



Review Article

Discourse on migrant education policy: Patterns of words and outcomes in Thailand

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Abstract

As a consequence of the importation of cheap labor from the neighboring countries of Burma (Myanmar), Cambodia, and Lao PDR, many children from those countries currently reside in Thailand. The Thai government sometimes refers to having an “Education for All” (EFA) policy which includes these children. Yet it does not produce reliable statistical data for the proportion of these children enrolled in schools and their educational attainments. Scholars estimate the proportion in school as less than half. This paper investigates the nature of this gap between words and outcomes, through an analysis of a collection of high-level policy statements, and of findings in the literature on the educational conditions for migrant children. This covers both the public provision of education and official stances toward private and voluntary sector Migrant Learning Centers. The analysis crucially takes a critical view of the nature of policy, avoiding the fallacy that official statements form definitive, complete, or coherent expressions of the mind of the State. It finds that fragmentation here is associated with a persistent gap between the apparent thrust of many such statements and the actual outcomes. It warns against an assumption that administrative procedures can be made more efficient in a way that will close the gap.

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Introduction

As a consequence of the importation of cheap labor from the neighboring countries of Burma (Myanmar), Cambodia, and Lao PDR, many children from those countries currently reside in Thailand. The Thai government sometimes refers to having an “Education for All” (EFA) policy which includes these children (Kingdom of Thailand, 2002, Section 8; Ministry of Foreign Affairs, 2017, Paragraph 14). Yet perhaps fewer than half of them are enrolled in schools (Dowding, 2014, pp. 15–17). There is a gap here between policy words and outcomes, but what is its nature? In pursuing this question, this paper first sets out a conceptualization of “policy” which tries to avoid the fallacy of treating official statements as definitive, complete or coherent expressions

of the mind of the State. It then provides some essential background information on labor migration to Thailand and the problem of education for migrant children, before examining Thailand policy on the latter. The policy examination is done firstly by collecting official statements that apparently express overall policy and state provision. The statements are examined and compared with outcomes for the children; the mismatch is identified and analyzed. A similar procedure is then applied to the more specific case of policy (or lack of it) on Migrant Learning Centers. What emerges is the way that high-level policy statements leave gaps within which contrary interests can take effect.

Using the Concept of Policy

The nature of Thailand's policy on migrant education is less straightforward than at first it may seem. Despite the claim that Thailand has an EFA policy, there is no

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comprehensive canon of texts laying this out. But the lack of this does not mean that one cannot refer to policy. Students of government can try to deduce what it is, using evidence in a variety of places: constitutions, laws, administrative regulations, statements by ministers, and the actions of state offices at various levels.

A problem here is that these pieces of evidence may not fit together very well; there may be gaps and contradictions. This indicates a difficulty in the concept of public policy. The idea of a policy seems to suggest a coherent set of intentions and plans belonging to a unitary actor or an alliance of actors (Jones, 1984, p. 26). But governments and States are combinations of actors which may have differing interests and influences, and which may therefore be partly at cross-purposes in their intentions and plans. One way for ministers and bureaucrats to maintain a sense of command and control amidst the mess of cross-purposes is to refer to a gap between stages of policy and implementation (Schaffer, 1984). However, such a gap sets up failures: failure of implementers to carry out instructions, and of policy-makers to be realistic. A way of dealing with cross-purposes which reduces the emergence of failure is to refrain from articulating policy clearly and publicly. Within this there can be two variants. It may be that some actors have a clear mutual understanding of their policy which they hide from a wider group. But it may also be that actors avoid creating clear policy or relating their actions clearly to policy. In the latter case, policies may still be said to exist, albeit in relatively vague and fragmentary form.

Some students of political processes understandably choose to avoid these complexities and ambiguities. They may do so by treating policy as self-evident, but this is to turn a blind eye to the importance of hidden interests in determining actions, and to the systematic potential of accidents and apparent failures to serve particular interests. Or policy may be treated as irrelevant; but this prematurely denies the actual or potential roles of rational discussion, planning, and decision-making in determining outcomes. Questions of policy can be useful prisms for examining matters which are strongly affected by government behavior, so long as the approach does not involve naively technocratic assumptions.

Characteristics and Numbers of Migrants

In order to discuss Thailand's policy on education for migrant children, some background information is necessary on the problem of these migrants and their education.

Thailand is almost certainly hosting at least two million—and probably many more—migrants from the northern neighboring countries of Burma, Cambodia, and Lao Peoples' Democratic Republic (Huguet, 2014, pp. 1–2). This is without considering people registered as “displaced”, who are largely confined to special camps or “temporary shelters” and who are not considered as “migrants” for the purpose of the present paper. In 2013, there were more than a million workers officially registered, and probably a greater number of non-registered migrants from these countries (Huguet, 2014, pp. 1–2). Over 80 per cent of the migrants are from Burma (p. 3), and many of these come from Karen and Shan States—historically areas of

political and economic marginalization where there have been ethnic-based groups in armed opposition to the Burmese military regime.

