man faces jail for lèse majesté. 2007. Telegraph, 13 March, [online], [Accessed 18 March 2007], Available from World Wide Web:
<<http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2007/03/13/wthai13.xml>>
- Tarling, N. 2004. *Nationalism in Southeast Asia: 'If the people are with us'*. London: Routledge.
- Taylor, G. and S. Spencer (eds). 2004. *Social identities: multidisciplinary approaches*. London: Routledge.
- Teeuw, A. and Wyatt, D.K. 1970. *Hikaya Patani: the story of Patani [Vol.1]*. The Hague : Martinus Nijhoff
- Terwiel, B. J. 2005. Thailand's political history: from the fall of Ayutthaya in 1767 to recent times. Bangkok: River Books.
- Tivey, L. 1981. *The nation-state: the formation of modern politics*. Oxford: Robertson.
- Thanet Aphornsuvan. 2007. *Rebellion in Southern Thailand: Contending Histories*. Washington: East West Centre.
- Thomas, M. Ladd. 1975. *Political Violence in the Muslim Provinces of Southern Thailand*. Singapore: ISEAS.
- Thomson, C.N. 1993. Political identity among Chinese in Thailand. *The Geographical Review*. 83 (4), pp.397-409.
- Thongchai Winichakul. 1997. *Siam mapped: a history of the geo-body of a nation*. Honolulu: University of Hawaii Press.
- 2008. Nationalism and the radical intelligentsia in Thailand. *Third World Quarterly*. 29 (3), pp. 575-591.
- Tomosugi, Takashi. 1969. The land system in central Thailand: a methodological inquiry aimed at a dynamic grasp of social change in a Thai village. *The Developing Economies*. 7 (3), pp. 248-309.
- Tong Chee Kiong. 1988. *Perception and boundaries: problematics in the assimilation of the Chinese in Thailand*. Singapore: University of Singapore.
- Tong Chee Kiong and Chan Kwok Bun (eds). 2001. *Alternate identities: the Chinese of contemporary Thailand*. Singapore: Times Academic Press.
- Tonnesson, D.S. and Antlöv, H. (eds.). 1996. *Asian forms of the nation*. Surrey: Curzon Press.
- Toyota, M. 2002. Contested Chinese identities among ethnic minorities in the China, Burma and Thai borderlands. *Ethnic and Racial Studies* 26 (2), pp. 301-320.

Turton, A. J. Fast and M. Caldwell. (eds.) 1978. *Thailand: roots of conflict*. Nottingham: Spokesman books.

UNHCR. 2007. 2005 UNHCR Statistical Yearbook Country Data Sheet - Thailand. . [online], [Accessed 24 May 2008]. Available from World Wide Web: <<http://www.unhcr.org/cgi-bin/texis/vtx/country?iso=tha>>

--- 2006. States that have acceded to the 1951 Convention and/or its 1967 Protocol relating to the Status of Refugees. [online], [Accessed 8th February 2006]. Available from World Wide Web: <<http://www.unhcr.org/publ/PUBL/3ddcb8a34.pdf>>

Uzelac, G. 2002. When is the Nation? Constituent Elements and Processes. *Geopolitics* 7 (2), pp. 33-52.

Van den Berghe, P. L. 1978. *Race and racism: a comparative perspective*. New York: Wiley.

Vandergeest, P. 1993. Constructing Thailand: regulation, everyday resistance, and citizenship. *Comparative Studies in Society and History*. 35 (1), pp. 133-158.

Vandergeest, P. and Peluso, N. L. 1995. Territorialisation and state power in Thailand. *Theory and Society*, 24 (3), pp. 385-426.

Vella, W. F. 1978. *Chaiyo!: King Vajiravudh and the development of Thai nationalism*. Honolulu: University Press of Hawaii.

Vertovec, S. 2001. Transnationalism and identity. *Journal of Ethnic and Migration Studies*. 27 (4), pp. 573-582.

