

Photikanit et al., 2018

Volume 4 Issue 3, pp.360-381

Date of Publication: 22nd November 2018

DOI-<https://dx.doi.org/10.20319/pijss.2018.43.360381>

This paper can be cited as: Photikanit, K., Sirasoonthorn, P., Aneksuk, B. & Buddharaksa, W. (2018).

Thai State, Health Discourses and Subalternity among Migrant Workers: Lesson Learned from Thailand.

PEOPLE: International Journal of Social Sciences, 4(3), 360-381

This work is licensed under the Creative Commons Attribution-NonCommercial 4.0 International License. To view a copy of this license, visit <http://creativecommons.org/licenses/by-nc/4.0/> or send a letter to Creative Commons, PO Box 1866, Mountain View, CA 94042, USA.

THAI STATE, HEALTH DISCOURSES AND SUBALTERNITY AMONG MAGRANT WORKERS: LESSON LEARNED FROM THAILAND

Kammales Photikanit

Faculty of Social Sciences, Naresuan University, Phitsanulok, Thailand
kammales007@hotmail.com

Patcharin Sirasoonthorn Dr., Assoc, Prof.

Faculty of Social Sciences, Naresuan University, Phitsanulok, Thailand
patcharins76@gmail.com

Boonyasarit Aneksuk Dr., Asst. Prof.

Faculty of Social Sciences, Naresuan University, Phitsanulok, Thailand
b.aneksuk@gmail.com

Watcharabon Buddharaksa Dr., Asst. Prof.

Faculty of Social Sciences, Naresuan University, Phitsanulok, Thailand
watcharabon@gmail.com

Abstract

This article aims to analyze the subaltern condition among migrant workers in Thailand under Thailand government's health policy during 2001 – 2016. The major objective of this research work is to critique and reveal the complication of socio – politics and Thai state's health policies which affected migrant worker's subalternity. The authors applied documentary research

by adopting Gramscian approach which did not only focus on research methodology in scientific method such as statistical analysis or mathematical statistics, but the criticism approach was crucial. By using this approach, the critique of power and knowledge establishment in form of the order of things by using the critical policy perspectives had also been highlighted for analyzing the formation of Thai state's health policy and its effects to subalternity among migrant workers in Thailand. The researchers found out that subalternity among migrant workers in Thailand was not a new scenario. Rather, it had been continually reproduced through various Thai state ideological apparatuses and Thai state's health policy. On one hand, two major initiative thoughts of policy formation were reproduced to take and maintain Thai state's hegemony and share benefits among their alliances. On the other hand, the subalternity also stigmatized those migrant workers, who were subconsciously considered as "the otherness". The social exclusion had been highlighted as well as the condition of out of sight, out of mind which had also remained in Thai state's heedfulness.

Keywords

Thai State, Health Discourses, Subalternity, Migrant Workers

1. Introduction

This study aims to present a socio-political phenomenon in a world of global capitalism in which people, goods, and culture have been rapidly flowing. Sub alternate condition commences when common people move across their own state-nation border into a new socio - economic, political and cultural territory. On the one hand, this new space is perceived as representations of sense of hope, dream, and bright future in terms livelihood under the economic motivation and aspirations for a better way of life. On the other hand, the respatialization by using social geography perspective increases the state's intervention and manipulation legitimacy over the interconnections among common people around the world. New territory becomes new space which depresses former socio-space of those people as they are accustomed into the rearrangement of identity and new form of adaptation under new criteria of time, space and social context. These changes become the irresistible impulse to migrant workers via the process

of new power relation building with destination state in form of social exclusion and push those migrant workers to enter the “world of otherness”.

In Thailand, migrant worker is defined by Thailand's Nationality Act B.E. 2508, which refers to “alien” or any person who is not of Thai nationality or a person who does not have a Thai nationality. By this, the legitimacy of Thai state was established to intervene and manipulate new comers who cross the borders in many ways. The socio-politics, national security and healthcare rearrangement had been highlighted. Under the reproduction of dehumanized discourses, the migrant worker's values had been debased to objects of surveillance which was labeled and represented with negative images such as illegal migrant workers who present a risk to national security. With the Thai state's hegemony as destination state, subalternity among migrant workers has been a case of ongoing political and social issue. To survive, those migrant workers need to escape Thai state's surveillance and choose to live in the grey area as people in between. Finally, the adaptation, fighting, negotiation, and making alliances of those migrant workers by building power relationships with another socio-politics agent emerge in many ways.

Over 40 years since 1st Thailand Economic and Social Development Plan was established (1961-1966), Thailand has never had the concept for managing migrant worker's health. Moreover, two major types of state's intervention and manipulation focusing on controlling the migrant worker's work condition have been highlighted, these are; 1) to control the expanding and influencing of the international business group by emphasizing the role of domestic enterprise production, and 2) to control alien employment and the issuance of work permits to aliens and to reserve certain occupations for the Thai labor force.