According to government regulations, the migrant workers from these neighboring countries may only be employed in unskilled occupations, such as agriculture, fishery, construction, and domestic service, although it is thought that many are also engaged in arduous, semi-skilled work in manufacturing and other sectors (Chantavanich, 2012). Thailand's per capital national income in recent decades has been more than three times higher than that of its northern neighbors. Its higher standards of living have left fewer people willing to undertake menial jobs. Yet these economic sectors, on which prosperity is still built, require large amounts of cheap, unskilled and semi-skilled labor.

A part of Thailand's economy thus depends on the migrants for its international competitiveness. But this does not mean that Thailand creates conditions as attractive as possible for them. The desperate plight of many people in the marginalized areas of Burma has made them ready to accept or risk being subjected to wages and working conditions far below the legal minima in Thailand. This is in the interests of many employers who wish to keep labor costs low, and is made possible by inconsistent and erratic policing of immigration and labor conditions (Arnold & Pickles, 2011; Pongsawat, 2007) fostered by a poorly-designed regulatory system (Paitoonpong & Chalamwong, 2012).

The large black market in migrant labor has persisted despite several initiatives since the 1990s apparently aimed at registering and regularizing migrant workers (Natali, 2013). The initiatives have been widely criticized for setting up procedures which were over-complicated and costly, and hence limited in their reach. Given the persistence of this state of affairs, it may also be unsafe to assume that Thailand has a policy of regularizing migrant workers and regulating the migrant labor market, despite official utterances to the contrary.

Many of the migrants are long-term, the older ones bringing or forming families. Hence there are among them many children either born outside Thailand, or born inside but ineligible for Thai citizenship. Again, there are no accurate estimates of the number, but it almost certainly runs into hundreds of thousands. An ILO report in 2009 put the number of child migrants and children of migrants under 18 at 377,000 (Jampaklay, 2011), and, for 2014, Dowding (2014, p. 15) arrived at a slightly higher figure of about 390,000.

High-Level Policy Statements

At a high level, Thailand has been giving out signals of policy favorable to the cause of education for migrant children since at least the early 1990s. It hosted the World Conference on Education for All in 1990 (World Conference on Education for All, 1990) and followed this up in 1992 by ratifying the (1989) Convention on the Rights of the Child (CRC). The CRC commits signatories to make “primary education compulsory and available free to all” and secondary education “available and accessible to every child” (Article

28). For secondary education, States must also “take appropriate measures such as the introduction of free education and offering financial assistance in case of need” (Article 28). Education must be directed to developing respect for the child’s “own cultural identity, language and values” as well as “the national values of the country in which the child is living [and] the country from which he or she may originate” (Article 29).

As a move towards fulfilling this, in 1992 the Cabinet mandated the Ministry of Education to provide education in particular ways to certain groups of non-Thai children—including Vietnamese, Laotian, Nepalese, Chinese, and displaced children from Burma—after they had been registered (Vungsiriphisal, Rukspollamuang, & Chantavanich, 2013, p. 222). Meanwhile, the National Constitution of 1991 stipulated that “every person shall have equal right of receiving primary education” (Kingdom of Thailand, 1991, Section 40). This right was extended in the 1997 Constitution (Kingdom of Thailand, 1997, Article 43) to 12 years of good quality and free education, a stipulation which has been retained in subsequent constitutions. But when this constitutional right was incorporated in the 1999 Education Act (and amended in 2002), the interpretation of “a person” remained as someone with state-issued identity documents (Kingdom of Thailand, 2002; Vungsiriphisal et al., 2013, p. 222).

Thailand had only signed the CRC with reservations. In the 1990s the reservations it held applied to CRC Articles 7 and 22 (United Nations, 2017, Chapter IV.11). These articles refer respectively to the right of a child to be registered for state identity documents, and rights to receive protection and assistance when a refugee in the eyes of international or domestic law. Under pressure from the Committee of the CRC and others to withdraw these reservations, but internally divided over whether to do so, the government took actions which went some way toward fulfilling the purposes of the articles in the sphere of education (Government of Thailand, 2005, p. 19). In 2004, the Ministry of Education drew up a new set of regulations about the admission of students into schools. It said schools had a duty to admit all children of school age, and that children without identity documents could be admitted on the basis of personal history testimonies by parents, carers, NGOs or—if necessary—the children themselves. The Cabinet approved these regulations on 5th July 2005 and added a resolution which strengthened the measures. Under the latter resolution: schools should receive per-head funding from the government on account of such children, just as they do for Thai students; all students should be entitled to a certificate of education on completion of their studies; and students without identity documents should be allowed a mobility permit to enable them to move in the country in order to find a suitable school (Chantavanich, 2007; Vungsiriphisal et al., 2013, p. 223).