Vines, D. and Warr, P. 2003. Thailand's investment-driven boom and crisis. *Oxford Economic Papers*. 55, pp. 440-466.

Virag, K. 2002. Re-imagining the Refugee: Socio-Cultural Complexities in Asia and the Refugee Convention, Questions of Application" Forced Migration, Asylum and Refugees: Inaugural Issue (1). [online], [Accessed 8th February 2006]. Available from World Wide Web: <http://www.csu.edu.au/student/forcedmigration/refugee/Vol1/Vol1_a7.html>

Viroli, M. 1995. *For Love of Country: An Essay on Patriotism and Nationalism*. Oxford: Oxford University Press.

Vitit Muntarbhorn. 1992. *The Status of Refugees in Asia*. Clarendon Press: Oxford.

Voravidh Charoenloet. 1989. The crisis of state enterprises in Thailand. *Journal of Contemporary Asia*, 19 (2), pp. 206 - 217

Walker, A. (ed.). 1992. *The highland heritage: collected essays on upland North Thailand*. Singapore: Suvarnabhumi books.

- Walwipha Burusratanaphand. 2001. Chinese identity in Thailand. *In: Tong Chee Kiong and Chan Kwok Bun (eds). Alternate identities: the Chinese of contemporary Thailand.* Singapore: Times Academic Press.
- Walwipha Burusratanaphand and Sawani Wisetsin. 2006. Khwamsampan khong Sampheng kap Phraratchawong Chakkri. *In: Suphāng Čhantawānit. Sampheng : prawattisāt chumchon Chāočhīn nai Krung Thēp.* Krung Thēp : Sūn Čhīnsuksā, Sathāban Ēchīasuksā, pp. 122-151
- Warr, G. P. 1993. *The Thai economy in transition.* Cambridge: Cambridge University Press.
- 1999. What happened to Thailand? *The World Economy*, 22 (5), pp. 631–650.
- Warr, G. P. and Bhanupong Nidhiprabha. 1996. *Thailand's Macroeconomic Miracle: Stable Adjustment and Sustained Growth.* Washington: World Bank Publications
- Watson, J. K. P. 1976. A conflict of nationalism: the Chinese and education in Thailand, 1900-1960. *Paedagogica Historica*, 16 (2), pp. 429 — 451.
- Weber, M. 1948. The Nation. *In: Hutchinson, J. and A. D. Smith. (eds.) 1994. Nationalism: a reader.* Oxford: Oxford University Press, pp. 21-25.
- White, G. and Prachuabmoh, C. 1983. The Cognitive Organization of Ethnic Images *Ethos*, 11 (1/2), pp. 2-32.
- Wichayayuth Boonchit and Sununtha Natenuj. 1998. The Eighth National Economic and Social Development Plan and Current Economic Adjustment and Indicators for Monitoring and Evaluation of the Eighth Plan. [online], [Accessed 6th February 2008]. Available from World Wide Wed: <<http://www.esri.go.jp/en/archive/wor/abstract/wor64-e.html>>
- William, R. 2001. *Making identity matter: identity, society and social interaction.* Durham: Sociology Press.
- Wimmer, A. and Min, B. 2006. From empire to nation-state: explaining wars in the modern world, 1816-2001. *American Sociological Review*, 71 (6), pp. 867–897.
- Wisarn Pupphavesa. 2002. Gloablisation and social development in Thailand. *In: The Conference "Globalisation and Social Development: Perspectives from Asia and Europe", 15-16 April 2002, Antwerp.* [online], [Accessed 6th February 2008]. Available from World Wide Wed: <<http://webh01.ua.ac.be/cas/PDF/CAS39.pdf>>
- Wolf, D. 1978. *The five faces of Thailand: an economic geography.* London: C. Hurst.
- Wolf, D.L. 1996. *Feminist dilemma in fieldwork.* Oxford: Westview Press.