The change of government in 2001 led to a big change in the rules for registering foreign workers. Migrant workers have, since then, been permitted to register in any province, in any industry. This was also the first time that migrants who did not have a permanent employer could register themselves as well as the first time to have Thai's policy of medical check-ups and health insurance for migrant workers which required migrant workers to submit themselves for a health inspection, which cost 600 baht, and to pay for a health insurance. Consequently, the number of registered migrants increased to 568,249 in 2001 (Archavanitkul & Vajanasara,

2008). During that time, Thailand's health policy for migrant workers played a major role of being state ideological apparatus impulsion. Specifically, this health policy acting as state's power aids the government to control migrant workers, both of physically and mentally, by taking the role of being migrant worker's health surveillance based on the concept that "anything dark needs to be bright, thus making it manageable". However, such policies concerning migrant workers reflected the way of thought or what Gramsci called "conception of the world", to which the policy makers attached a set of knowledge and regimes of truth. The representation of illness based on vector disease discourse which posed a threat to national security, and therefore needed to be managed, had been highlighted. Later, the praxis of those discourses in form of state's policy for registration and healthcare insurance for migrant workers were launched for establishing hegemony and legitimacy to manage and manipulate those migrant workers based on the initiated ideas of economic development by sharing benefits among state's alliances. Simultaneously, the concept of national security had also been highlighted as hidden agenda behind those policies.

2. Research objectives

This article's major objective is to critique Thailand government's health policy during 2001 - 2016 which affected the subaltern conditions among migrant workers during that time.

3. Theoretical framework

The condition of subalternity which affected migrant workers and reduced them into subaltern group resulted from hegemonic apparatuses by the destination state's apparatus. Those hegemonic apparatuses were operated in both super and base structures which pertained to physical and mindset controlling. Two major Gramsci's concepts of war of movement and war of position had been highlighted for building state's hegemony. On the one hand, the state legitimacy was established through what Gramsci called "war of movement" for domination and coercion behavior of migrant workers through various state apparatuses such as military, police, court, and the governmental-coercive apparatus via the process of legislation, regulation and act formulations (Simon, 1982, p, 70; Hoare and Nowell Smith, 1971, p, 12, 269). On the other hand,

the production of set of truth was practiced using discourse of differentiation and the otherness, as Gramsci's war of position in the form of mindset controlling and manipulating. These ideological state apparatuses were accomplished by norms setting and belief direction operated by private organizations, church, trade unions, schools, family, and various cultural associations. War of position referred to a set of truth or guideline that a state established to shape the consensus of major groups of the population to attract or repulse or remain those groups in society (Coutinho, 2013, p, 93). By this, the migrant workers' behavior was controlled and closely watched as subaltern group who had to live under the condition of subalternity. Such condition related to world of emotions or psychological terrain, which had to do with mentality, injected fear, inferiority, trepidation, servility, despair, and abasement (Hoare and Nowell Smith, 1971, p, Xiv, p, 12, 52, 56; Simon, 1982, p, 67 - 71; Frantz Fanon cited in Crehan, 2016, p, 16 - 17; Green, 2011, p, 1628)

Therefore, subalternity, in this article, refers to a condition of subordination and social categorization in both methods of physical domination and knowledge building to take and maintain hegemonic status of the ruling class. On the one hand, the coercion apparatus was operated via physical domination. On the other hand, the mentality, ideas, beliefs, and ideological direction had been highlighted by setting historical initiative and fostering set of truth which obstructed the recognition of major groups of the population to include or exclude the other group that was considered the lowly or the same level of the ruling class which fluxed following the changing of time, space, and context in each period. Conversely, the subaltern remained lacking in autonomy and had no history and voice of their own to explain about themselves but was narrated by voices of the ruling class (Buddharaksa, 2014, p, 136 - 142).

4. Methods

This study employed documentary research by using content analysis and critical policy approach as major research methodology to critique and reveals the complication of socio-political situations and Thai state's health policy which affected to the condition of subalternity of migrant workers under discourses of the otherness. Four major criteria for evaluating literature review had been identified, there were; 1) Timeline of documents, must be related to the timeline of study (during of 2001-2016), 2) Content of documents, related to research objectives, 3)

Credibility of documents, come from reliable sources and data bases such as Elsevier, JSTOR, SCOPUS and ThaiJO, and 4) Benefits for research. Moreover, the research result was analyzed and summarized through interpretative and descriptive analysis methods.

5. Research Results

5.1 Pre-periods of the occurring of borderlands line (before 1947 or 2490 B.E.)

The movement of foreign nationals to settle and work in Thailand has long been a phenomenon in the history of Thailand. Before 1947, Thailand, or Siam at that time, did not have a clear policy for migrant workers yet. During that time, Thailand was not a modern state yet. The categorization of nationality of people and the delimitation of international boundary line also were not clear yet. Numerous people were moving around buildings, around cities or across borders naturally. For example, a considerable number of Chinese were granted permission to migrate into Thailand and work as urban labourers that were in serious shortage for the rapidly growing urban areas especially Bangkok (William G., 1957).

Moreover, the state's health policy for migrant workers was also inexistent in Thailand. Only regulation and criteria on migrant workers employment had been observed. Those rules played a major role of state apparatus for verifying and screening migrant workers to get the state's permission before getting the employment in Thailand (Archavanitkul & Vajanasara, 1997, p, 17-18; Archavanitkul & Kanchanachittra Saisoonthorn, 2005, p, 12)

5.2 Periods of national security concept (1947-1986 or 2490 – 2529 B.E.)

During 1947-1986, Thailand changed into a modern state. With this modernization, the modern regulations, new criteria for spatialization, and people nationality categorization had been clearly identified. Moreover, the emerging of 1st National Economic and Social Development Plan (1961-1966 or 2504-2509 B.E.) pushed Thailand to build relations with World Bank and opened the country for welcoming capitalism. The economic structure of the country was transformed into new industrial formation which emphasized on being new productive nation of the world.