In terms of making school curricula and classroom practice adaptable to the needs of migrants and other diverse students, the 1999/2002 Education Act (Kingdom of Thailand, 2002) had made provision for adaptations to suit students’ individual needs (see, for example, Sections 22 and 28) and cultures (Section 37). But the emphasis was on diversity between localities of Thailand rather than

between individual students, and dimensions of such diversity (such as gender, (dis)ability, ethnicity, mother language, national origin) were not spelled out.

Policy Outcomes and the Problem of Data

In 2014, the Office of the Basic Education Commission reported that about 133,000 non-Thai students were enrolled in Thai state schools (Dowding, 2014, p. 17). In addition, it is estimated that about 20,000 attend unofficial Migrant Learning Centers (MLCs) (p. 17). Even allowing for the fact that many migrant children are not of school age, this suggests that tens of thousands, and possibly hundreds of thousands of school-age migrant children are not attending full-time school. If—as estimated by the ILO in 2009 and Dowding (2014, p. 15)—there are more than 370,000 migrant children in the country, this suggests that fewer than half of the school-age ones are in school.

It is important, however, to observe that the lack of a systematic way of counting all the migrant children means that estimates of the proportions receiving education of various kinds can only be educated guesses. In view of the doubts whether Thailand has a policy for rule-governed management of migrant numbers, the inability to produce adequate statistics on overall educational access for migrant children could be seen as tacitly serving a function: the function of reducing the pressure to recognize a problem which is politically difficult, and likely to require additional expenses if it is to be solved.

The absence of data collection on migrant children’s education extends to the achievements and difficulties of those who do attend school. Although schools normally record the nationalities of enrolled students, they do not normally cross-reference this information with levels of academic attainment, let alone more qualitative aspects of education outcome. Data from academic and activist studies have added something to knowledge of policy actions and intermediate results. In my own recent research, I found that about half of the children from a migrant-worker camp in Chiang Mai in 2014–5 were enrolled at a school level below the normal level for their age, and that this seemed to be resulting in many failing to complete school even at the primary level. Arphattananon (2012, pp. 6–7) and Dowding (2014, pp. 38–39) made similar observations at schools in Rayong and Pattani provinces, Mae Sot and Bangkok. Together, these are enough to suggest areas of weakness in the policy process without enabling precise quantification.

Immediate Explanations for Limited Change in Outcomes from 2005

After 2005, the numbers of migrant and stateless children attending state schools increased to an extent that was significant but limited (Nawarat, 2012b; Vungsiriphisal et al., 2013, p. 223). The 2005 Cabinet resolution has certainly prompted more schools to admit more migrant children, both by clarifying their duty to do so, and by including such students in the schools’ per-capita funding. But several further obstacles have remained unaddressed,

calling into question the high-level statements of policy goals.

Despite the apparent injunction of the 2005 Cabinet resolution, numerous statements and testimonies indicate that education officials and schools deliberately obstruct the admission of migrant children. Arphattananon (2012, pp. 4–5) quotes officials in Rayong and Pattani explaining that in their interpretation of the policy, they are allowed to—and do—refrain from publicizing school entry procedures in migrant communities. Arphattananon's respondents nevertheless believe that schools must admit migrants if they apply for entry. However, in the present author's research in Chiang Mai, this was not always the case. At a colloquium in 2015, a school official from San-kamphaeng subdistrict declared:

“We all aware that non-Thai children have a right to access basic education, but we will serve only those children whose parents have current work permits, because I do not want to support illegal migrant workers or illegal residents.”

(Nawarat, 2016, p. 79)

This was at a suburban school, yet it was also recognized at the colloquium that entry for migrants was almost impossible in the more prestigious city-center schools. Those schools could more easily excuse themselves on the grounds that places were simply not available (p. 69).

Thus, although the 2005 Cabinet Resolution appears in spirit to mandate “Education for All”, officials are able to interpret it in different ways, including ignoring it when it appears in contradiction with other law. In the end there is no real necessity for schools to provide explanations for their admission decisions, and no convenient mechanism by which a potential student can claim his/her right to education from a particular school or local education authority.

As partly autonomous entities, schools may have differing motives for refusing (or agreeing) to accept migrant children as students. Some commentators believe that a major reason is deep-seated cultural prejudice against migrants and foreigners (Arphattananon, 2012, p. 5). But there is also a range of more rational causes. The Cabinet's approval of a per-head grant payment to schools for migrants at the same rate as Thai students in many cases only covers a small proportion of the real additional cost to a school of admitting a migrant child (Dowding, 2014, pp. 32–33). Such a child will often begin without much command of Thai language, and lack some cultural background assumptions and general knowledge common among the majority of students. When the migrant has already received some schooling, the content of this may differ substantially from what has been learnt at the same age by the majority of Thai students. If such a child is admitted to the school and these factors are ignored, the migrant student is unlikely to learn much there, and may have a depressing effect on the learning of fellow-students and on the general standards of the school (Nawarat, 2012b, p. 958; Vungsiriphisal et al., 2013, p. 232). But in order to address these factors the expense will often be great. Teaching staff will have to be specially trained—or special

staff hired—in order to connect with the migrants' language and culture. Those staff will have to struggle with a lack of appropriate curriculum variations, and with teaching materials appropriate to the migrants' language and cultural backgrounds within the overall framework of the Thai national curriculum. Many of the migrant students may well need to be taught in a separate classroom from the Thai students at the same level of study, and this may need to happen in several grade levels in the school. But the physical infrastructure of most schools is already inadequate to meet the existing demands.