World Bank. 2008. *Thailand economic monitor*. Bangkok: World Bank. [online], [Accessed 8 October 2008]. Available from World Wide Web: <http://siteresources.worldbank.org/INTTHAILAND/Resources/Economic-Monitor/2008april_tem.pdf>

Wyatt, D.K. 1984. *Thailand: a short history*. Chiang Mai: Silkworm Books.

--- 2003. *Thailand: a short history*. Chiang Mai: Silkworm Books.

Yan, Qinghuang. 2002. *The ethnic Chinese in East and Southeast Asia : business, culture, and politics*.

Yongyuth Chalamwong. 2004. *Thailand: Country Report*. [online], [Accessed 9th May 2005], Available from World Wide Web: <www.jil.go.jp/foreign/event_r/event/documents/2004sopemi/2004sopemi_e_countryreport11.pdf>

--- 2001. Recent trends in migration flows and policies in Thailand. In: OECD Proceedings, International Migration in Asia: Trends and Policies. Paris: OCDE.

Yongyuth Chalamwong and Sevilla, R. 1996. Dilemma of rapid growth: international migration and border flow: the case of Thailand. In: *The Seminar on International Migration and Labour Markets in Asia*, 30-31 January 1996, Tokyo. Tokyo: The Japan Institute of Labour.

Yuval-Davis, Nira. 1997. *Gender & nation*. London : Sage.

Zkirimli, U. 2005. *Contemporary debates on nationalism: a critical engagement*. Basingstoke: Palgrave Macmillan.

Newspaper Articles

AFP. 2008. Bloodshed part of daily life in Thailand's Muslim south. *AFP*. 19 March 2008. [Online] Available on the World Wide Web: <<http://afp.google.com/article/ALeqM5hcTlgAZVzJiptydwaDUTo068R0ow>>

Bangkok Post. 1997. Employment: foreign labourers lose out as building projects fold: Thousands have not been paid for months. *Bangkok Post*. 2 October 1997.

Telegraph. Thailand: Swiss man faces jail for lese majeste. (13 March 2007). Telegraph. [online], [Accessed 9th May 2007], Available from World Wide Web: <<http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2007/03/13/wthai13.xml>>

Human Rights Watch – HRW. 1998. Burma/Thailand: Unwanted and Unprotected: Burmese Refugees in Thailand. Human Rights Watch 10 (6) [online], [Accessed 6th February 2008]. Available from World Wide Web: <<http://www.hrw.org/reports98/thai/index.htm#TopOfPage>>

Inter Press Service. 1996. Thailand: foreign labor pains Thai unions. *IPF*. 2 September 1996.

Irrawaddy. 2007. 'Drop Nationality of Illegal Workers from Burma,' Say Activists. (4 July 2007). *Irrawaddy*. [online], [Accessed 1st August 2008], Available from World Wide Web: <http://www.irrawaddy.org/print_article.php?art_id=7770>

Migration News. 2004. Thailand : New Migrant Policies. [online], [Accessed 9th May 2007], Available from World Wide Web: <<http://migration.ucdevis.edu/>>

The Nation. 1998. Foreign Ministry disputes report by rights' group. *The Nation*. 8 October 1998.

--- 2000. Editorial: Seeking balance on foreign workers. *The Nation*. 30 August 2000.

--- 2007. Sonthi alarmed at migrant birth rate. *The Nation*. 15 November 2007.

--- 2007. Foreign Workers Needed but Alienated. *The Nation*, 26 November 2007.

Thai Press Reports. 2005. Myanmar agrees to cultivate seven million hectares under contract farming with Thailand. *Thai Press Reports*. 1 December 2005.

--- 2007. Thailand Phuket province imposes curfew on foreign migrant, tracks their phone calls, bans them from driving cars and motorbikes. *Thai Press Reports*. 3 May 2007.

Yusuf, Imtiyaz. 2006. Many faces of Islam. *Bangkok Post*, 10 July 2007.