Two major Thai state's hegemonic apparatuses were launched, on both international and domestic levels, which affected the conditions of subalternity among migrant workers. The

discourse of the otherness had been highlighted and the hegemony of the Thai state had been focused.

First, let us look at the international relation reason, Thailand is a long-time political and military ally for making military co-operation and a significant trade and economic partner for the United States. Between 1945 and 1950, South-East Asia emerged as one of the arenas of the cold war. After the communist forces grew powerful according to the domino theory in late 1940s, Thai government under Field Marshal *Plaek Phibunsongkhram* government was realized as front-line state in US strategic plan against the communist expansion in South-East Asia. In March 1947, President Truman proclaimed the US's intention to block communism at all cost, and to support any nation resisting attempted subjugation by armed minorities or by outside pressure.

In 1952, President Eisenhower announced to increase the flow of resources to pro-US, anti-communist government. In 1954, The Southeast Asia Treaty Organization (SEATO) was signed with the major objective, which was to block further communist gains in Southeast Asia. The US funded a network of roads between Bangkok and the strategically important north-east, and provided the Thai army with more sophisticated weapons, more training, and more support funds. During 1940s-1950s, especially during Field Marshal *Sarit Thanarat* government, Thai's economic system was aided by the US by US\$20 million. Moreover, with US co-operation, the Thai military could increase the domestic defense budget from around US\$20 million a year in the early 1950s, to around US\$250 million a year in the early 1970s. Over two decades, the total military budget from the US increased 17 times. (Phongpaichit & Baker, 2002, p, 292-296)

Second, let us consider the domestic administration reason. Under the junta government administration at that time, there was the starting point which could be regarded as the turning point of Thai state's migrant worker policy. The nationalism of Thai junta government was inserted into Thai state's migrant worker policy formulation which was driven by the association with the bureaucratic groups for maintaining their hegemony. The praxis of this process was operated through the legislative process and policy launching related to migrants under the discourse of the otherness.

For example, section 4 of Nationality Act B.E. 2508 defines migrant worker as an "alien", which means a person who does not have a Thai nationality. Also, in section 4 of Immigration Act, B.E. 2522, migrant worker is defined as an "alien" that means any person who is not of Thai nationality under the Nationality Act. Moreover, the Announcement of the Revolutionary Council, No. 322/2515, dated 13th December B.E. 2515 identified the criteria for migrant workers who want to work in Thailand, which necessitated them needed to pass the permission from the Department of Labor. This announcement was the initiative of the Working of Aliens Act B.E. 2521 (1978) which identified 39 restricted occupations reserved exclusively for Thai nationals - one of them was the laborer. Afterwards, section 12 of the Immigration Act, B.E. 2522 states that the migrant workers who enter the Kingdom to take occupation as a laborer or to take employment by using physical skills without training or to work in violation of the Ministerial Regulations will not be allowed from entering the Kingdom. Those who have not yet been vaccinated against smallpox or inoculated or undergone any other medical treatment for protection against disease and refused to have such vaccinations administered by the Immigration Doctor will be regarded as an inadmissible person to enter or live in the Kingdom.

In conclusion, during 1947-1986 (2490 - 2529 B.E.), Thai junta government played major role of being migrant worker policy's formulator. Thai acts, regulations, and policies related to migrant workers were grounded on the combination between the nationalism of Thai junta government and the political and military co-operations with the US. These ideas transmitted conception of the world into attitudes and prejudices of the authorities which considered migrant workers as "aliens" under the discourses of the otherness, thereby posing threat or risk to national security. Any acts of newcomers, especially the people who migrated from any countries in Southeast Asia who were suspected of engaging with communist countries, needed to be subject to surveillance, to be controlled, and reregulated under the reason of keeping peace and order, maintaining national sovereignty, protecting national benefits, and building alliance with the US, based on the international relations reason through socio-economic, political and military co-operation as well as maintaining Thai junta government hegemony in the long run.

5.3 Periods of moving forward to newly industrialized country (1977–1996 or 2530-2539 B.E.)

The years from 1977–1996 (2530-2539 B.E.) were regarded as the golden age of Thailand's economy. Numerous state economic development policies focusing on private sector investment to improve infrastructure systems development had been highlighted. Especially, during 1988–1991, Thai government led by General *Chatichai Choonhavan* emphasized on the international trading, particularly with the neighbor countries around Indo-china, to stop fighting and support the economic co-operation based on famous policy of turning Indochina “ from battlefield to a market place”. This policy aimed to respond the economic requirements of the businessmen from Northeastern business group which were backing two major coalition government parties at that time. Consequently, Thailand economic growth rate increased 10% a year in the early 1980s. By this, the number of journalists expected that Thailand would become the Fifth Asian Tiger following Hong Kong, Singapore, South Korea and Taiwan (Phongpaichit & Baker, 2002, p, 411, 438 – 443).

While the industrial sector had been rapidly growing, the agricultural sector was going to collapse. Numerous migrations of rural laborers into the city rapidly increased. This social phenomenon was impliedly considered as pull factors, which contributed to the migrant workers' being a major factor of production to respond to the private sector's demand for domestic laborers. Moreover, the political crisis, the human rights abuse, and the economic downturn from the origin state were realized as push factors which drove people to emigrate from their home countries into Thailand (Kerdmongkol, 2012, p, 3).