Migrant students are also relatively likely to cause difficulties for a school by withdrawing after a short period, whether because of academic difficulties or changes in family circumstances. Moreover, they are frequently relocated to different sites by their employers or employment agents or mere conditions in the job market. Even registered migrant workers lack long-term job security; the government issues stay permits for only one or two years at a time. To some extent, the migrant students are cushioned from this instability by the provisions in the 2005 regulations for their freedom of movement. But many do not find themselves able to take full advantage of these provisions, as they and their families wish to stay together or in fairly close contact (Nawarat, 2012b, p. 958; Vungsiriphisal et al., 2013, p. 232).

While these factors help explain why schools may continue to refuse admission to migrant children, some of them also make reasons for potential students not to apply for school entry in the first place. The obstacles of culture and language may well deter children and their families even where there is a school ready to deal with them. The prospect of having to change schools frequently is also a drawback. It is usually difficult for a school to be found for a migrant child within a reasonable distance of where the family is staying.

Another major factor for the migrant family is the financial burden of sending a child to school (Arphattananon, 2012, pp. 9–10; Nawarat, 2012b). Even when schools make no tuition charge, attendance still has real costs which fall heavily on the poor. They can ill afford to pay for things like transportation and extra-curricular activities, or to forgo the contribution which children can make to the household economy either in paid work or looking after the home and helping take care of younger children. Thai students from poor families are eligible for student loans from the government, but no such public facility is available for migrants or people without official identification documents.

For the many migrant workers who are not legally registered, there is a fear when applying and sending children to school, that their illegal status may become apparent to the state authorities, and expose them to additional harassment or even detention and deportation.

Finally, many of the families of migrant children remain unaware of the procedures and periods for applying to schools. Although the Ministry of Education has created national regulations which enjoin local education offices to publicize these widely—including to migrants—in some cases, at least, the local offices have not made a significant effort in this regard (Arphattananon, 2012, p. 5).

Analysis of the Clash between Policy Statements and Outcomes

The above narrative shows a large gap between policy statements and actual outcomes. Various high-level statements suggest an intention for Thailand to provide schooling for all migrant children; but after many years this is still very far from having become a reality. The immediate explanations for this offered in the last section suggest a range of measures which could close the gap. Translations and special curricula need to be developed and implemented, to facilitate the transition of students who will enter schools without strong skills in Thai language, and without the same background life experiences and educational experiences as the majority of Thai students. This will involve an investment in additional teaching materials. Additional classrooms will also need to be built and equipped. Migrant students need to be provided with loans and grants to counter-act the economic costs to their family of sending them to school. Information about school attendance needs to be targeted more to migrant families. More trained bi-lingual and multi-lingual teachers need to be hired (Arphattananon, 2012; Dowding, 2014; Nawarat, 2012b; Vungsiriphisal et al., 2013).

All these measures seem to demand substantial extra public expenditure, and this observation goes a long way toward explaining the gap between policy statements and outcomes. One way of expressing the situation might be: “The policy cannot be implemented for lack of funds”. But when, over a long period of time, credible steps are not taken to implement a stated policy, one may question whether it is a real policy. Under these circumstances, it is reasonable to accept Schaffer's dictum that “public policy is, after all, what it does” (Schaffer, 1984, p. 189). In this case, then, the policy is better seen as going no further than the effective provisions of the 2005 Cabinet resolution. It is to allow schools to accept migrant children, but not necessarily to ensure such children's international rights to education are fulfilled.

Lack of funds is not a complete explanation for the gap between high-level policy statements and observed outcomes. In a government budget, funds can be allocated between different purposes according to the balance of perceived advantages and disadvantages. In the present case, the balance is probably affected by a potentially widespread feeling that plentiful funding for the education of migrant children would encourage further migration of children in order to receive schooling, and that this is not a fair burden for Thailand to bear. This attitude was articulated, for instance, by a Ministry of Education official interviewed in Arphattananon (2012). The official's words even indicated a policy (in at least one locality) to avoid publicizing the right of migrant children to access Thai schools. Comprehensive provision of schooling for migrant children would also be against the immediate interests of some current work agents and employers. Many migrant children are engaged in the work force, often at very low rates of pay. Others contribute labor to the household economy of their parents, thus helping increase the supply and decrease the costs of adult migrant labor (Nawarat, Werakultawan, & Mansap, 2008). Also, comprehensive

education provisions would demand an ability to locate and count the migrant children, in order to monitor effectiveness and plan for school resources. This capacity would probably depend on an ability to transparently manage the migrant population in general, eliminating the black market in migrant labor, against the interests of many employers.