UN Conventions

UNHCR. Convention relating to the Status of Refugees of 1951

UN Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)

UN Protocol against the smuggling of migrants by land, sea and air, supplementing the United Nations Convention against Transnational Organized Crime (2001)

UN Recommended Principles and Guidelines on Human Rights and Human Trafficking, (2002)

Legislations

The Immigration Act B.E. 1979 (B.E. 2522)

The Labour Protection Act 1998 (B.E. 2541)

The Working of Alien Act 1978 (B.E 1978)

The Foreign Business Act 1999 (B.E. 2542)

The Investment Promotion Act 1977 (B.E. 2520)

The Industrial Estate Authority of Thailand Act 1977 (B.E. 2520)

The Thai Nationality Act 1913 (B.E. 2456)

The Royal Decree Stipulating Work in Occupations and Professions Prohibited to Aliens B.E. 2522 (1979)

Declarations

The Bangkok Declaration on Irregular Migration 1999

MOUs related to irregular migration management in the GMS

MOUs on the employment of foreign workers

MOU between the Governments of the Kingdom of Thailand and the of Union of Myanmar on Cooperation in the Employment of Workers, (2003)

MOU between Cambodia and Thailand on Cooperation in the Employment of Workers (31 May 2003)

MOU between Thailand and Laos on Cooperation in the Employment of Workers (2002)

MOUs on Trafficking

MOU on Cooperation Against Trafficking in Persons in the Greater Mekong Sub-Region between the Governments of Cambodia, China, Lao PDR, Myanmar, Thailand and Vietnam (from the Coordinated Mekong Ministerial Initiative against Trafficking - COMMIT) (2004)

MOU between the Government of the Kingdom of Thailand and the Government of the Kingdom of Cambodia on Bilateral Cooperation for Eliminating Trafficking in Children and Women and Assisting Victims of Trafficking (2003)

MOU between Lao PDR and Thailand on Cooperation to Combat Trafficking in Persons, Especially Women and Children (2005)

MOU between the Royal Government of Cambodia and the Government of the Socialist Republic of Vietnam on Bilateral cooperation for eliminating trafficking in women and children and assisting victims of trafficking (2005)

National MOUs and guidelines

Thai MOU on Common Operational Guidelines for Government Agencies Engaged in Addressing Trafficking in Children and Women, B.E. 2546 (2003)

Thai MOU on Operational Guidelines for NGOs Engaged in Addressing Trafficking in Children and Women, B.E. 2546 (2003)

Thai MOU on Operations between State Agencies and Non-Governmental Organizations (NGOs) Engaged in Addressing Trafficking in Children and Women, 2003, in English

Government Statistics

NSO. 2008. *สรุปผลการสำรวจการเข้าร่วมกิจกรรมทางวัฒนธรรม พ.ศ. 2548*. [online]. Available on the World Wide Web: <
<http://service.nso.go.th/nso/nsopublish/service/survey/cult48.pdf>>

Interviews

Factory Manager (Food processing factory, Samutsakorn Province). 2006. Interview with the author on July 2006. Bangkok [Electronic recording in possession of author]

Factory Manager (Garment factory, Tak Province). 2007. Interview with the author on July 2007. Tak

MFA official. 2006. Interview with the author on 2 December 2006. Bangkok [Electronic recording in possession of author]

MOI official. 2006. Interview with the author on 30 November 2006. Bangkok [Electronic recording in possession of author]

MOL official. 2005. Interview with the author on 28 November 2005. Bangkok [Electronic recording in possession of author]

--- 2006. Interview with the author on 28 November 2006. Bangkok [Electronic recording in possession of author]

--- 2007. Interview with the author on 4 December 2007. Bangkok [Electronic recording in possession of author]

Useful websites

Organisations	Websites
ACMECS	http://www.acmecs.org/
MAP Foundation	http://www.mapfoundationcm.org/
MFA	http://www.mfa.go.th
MOI	http://www.moi.go.th
MOL	http://www.mol.go.th
NESDB	http://www.nesdb.go.th/