However, the co-operation between the political groups and business groups challenged and decreased the hegemony of the military and bureaucratic groups. Consequently, a coup d'état in May 1992 occurred. During 1991-1992, the Thai government under Prime Minister *Anand Panyarachun* was backed by the military. Three major nationalities of migrant workers, comprising Laotians, Cambodians, and Burmese remained the most wanted workers by the business groups. The movements and pressures of numerous business groups under the co-operation among the Thai Chamber of Commerce and Board of Trade of Thailand, The

Federation of Thai Industries, and the Thai Bankers' Association (TBA) have severely affected the traditional state apparatuses, such as the Working of Aliens Act and the Immigration Act, which have lost their own significations. After the 1990s, the use of the cabinet resolution of Thai government played major role of newly state apparatus to create new legal framework by permitting undocumented, illegal workers to continue to work in Thailand following the cabinet resolution criteria.

For example, the cabinet resolution of Thai government on March 17, 1992 granted undocumented, illegal workers registration but still maintained their illegal immigrant status. The 1992 registration allows migrant workers to work for two years in nine provinces. These provinces include *Chiang Rai, Chiang Mai, Mae Hong Son, Tak, Kanchanaburi, Ratchaburi, Prachubkirikun, Chumporn, and Ranong*. It also stipulates that the migrant workers must apply for a work permit which costs 1,000 baht, and that they have to pay a 5,000-baht fee for a repatriation-cost insurance (Paisanpanichkul, 2001).

However, those permitting, and registration policies are entirely unsuccessful because employers claim that 5,000-baht fees are too expensive. Moreover, the shortage of labor in commercial fisheries is still an ongoing problem. Unfortunately, Thailand's laws generally prohibit the entry and employment of unskilled foreign workers. The Foreigner Employment Act of 1978 specifies 27 occupations that are open to foreigners, but Article 17 of the Immigration Act of 1979 allows the Thai Cabinet to permit foreigners to enter and work in Thailand as an exception to this general ban. The fisheries laborers had been highlighted. From 1992-1995, Thai government led by Prime Minister *Chuan Leekpai* launched the cabinet resolution on June 22, 1993 for adjusting and abolishing the restricted occupations for migrant workers by permitting them to work as the fisheries laborers. Afterwards, on June 25, 1996, a cabinet resolution by Prime Minister *Banharn Silpa-archa* was passed into law. This allows foreign workers to work for up to two years in 43 provinces, provided their employers register them. By November 1996, some 323,123 foreign workers were registered, and 293,652 received work permits. Nevertheless, those policies operated under the idea that emphasized on reducing the gap between demand and supply for labourers following Thai economic development plan.

In conclusion, during 1980s, Thai state's migrant workers policy reflected conception of the world based on discourse of Xenophobia which hid under the risk of national security discourse. The dehumanization image of migrant workers was formed, as they were subtly regarded as the national enemy, illegal, treacherous, underdeveloped, and lowlier than Thai people. Thai national security offices had increased power and authority to act the role of administrator and manipulator of migrant workers policy regarding the issues of legitimacy.

In addition, those policies also revealed two major initiatives of policy formulation ideas between the capitalism and the national security. On the one hand, Thai government used migrant workers as a major economic contribution to Thailand industrial systems. On the other hand, the national security perspective was highlighted by the state's national security sectors. Both defensive and offensive measures were launched for protection purposes in order to maintain peace and order in the country in case a suspicious atmosphere prevailed.

5.4 Periods of Thailand administrative reformation and the emerging of political-business group

During 1997-2006 (2540-2549 B.E.), Thai state's migrant workers policy remained unstable following the conception of the world of the ruling class which got the hegemonic status to administer the country in each period. In the mid-1997, there had been a clash between the political party's capitalism and the state national security sector's nationalism with regard the issue of migrant worker's policy formulation had been highlighted.

After the 1997 Thailand Financial Crisis, which was well known as "*Tom Yum Goong crisis*", numerous Thai laborers were unemployed. To resolve the unemployment problem, Thai government launched a policy which sought to limit the migrant worker's employment. Thai state used this policy as a reason to apprehend both legal and illegal migrant workers and return them back to their countries. However, the policy brought about numerous criticisms. After the big clearance, the shortage of laborers had emerged because migrant laborers were in high demand and Thai employees were unable to replace them given their low-cost labor.

On April 28, and May 8, 1998 employers were permitted to employ migrant workers for another year. The decrees issued on those dates stated that no more than 158,253 workers could register. However, in practice only 90,911 employees registered. Moreover, the Cabinet

Resolution of 1999 permitted migrants to carry out 18 types of work, in 37 provinces. These 37 included ten border provinces, eighteen provinces with large fishing industries and nine provinces in the process of changing their production processes. Altogether, 99,974 people registered for work (Archavanitkul & Vajanasara, 2008).

During 2001 – 2006, Thai government led by *Thaksin Shinawatra* was formed to govern the country. Thaksin's government aimed to develop the country's economic system by focusing on an economic development strategy which seeks both to promote domestic demand and to attract increased foreign investment. Hence, due to its economic development policies, the capitalism appreciated by political business group was crucial. Thaksin's government needed to build alliances with both the domestic entrepreneurs and international investors to encourage and promote Thailand as major manufacturing base for competing in global markets. As can be seen from the implementation of various populist policies on domestic economic development, small and medium-sized enterprises (SMEs) development and the signing of Free Trade Agreement (FTA) with several countries such as China, Australia, New Zealand, and USA also played major role as a key economic objectives development. Thus, labor was recognized as influential factor which affected the growth of Thailand's economy, especially migrant labor that was a cheap-labor and was popular in Thai's industry system.