Some employers, however, have reason to support the state provision of education for migrant children, insofar as it may act as an indirect subsidy, stimulating the supply of migrant laborers (Thet & Pholphirul, 2016). This supply is in the form both of parents who wish to bring their children with them, and those children themselves, many of whom will become workers better educated for work in Thailand.

Since many of the above interests and motives are at variance with Thailand's commitments under the Convention on the Rights of the Child—and arguably under the National Constitution too—it would be hard for the Thailand government to lay them down formally and openly as its policy, and it does not appear to have done so. Therefore, it seems more accurate to infer that the policy of the Thai state includes abstaining from clearly laying out—and working out—its policy on education for migrants.

Policy Approaches and Outcomes on Migrant Learning Centers

The problem of education for migrant children has been partly mitigated by the formation of uncertified schools known as “migrant learning centers” (MLCs) (Dowding, 2014; Nawarat, 2012a, 2014; Vungsiriphisal et al., 2013). These centers started appearing in the 1990s. They are mostly run by members of the children's ethnic community who tend to be intellectuals opposed to the Burmese military regime and sympathetic to—if not affiliated—with opposition groups in Karen and Shan states. Some of the centers are very school-like, teaching a program of basic education which in some cases extends from kindergarten to post ten levels. They mainly use Burmese as the medium of instruction (although many use Karen, Shan, and other regional languages at the lower grades) and their curricula have mainly been based on the Burmese national curriculum, although amended in line with more pluralistic political values. Other MLCs are more like Sunday or night schools or social drop-in centers, where tuition in one or a few academic subjects is combined with community support activities. The latter typically include lessons in basic Thai language, social and cultural orientation, basic legal knowledge, health care, and vocational training in skills like using computers. Most of the more vigorous MLCs receive funding from international aid or charitable agencies. There are around 100 MLCs nationwide (Dowding, 2014).

Thailand's policy toward the MLCs shifted significantly after 2005. Before then, the agencies of the Thai state were generally hostile to the centers. In legal terms, education in Thailand is only permitted to take place under the auspices of various kinds of regulated institutions. These institutions include schools, where status as a school depends on strict adherence to a national curriculum and other conditions of operation. “Learning center” is another of the general categories included in the 1999/2002 Education Act, but

learning centers can only be registered under specific types which need their own regulations, and no such regulations have yet been finalized which would cover the MLCs. Consequently, in the 1990s and early 2000s MLCs were not seen as having educational validity and their interactions with the Thai State fell mostly under the latter's policies for immigration and national security. State security forces apprehended many of the Burmese teachers who worked in the MLCs on the grounds that they lacked work permits (and indeed were ineligible to apply, since only low-skilled occupations are available to migrants from Burma). Some of these teachers were deported; others were forced to make unofficial monthly payments to police. Such harassment was a factor leading to the closure of some of the early MLCs, and necessitating practices of discretion among the others.

Since 2005, however, the Ministry of Education through its local offices has sought to engage constructively with the MLCs (Nawarat, 2014). This has involved the Ministry offices interceding with the State institutions of national security and immigration at the local level to moderate their approach. How—if at all—this change in priorities is coordinated at the national level remains unclear. It is seen mainly through the specific actions of local state actors. These actions vary in their details from place to place according to circumstances. But they are well represented by the case of Mae Sot, a town and district near the border with Burma, where there is a large population of migrant workers and of MLCs. In Mae Sot, the local education department (PESA2 Office) opened up communications with MLCs in 2005–2006 through the Burmese Migrant Workers Education Committee (BMWEC). BMWEC had been formed by some of the early MLCs in 1999 in order to share ideas and information. At first, it was constrained to work privately among those centers, while they kept a low profile. After 2005 however, BMWEC was allowed to establish public office premises in one Mae Sot town (where there is a large population of migrant workers) and strengthen its secretariat. It became a channel of communication and influence between MLCs and the Thai authorities. At the same time, it was able to attract charitable funding from abroad and aid agency collaboration. It became a conduit for resourcing many of the MLCs, channeling teacher salaries, running costs, and supplying teaching materials.

BMWEC helped set up regular forum meetings bringing together MLC leaders with representatives of the PESA2 Office. These meetings started taking place in 2006 and by 2009 they had become a regular monthly fixture. They were also attended by members of international agencies concerned with the education of the migrant children. The PESA2 Office then established a Migrant Education Coordination Center (MECC). At first, PESA2/MECC officials would occasionally intercede with the Thai security services when the latter had problems with the MLCs and their staff. Later, security service personnel began attending the forum themselves, and MLCs and their staff have experienced much less harassment, despite continuing to operate on a basis which appears to be technically illegal. BMWEC began providing teachers with ID cards which gave them *de facto* protection and was later replaced by a more official card issued by the PESA2 Office.

Through these channels of communication and discussion, the PESA2 Office has encouraged or pressurized the MLCs to adopt and follow curricula which are more closely aligned with the Thai national curriculum and to put more emphasis on teaching the Thai language (Nawarat, 2012a). As with the apparent high-level policy on making education available to migrant students, this approach to the MLCs has made limited progress.

It has faced two main obstacles. One is a shortage of resources. To change curricula requires considerable work on their design, the new books and other teaching materials to be used, and the re-training of teachers. The Thai government has not allocated a significant budget for this purpose. But some achievements have been registered along these lines with support from charitable and international aid agencies.

The other main obstacle is resistance from the MLC leaders, staff, and many of the students. These people are interested largely in the MLCs' role as producing future citizens of Burma. A shift away from a Burmese curriculum and languages makes it harder for migrant students to transfer back to the educational system in their home country. Many of the leaders and teachers are also currently interested in engaging with struggles to reform the Burmese national curriculum within that country. And personally most of them would find it difficult to continue to work as teachers using the Thai language and curriculum.

On the issue of MLCs, the Ministry of Education has not laid down a clear official policy. The centers still lack legal status. However it is clear that since 2005 there has been a semi-official policy of tolerating them and being seen to encourage them to improve their standards and conform more closely to the Thai national curriculum. This policy does not involve any urgent goals for the development and achievements of MLCs. Rather it seems to mean allowing the existence of an MLC sector to take some of the pressure off the Thai state regarding the delivery of an adequate education for all migrant children. It creates a space in which charitable and aid agencies—and, indeed, academics—can focus their involvement on providing expert assistance in special curricula, pedagogical strategies, and the organizational problems of the centers, and mobilizing voluntary resources to implement their strategies, rather than putting pressure on the Thailand government to fulfill the obligations of the state.

Prospects for Narrowing or Widening the Gap

Thus, national policy on education for migrant children remains fragmentary and ambiguous, whether regarding direct state provision or the stance toward MLCs. The gaps between the most prominent policy statements and the outcomes reflect and help stabilize a complex configuration of incompatible political forces.

A significant shift in this complex balance seems to have taken place in 2016, as a result of a political developments in Burma. There the National League for Democracy (NLD) gained a share of official power, having won parliamentary majorities the previous year in the first openly contested elections since 1990. Military domination was diluted and

hopes were high of solutions to long-running conflicts between the Burmese army and ethnic-based insurgent groups in the border areas (Kapur, 2016). In June the NLD's leader, Aung San Suu Kyi visited Thailand, a visit seen as important in bridging the concerns of the Thai government and the Burmese migrants in Thailand, many of whom were MLD sympathizers (Herman, 2016). While in Thailand, Aung San Suu Kyi signed a Memorandum of Understanding and two agreements relating to migration and employment (Ministry of Foreign Affairs, 2016).

The prospect of increased inter-state co-ordination in the management of migrants might seem to promise a closing of the gap between policy words and outcomes in the near future. If labor migration can be rendered predominantly legal and subject to clear planning, then it should become easier also to plan and monitor education provision for migrant children. Furthermore, if a strong concern for human rights and worker welfare predominated, this development would facilitate measures to ensure that migrant children could practically access affordable and effective schooling. To enable them to reconnect with the education and qualification systems in their original countries, MLCs—or new institutional equivalents—could be licensed and supported jointly by the states of Thailand and Burma (or other labor-supplying countries) using curricula closely aligned with the national systems of the latter. A priority would be for more thinking on how to align curricula, make credits transferrable between different countries, accommodate students from diverse backgrounds, and prepare them for a multicultural present and future. At the same time, this could provide an impetus for affirmative action at all policy levels (including nation, service area, schools, and classrooms) on understanding and responding to the individual diversity of students, not solely on the dimension of national origin, but along many dimensions as part of a more pluralistic approach. This would involve broadening curricula and evaluation criteria and seeing that more teachers were trained in multicultural perspectives to draw on differences as a welcome resource rather than confront them as an inconvenience or worse. Perhaps more importantly still, ways would need to be found of bringing into school the migrant children who at present are receiving no formal education at all.

Such a way forward might not be mere wishful thinking. Good arguments have been made that attention to rights and workers are key to mutually-beneficial sustainable development worldwide and regionally (Asean Trade Union Council, 2016; United Nations General Assembly, 2016). The costs involved in providing schooling for the children of migrants can be seen in the short term as a fair corollary of the economic benefits of migrant labor, and in the longer term as a way of growing those benefits (Paitoonpong & Chalamwong, 2012). A formula for cost-sharing between the neighboring states could be negotiated in the light of recognizing the mutual benefits of labor migration and its child rights implications.