To upsurge the country's economic growth after the economic crisis of 1997, Thaksin's government operated economic policy commonly known as “Thaksinomics” which was a combination of his name, Thaksin, and Economics, implying his political brand name. Thaksinomics aimed to develop in three major stages, these were; 1) domestic market stimulus, 2) “dual track policy” which mixed domestic consumption, government spending, investment, and export, and 3) a planned infrastructure-led growth plus deepening of capitalism. (Phongpaichit, 2003)

By this, “dual track policy” played a major role of an alliance building mechanism to get spontaneous consent from two major social groups, these were; 1) the capitalists and political business groups by coordination of benefits and 2) the grass-roots people by populist policies. By this, four main parts of Thaksinomics had been highlighted, these were; a liberal or neoliberal

approach to the economy; “populist” schemes of economic and social distribution; aggressive dismissal of “old politics”, meaning old people, leaders, institutions, ideologies and attitudes; and subversion of the liberal state model by a mixture of power and money.

Moreover, the rise of Thaksin’s government the under the slogan “Think new, Act new” brought about the changing of migrant workers administration system in form of policy formation based on the notion that economic development leads to national security.

To accomplish the country’s economic development goals above, Thaksin’s government allowed the estimated 2.3 million migrant workers in Thailand to register and seek health coverage under the Thai national healthcare system. They were also eligible for work permits at the end of the registration period, entitling them to full labour protection. Two major migrant workers management policies were issued, both under Thaksin’s government hegemonic apparatuses, these were; 1.) labour registration policy according to cabinet resolution in August 2001, hosted by the Ministry of Interior, and 2.) 2001, the universal health insurance policy for migrant workers operated by the Ministry of Public Health.

First, let’s consider the registration policy. Migrant worker’s administration system was changed as the boot is on the other foot. On the issue of migrant worker’s registration policy, Thaksin’s government approved to expand migrant worker registration from only 39 provinces in 1996 to all 76 provinces and all industries. The policy was implemented by what they called “The National Committee on Illegal Worker Administration (NCIWA)” in which 22 Thai state’s bodies were integrated, including the Ministry of Interior, and the Ministry of Labour holding the authority in matters of surveillance. This notion gave opportunity to any illegal migrant workers to register themselves in every province and every kind of business. It was the first time the unregistered and unemployed migrant workers could register themselves. Consequently, approximately 568,249 migrant workers had been registered at that time. Afterwards, two major cabinet resolutions were issued on August 2002 and 2003, which also related to migrant worker’s registry system, as they were focused on the extension of migrant workers registration. Only migrant workers who registered with the Labour Ministry since August 2001 had been accepted.

Approximately, 430,074 migrant workers were registered in 2002 and 288,780 cases in 2003 (Archavanitkul, 1999, p, 20).

During 2002 – 2003, Thailand signed MOUs with Laos (October 2002), Cambodia (May 2003) and Myanmar (June 2003) to support the management and regularization of labor migration. By this, these countries had to verify the nationality of their laborers before granting them stay and their work permits be approved by Thai government. Migrant workers receive rights to social welfare, rights to healthcare, and any rights as Thai laborers and any migrant workers who passed the Thai's nationality verification. On the contrary, those MOUs were the state's hegemonic strategy to control and regulate migrant workers by building alliances between Thai government bodies and Thai entrepreneurs. It enabled Thai authorities to know the exact number of migrant workers in the country, with the notion, “pull them from the dark into the light”, and allowed Thai employers the power to select migrant workers to fill their jobs following their requirements submission under the opinion, “bring them under control” (Taotawin and Satrakom, 2011, p, 26, Suan Khai, 2012, p, 4-5). Consequently, Thailand's gross domestic product accounted for 91% of the combined GDP of Thailand, Burma, Cambodia and Lao PDR in 2003 (Raks Thai Foundation, 2005, p, 3).

Second, let's consider the health insurance system policy for migrant workers. 2001 marked the first time that the Thai government identified the measure and guideline for medical examination and health insurance for migrant workers systematically. The migrant workers needed to pass physical medical check-up in identified hospitals or healthcare offices before obtaining work permit. During 2005 – 2006, the cover of medical examination and health insurance for migrant workers were expanded into their families and dependents. The registered migrant workers were covered with health insurance issued by the Ministry of Public Health with a fee. Migrant workers, their families and dependents could access the national healthcare plan through registration. By this, the registered migrant workers were permitted to exercise their rights to avail the state's healthcare services. While their families and dependents were also encouraged to buy annual health insurance to access governmental healthcare services. The price paid for health checking was 600 baht while the health insurance cost 1,300 baht; these were

charged by the Ministry of Public Health. This payment was too much of a cost considering how much they earned daily, which was around 145 baht. However, most of the migrant workers had to pay the registration and health examination costs themselves, while some of them were aided by the employers or the costs might be deducted monthly from their wages (Kotemanee, 2002; Khruemanee, 2007, p, 6 - 8).

Overall, two major Gramsci's hegemonic apparatuses were operated by Thaksin's government under the migrant worker's administration policies during 2001 - 2006; one of which was war of movement that was launched through two policies and six cabinet resolutions. Three government bodies played a major role of state's mechanism in forms of physical, health and human dignity surveillances: these were; the Ministry of Interior, the Ministry of Labour, and the Ministry of Public Health. Simultaneously, war of position was exercised via two ideological manipulation strategies; these were: the ontological building method and negative image of risk phenomenon presented as a national problem in policy statement. The spontaneous consent and popularity from Thai people was established while positive image of Thaksin's government as a saviour who had legitimacy for resolving the problem was also presented. Simultaneously, the "sharing benefits" tactic among political and business groups by supporting cheap-labor employment was employed for purposes of receiving their supportive responses to operate those migrant worker's policies. On the one hand, these policies were used to rearrange migrant workers registration system for strengthening Thai economic system. The positive image was highlighted in the form of hegemonic apparatus through various populist policies. On the other hand, the subalternity was interpreted through state ideological apparatus which presented migrant workers' negative image as a risk to national security. The exploitation, discrimination and limitation in healthcare accessibility based on polarization of the "us/others" discourse had been highlighted.

5.5 Periods of fluctuation and the clashing of capitalism versus national security concepts

During 2007-2011, Thai economic system was on its recovery period after Thai's political crisis in 2006. What had been underscored was the clash between capitalism and national security regarding migrant worker's policy formulation concepts. The migrant workers policy in relation

to capitalism had been emphasized, such as extending the work permit, subjecting migrants' work permits to nationality verification, and switching illegal migrant workers' work status to temporary employment. During the time of Prime Minister *Abhisit Vejjajiva* (2008-2011), the migrant workers policy regarding nationalism, specifically national security, has also been emphasized by laws that strictly enforce setting of state surveillance and accountability systems for migrant workers residence based on the legitimacy of hegemonic state apparatus. For example, for the migrant workers' registration and nationality verification, the registration of 3 nationalities of illegal migrant workers, the employers three-month reporting of migrant workers' movement in case of a layoff or escape, the employers need to inform the Ministry of Interior officer within 7 days. In addition to this, the employment of the migrant workers who left their employers or were working for new employers without their initial employers' consent was prohibited (Kerdmongkol, 2012, p, 3).

During 2011-2014, Thai government by Prime Minister *Yingluck Shinawatra* relived migrant workers policies which focused on the idea that economic development leads to national security, to respond to the notion of alliance building among the political elite class from the local, regional, national, and international levels. The interfacing among state-market-civil society based on the economic system of Laissez-faire or capitalism for creating economic benefits to both origin and destination states had been underscored. By this, the political co-operation and sharing economic benefits among the trading partner countries had grown together. Those notions above were carried out through February 13, 2012 cabinet resolution which identified important guidelines such as the extension of the period to complete nationality verification (NV) for migrants from Cambodia, Laos PDR and Myanmar/Burma, the extension of work permits for the renewing group, the reduction of the visa fee from THB 2,000 to THB 500, the assignment of relevant agencies to proceed with NV for the newly registered group, and the postponed collection of the repatriation fund to more than one year (new effective date is March 1, 2013) (IOM, 2012).

The hidden reason which influenced the above-mentioned policies formation had resulted from the international politics development of Myanmar government, following its open-door policy and its recent democratic and economic reforms. Simultaneously, the building process

towards capitalist economic system in line with the ASEAN Economic Community had been underscored. Numerous mega-projects resulting from international economic co-operation and development, which aimed to both encourage and support the investment from the other countries with abundant natural resources, were launched; these included the repealing of Myanmar's export taxes, decreasing import taxes and providing greater access for foreign direct investment. Following these reforms, Myanmar soon began to further facilitate the establishment of special economic zones (SEZs). With these eventful advancements in the industry, the economic co-operation between Myanmar and Thailand may lead to benefit sharing due to their respective domestic and international economic developments for maintaining each other's hegemony.

From 2014-present, the junta government has governed the country after Thailand's May 22, 2014 coup d'etat. The junta government led by General *Prayut Chan-o-cha* attempted to lead back to the concept of nationalism when it comes to the issue of operating migrant workers policy, based on the discourses of keeping order and peace, internal security and national sovereignty. The recognition of migrant workers and illegal migrants as one of the seven non-traditional has gained prominence. The notion implies that a migrant worker is an emergency threat to the life of the Nation.

Order No. 59/2557 and Order No. 60/2557 of the National Council for Peace and Order, dated 11 June 2014, has played major role of hegemonic state apparatus by delegating the administration of migrant workers problems to representatives from the security sector and assigning civil officials to sit as members of a committee whose task is to address the migrant workers problem. This committee has a duty to respond and support the migrant workers systematization policy of the National Council for Peace and Order that rationalizes the migrant workers as a pressure group that brings various social problems such as crime, plague, human trafficking, and child labour abuses (Hfocus, 2014)

The Migrant Working Group and the undersigned organization have monitored the situation and noted that before the NCPO has issued the Order No. 59/2557 and Order No. 60/2557, dated 10 June 2014, security agencies and civil officials, under the name of "Provincial Internal Security Commands Operation" (P-ISOC) in some areas have informed the

press that there is an operation called “migrant workers regularization operation” doing ocular inspections on suspected premises where there may be migrant workers working in Thailand. Additionally, many migrant workers have faced the soft deportation. According to our information, there has been many group of migrant workers that has been arrested for having no valid immigration documents and work permits, possessing passports and work permits but work permits indicate a workplace different from current place they have been found and arrested, and having expired passports and work permits. It has been found that houses where migrant workers are suspected to reside have been demolished. In some cases, the operations tend to violate the child protection measure, under the Thai child protection law and the Convention on the Rights of the Child, which Thailand is the state party (HRDE, 2014).