However, given the immediate configuration of interest groups and political pressures, the changing relationship between Thailand (and its other neighbors) may turn out differently. In November 2016 a Labour Ministry official

indicated that the new agreements with Aung San Suu Kyi meant working-class migrant children would effectively be eliminated from Thailand; dependents would not be permitted to enter Thailand along with worker parents, and no children of illegal migrant workers would remain by 2020 (Bangkok Post, 2016). Given the past history of weaknesses in migration control measures—and the limited progress of peace negotiations related to Burmese border areas—one may doubt that migrant children will in fact be eliminated from Thailand. However, the rejuvenated idea that they can and will be excluded is likely to produce its own effects. It may act as a deterrent to planning and budgeting for improvements in the system of education for migrants. Even if it does not formally overturn or render obsolete the 2005 resolution, it will foster further illiberal and limited interpretations of it among schools, bureaucrats, and other officials. The gap between policy words and outcomes may in fact grow even wider.

Conflict of Interest

The author declares no conflict of interest.

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References

- Arnold, D., & Pickles, J. (2011). Global work, surplus labor, and the precarious economies of the border. *Antipode*, 43(5), 1595–1624.
- Arphattananon, T. (2012). Education that leads to nowhere: Thailand's education policy for children of migrants. *International Journal of Multicultural Education*, 14(1), 1–15.
- Asean Trade Union Council. (2016). *Toward a harmonized, rights-based regional approach in strengthening protection of ASEAN migrant workers*. Retrieved from <http://apmigration.ilo.org/resources/toward-a-harmonized-rights-based-regional-approach-in-strengthening-protection-of-asean-migrant-workers>.
- Bangkok Post. (2016, November 17). Plan aims to reduce number of children of illegal laborers. *Bangkok Post*. Retrieved from <http://www.bangkokpost.com/news/general/1137209/plan-aims-to-reduce-number-of-children-of-illegal-labourers>.
- Chantavanich, S. (2007). *Thailand policies towards migrant workers from Myanmar*. Bangkok, Thailand: Asian Research Centre for Migration, Institute of Asian Studies, Chulalongkorn University.
- Chantavanich, S. (2012). *Myanmar migrants to Thailand and implications to Myanmar development* (Policy Reviews on Myanmar Economy No. 7). Chiba, Japan: Institute of Developing Economies – Japan External Trade Organization. Retrieved from <http://www.ide.go.jp/library/English/Publish/Download/Brc/PolicyReview/pdf/07.pdf>.
- Dowding, L. (2014). *Pathways to a better future: A review of education for migrant children in Thailand*. Bangkok and Mae Sot, Thailand: Save the Children in Thailand, World Education Thailand. Retrieved from <http://thailand.worlded.org/wp-content/uploads/2016/04/MESR-Full-Report.pdf>.
- Government of Thailand. (2005, December 29). *Written replies by the Government of Thailand concerning the list of issues (CRC/C/THA/Q/2) received by the Committee on the Rights of the Child relating to the consideration of the Second Periodic Report of Thailand*. United Nations. Retrieved from http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fTHA%2fQ%2f2%2fAdd.1&Lang=en.
- Herman, S. (2016, June 23). Myanmar migrants in Thailand rush police, greet Suu Kyi. *Voice of America*. Retrieved from <http://www.voanews.com/a/rohingya-muzzled-in-bangkok-as-myanmar-leader-lands/3388652.html>.