Simultaneously, many international journals reported the plight of migrant workers who have moved back to their home town; the negative image of Thailand in the global community perspective has decreased. Nonetheless, the results of those reports still affected Thai's economic system, which has been known to be depending on cheap-labor, specifically with those jobs that Thais don't want to do such as house cleaning, construction works, fisheries, and agriculture labor. Consequently, the labor shortage problem has gained prominence (ASTV, 2014; Limpattamapanee, 2014; TDRI, 2014).

By this, Thai junta government changed their attitude towards those migrant workers by “launching an announcement of the National Council for Peace and Order No. 70/2557, with the subject: Interim Measures in solving the problem of migrant workers and human trafficking driven by hegemonic state apparatuses, namely the Ministry of Interior and the Ministry of Labour”. This aims to establish Coordination Center for the Return of Cambodian workers (hereinafter the Coordination Center). It shall consider issuing a temporary entry permit for Cambodian nationals who wish to return to work in Thailand, with the Ministry of Interior as the main responsible body. This Coordination Center shall work together with the Ministry of Labour, the Immigration Bureau and other relevant bodies and shall commence work from 26 June 2014 onwards.

Moreover, establishing the National Council for Peace and Order's (NCPO) committee policy for resolving human trafficking and migrant workers problem and sub-committee on

transnational labour following the Order No. 73/ 2557 and Order No. 74/ 2557 has been highlighted. These orders aim to crack down illegal labour as well as to set up a One Stop Service for the Registration of Migrant Workers (hereinafter the One Stop Service) in every province, with the responsibility to issue a temporary work permit for migrant workers and orderly manage migrant workers of Myanmar, Laos and Cambodia. The Ministry of Interior acts as the main responsible body, and works in cooperation with the Ministry of Labour, the Ministry of Health, the Immigration Bureau and other relevant entities. By this, the apparent aim is to curb problems and compromises faced by business operators who are losing workers and whose businesses could be damaged by sudden labour shortages, both legal and illegal. (Thai government, 2016: Ministry of Labour, 2016)

6. Conclusion and Recommendation

The regulations and policies related to migrant worker's migration and employment in Thailand hide behind the concept of nationalism. The discourses on national security risk and the projection of migrant workers as plague carriers have tainted a negative image on these migrant workers. Conversely, the issue concerning economic development has been also crucial. The migrant workers as economic and political prisoners of both Thai government's hegemony and political and business groups for their benefits have come into focus. The rationalization above does not provide much and legal employment. Rather, the erratic and intermittent policy formations and implementation remain fluctuating and paradoxical in each period.

Thus, the migrant workers policy in the past was realized as a recurring result of anxiety for each of the previous Thai governments. The complication of management systems and having various factors related to migrant workers policy formations in each period, has made it even more difficult for Thai government to resolve the problem. The slippage and flexibility with honesty has been complicated.

Therefore, it is recommended that scope of future research on the reconsideration of Thailand migrant workers policy development in each period be conducted to help reveal the role of initiative conceptual framework of policy formulation to better manage and manipulate migrant workers' livelihood. Moreover, the researchers highly suggest that future scholars take

into consideration the praxis of state and ideological hegemonic apparatuses affecting both the practical and physical aspects and mindset directions toward the migrant workers' subalternity in order to create and sustain much better, mutual benefits between and among the nationalities, parties and authorities concerned.

7. Acknowledgement

This work supported by grant throughout the course, graduate study for publishing paper in an international journal from the Graduate School, Naresuan University.

References

- Archavanitkul, K. (1999). What is the number of child prostitutes in Thailand? *Journal of the Institute for Population and Social Research*, 7. Pages 1-9.
- Archavanitkul, K. & Vajanasara, K. (1997). *A synthesis on policy options for importation of foreign labor into Thailand*. Nakhon Pathom: Institute for Population and Social Research, Mahidol University. Page 17-18 (In Thai)
- Archavanitkul, K. & Kanchanachittra Saisoonthorn, P. (2005). *Questions and Challenges to Policy of Thai State in Health and Migrant Worker's Right*. Nakhon Pathom: Institute for Population and Social Research, Mahidol University. Page 12. (In Thai)
- Archavanitkul, K. & Vajanasara, K. (2008). *Employment of migrant workers under the Working of Aliens Act 2008 and the list of occupations allowed to foreigners*. Research report. Bangkok: International Organization for Migration. Bangkok: IOM.
- ASTV. (2014). NCPO Defeated, Alien Make Mischief. *Manager Online*. June 21, 2016. Retrieved from <http://www.manager.co.th/AstvWeekend/ViewNews.aspx?NewsID=9570000069785>
- Buddharaksa, W. (2014). *A Survey Of Gramsci's Political Thought*. Bangkok: Sommadhi. Page, 136–142.
- Coutinho, C. N. (2013). *Gramsci's Political Thought*. Chicago: Haymarket Books. Page 93.
- Crehan, K. (2016). *Gramsci's Common Sense: Inequality and Its Narratives*. London: Duke University Press <https://doi.org/10.1215/9780822373742>
- Green E. Marcus, (2011). "Subaltern Politics," in *The Encyclopedia of Political Science*, ed. George Thomas Kurian, et al. Washington, DC: CQ Press. Page 1628.

- Hfocus. (2014). Decode Policy for Migrant Workers of NCPO: Wrong Way-Move Backwards. *Hfocus*. Retrieved from <https://www.hfocus.org/content/2014/06/7394>
- Hoare, Q and Nowell Smith, G. (1971). *Selections from the Prison Notebooks edited and translated by Quintin Hoare, Geoffrey Nowell Smith*. London: Lawrence and Wishart Ltd. Pages Xiv, 12, 52, 56, 269.
- HRDE. (2014). Urgent statement calling the national council for peace and order to review the measures for controlling migrant workers and prevent economic effects and human security. *Human rights and development foundation (HRDF)*. Retrieved from <http://hrdfoundation.org/?p=963&lang=en>
- IOM. (2012). Migrant Information Note. *IOM International Organization for Migration*. Issue # 15– May 2012. Retrieved from [http://www.burmalibrary.org/docs13/IOM-Migrant_Info_Note_No_15-2\(en\).pdf](http://www.burmalibrary.org/docs13/IOM-Migrant_Info_Note_No_15-2(en).pdf)
- Kerdmongkol, A. (2012). The Development of Migrant Workers Management Policy from Neighbor Country in Thailand. *Journey Diary: Across Border, Nation Building. Thai Labour Campaign (TLC) & Migrant Working Group*. Page 3.
- Kerdmongkol, A., (2012). ASEAN+ Studies Group. *Handout of ASEAN Seminar: Monthly August-September 2014*. Chiang Mai: ASEAN Studies Center, Chiang Mai University. Page 3.
- Khruemane, T. (2007). Migrant Workers and their Rights to Healthcare. *Migration, Development and Poverty Reduction 8th APMRN International Conference, 26-29 May 2007*, Fujian Normal University, Fuzhou, Fujian, China. Pages 6–8
- Kotemane, K. (2002). Universal Health Coverage for Migrant Workers. *Hfocus*. Retrieved from <https://www.hfocus.org/content/2015/05/9879>
- Limpattamapane, C. (2014). Migrant Workers Agitation! The Lesson of Power Exercising Without Checking and Balancing. *Thairath*. June 18, 2014. Retrieved from <http://www.thairath.co.th/content/430492>
- Ministry of Labour. (2016). the Ministry of Labour ready to present to the Cabinet for establishing the Remand Center for Migrant Workers. *Ministry of Labour*. July 8, 2017. Retrieved from www.mol.go.th/content/51576/1467973171
- Paisanpanichkul, D., (2001). Burmese Migrant Workers in Thailand: Policy and Protection. *Legal Issues On Burma Journal No. 10 - December 2001*. Burma Lawyers' Council.

Retrieved from

<http://www.ibiblio.org/obl/docs/LIOB10-darunee.htm>

Parksuwan, P. (2012). Role of ASEAN Summit: Past-Present. *The South-East Trend Journal*, Years 9. No. 98. Bangkok: Samartham Publishing.

Phongpaichit, P. (2003). Financing Thaksinomics. *Article as a part of the research project funded by the Thailand Research Fund under the Medhi Wijai Awuso*. Bangkok: The Thailand Research Fund (TRF).

Phongpaichit, P. and Baker, C. (2002). *Thailand: Economy and Politics* (second edition). Kuala Lumpur: Oxford University Press. Pages 292-296, 411, 438 – 443.

Raks Thai Foundation (2005). "Migrants' Health and Vulnerability to HIV/AIDS in Thailand".

PHAMIT. Retrieved

from http://www.aidsdatahub.org/sites/default/files/documents/Migrant_health_and_HIV_vulnerability_in_Thailand_phamit.pdf

Simon, R. (1982). *Gramsci's Political Thought an Introduction*. London: Lawrence and Wishart Ltd. Pages 67-71.

Suan Khai, K. (2012). Thailand's Policy towards Irregular Migration: Situation Analysis of Burmese Migrant Workers under Thailand's Migration Policy. *MFU Connexion: Journal of Humanities and Social Sciences Vol. 1 No. 1 Jan-Jun 2012*. Pages 4-5.

Taotawin, P. & Satrakom, S. (2011). MOU for Transnational Labours Employment Neoliberalism, Labour Protection and Adjustment of State's Regulation Strategy. *Journal of Mekong Societies: Vol.7 No.3 September-December 2011*. Page 26.

TDRI. (2014). Thai state was pressured to Systematized Migrant Workers before the Emerging of Shortage of Labour. *Thailand Development Research Institute (TDRI)*. September 13, 2014. Retrieved from <http://tdri.or.th/tdri-insight/2016-03-04/>

Thai government. (2016). The Ministry of Labour ready to present to the Cabinet for establishing the Remand Center for Migrant Workers. *Thai government*. September 12, 2016.

Retrieved from www.thaigov.go.th/index.php/th/news-ministry/2012-08.../104965-id-104965

William S. G. (1957), *“Chinese Society in Thailand: An Analytical History”*. Ithaca: Cornell University Press