- Huguet, J. W. (2014). Thailand migration profile. In J. W. Huguet (Ed.), *Thailand migration report 2014* (pp. 1–12). Bangkok, Thailand: United Nations Thematic Working Group on Migration in Thailand.
- Jampaklay, A. (2011). Migration and children. In J. W. Huguet, & A. Chamratrithong (Eds.), *Thailand migration report 2011* (pp. 95–106). Bangkok, Thailand: International Organization for Migration.
- Jones, C. O. (1984). *An introduction to the study of public policy* (3rd ed.). Monterey, CA: Brooks/Cole Publishing Company.
- Kapur, R. (2016, April 26). Myanmar's Aung San Suu Kyi pushes for peace with ethnic rebels. *The Diplomat*. Retrieved from <http://thediplomat.com/2016/04/myanmars-aung-san-suu-kyi-pushes-for-peace-with-ethnic-rebels/>.
- Kingdom of Thailand. (1991). *Constitution of the Kingdom of Thailand, B.E. 2534 (1991)* [translation]. ThaiLaws.com. Retrieved from http://thailaws.com/law/t_laws/claw0015.pdf.
- Kingdom of Thailand. (1997). *Constitution of the Kingdom of Thailand 1997* [translation]. ThaiLaws.com. Retrieved from http://thailaws.com/law/t_laws/claw0010.pdf.
- Kingdom of Thailand. (2002). National Education Act of B.E. 2542 (1999) as amended by National Education Act of B.E. 2545 (2002). Retrieved from http://thailaws.com/law/t_laws/tlaw0165a.pdf.
- Ministry of Foreign Affairs. (2016, June). *Official visit of H.E. Daw Aung San Suu Kyi, State Counsellor of Myanmar to Thailand*. Bangkok, Thailand: Author. Retrieved from <http://www.mfa.go.th/main/en/media-center/28/67964-Official-Visit-of-H.E.-Daw-Aung-San-Suu-Kyi,-State.html>.
- Ministry of Foreign Affairs. (2017, February 28). *Statement by Deputy Minister of Foreign Affairs during the high-level segment of the thirty-fourth session of the Human Rights Council*. Bangkok, Thailand: Author. Retrieved from <http://www.mfa.go.th/main/en/news3/6886/75627-Statement-by-Deputy-Minister-of-Foreign-Affairs-du.html>.
- Natali, C. (2013). Nationality verification process in Thailand: What worked, what did not and the steps forward. In S. Chantavanich, C. Middleton, & M. Ito (Eds.), *On the move: Critical migration themes in ASEAN* (pp. 175–192). Bangkok, Thailand: International Organization for Migration, Chulalongkorn University – Asian Research Center for Migration. Retrieved from http://www.arcalthailand.com/documents/publications/OntheMoveAllChapter_Cover.pdf.
- National Education Act of B.E. 2542 (1999) as amended by National Education Act of B.E. 2545 (2002). <http://www.spr.ac.th/web/ebook/pdf/acteng/pdf.pdf>.
- Nawarat, N. (2012a). *Schooling and activism in a zone of exception: Migrant learning centres on the Thai-Burma border*. *Social Sciences Journal [Chiang Mai University]*, 24, 117–157.
- Nawarat, N. (2012b). Thailand education policy for migrant children from Burma. *Procedia Social and Behavioural Sciences*, 47, 956–961.
- Nawarat, N. (2014). Negotiating curricula for Burma migrant schooling in Thailand. *Procedia Social and Behavioural Sciences*, 143, 872–878.
- Nawarat, N. (2016). In *Reflecting on a decade of Shan children in Thai Public Schools*. Chiangmai, Thailand: The Centre for Multiculturalism and Education Policy, Chiangmai University. [in Thai]
- Nawarat, N., Werakultawan, S., & Mansap, S. (2008). *Migrant child workers on the Thai–Burma border*. Chiang Mai, Thailand: Faculty of Education, Chiang Mai University. [in Thai]
- Paitoonpong, S., & Chalamwong, Y. (2012). *Managing international labour migration in ASEAN: A case of Thailand*. Bangkok, Thailand: Thailand Development Research Institute. Retrieved from <http://tdri.or.th/wp-content/uploads/2013/07/h117.pdf>.
- Pongsawat, P. (2007). *Border partial citizenship, border towns, and Thai–Myanmar cross-border development: Case studies at the Thai border towns* (Doctoral dissertation). University of California. Retrieved from <http://www.polsci.chula.ac.th/pitch/PongsawatPhDDissertation.pdf>.
- Schaffer, B. (1984). Towards responsibility: Public policy in concept and practice. In E. J. Clay, & B. B. Schaffer (Eds.), *Room for manoeuvre: An exploration of public policy in agriculture and rural development* (pp. 142–193). London, UK: Heinemann Educational Books.
- Thet, M. M., & Pholphirul, P. (2016). The perception of Myanmar development on its return migrants: Implications for Burmese migrants in Thailand. *International Migration & Integration*, 17, 995.
- United Nations. (2017). *Multilateral treaties deposited with the Secretary-General*. Retrieved from <http://treaties.un.org/Pages/ParticipationStatus.aspx?clang=en>.
- United Nations General Assembly. (2016, September 13). *New York declaration for refugees and migrants*. Retrieved from <http://undocs.org/a/res/71/1>.
- Vungsiriphisal, P., Rukspollamuang, C., & Chantavanich, S. (2013). The challenge and gap of migrant children protection: A case study of Thailand's education policy. In S. Chantavanich, C. Middleton, & M. Ito (Eds.), *On the move: Critical migration themes in ASEAN* (pp. 219–237). Bangkok, Thailand: International Organization for Migration, Chulalongkorn University – Asian Research Center for Migration. Retrieved from http://www.arcalthailand.com/documents/publications/OntheMoveAllChapter_Cover.pdf.
- World Conference on Education for All. (1990). *Meeting basic learning needs: A vision for the 1990s*. New York, NY: The Inter-Agency Commission (UNDO, UNESCO, UNICEF, World Bank) for the World Conference on Education for All. Retrieved from http://www.unesco.org/education/pdf/11_92.pdf.