Southeast Asia: Advancing Inter-Religious Dialogue and Freedom of Religion or Belief Project

Thailand Country Profile on Freedom of Religion or Belief (FoRB)

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WORLD FAITHS DEVELOPMENT DIALOGUE

The Network for Religious and Traditional Peacemakers

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[1] https://www.state.gov/international-religious-freedom-reports/

SUMMARY

Religious discrimination and religiously motivated violence are not central concerns in Thailand, although freedom to practice religion is linked to broader contemporary concerns there about human rights, national identity, and social harmony. Religious practice and identity enter indirectly into questions about the future of democracy in Thailand, especially during a period when the military is ascendant.

Provisions of successive constitutions (most recent 2017) and law ensure that the state provides basic protection to all religions and sects. Freedom of belief and conscience are guaranteed and is reflected in a culture of respect for religious difference. Neither governmental nor social discrimination against any particular religion is reported as a concern. There are, however, specific areas of tension and debate of which the most prominent are religious dimensions of conflict (also known as the Unrest) in Thailand's Southernmost provinces, persisting concerns as to possible favoritism towards Buddhism (notably affecting education), and some issues around religious extremism, which have regional as well as national implications.

Buddhism receives most consideration as the faith of a large majority of the population (some 93 percent). In some respects, Buddhism is a de facto national and state religion, tightly associated with the nation's history and identity. Buddhism's central role takes various forms, notably in education. At times deliberate efforts have sought to enhance the status of Buddhism across the society, including in law. For example, in 2007, there was an unsuccessful attempt by a group of Buddhists, both ordained monks and laymen, to propose that the government amend the constitution to make Buddhism the state religion. Trends suggest growing Buddhist extremism which is a topic of concern more broadly across the Southeast Asia region.

Islam, Thailand's second largest religion (five percent of the population), receives special attention from the state and society. The state has attempted to regulate institutions and practice, as well as to facilitate them.

The long-running insurgency in southern Thailand involves intertwined aspects of religion and ethnicity and has created serious tensions between Muslims and Buddhists in that area, with risks that these tensions become more widespread across the country.

Issues of gender equality have religious dimensions, notably in differential treatment of women in Buddhist clergy and the links between religious beliefs, practices and social behavior involving women's equality.

The significant refugee and migrant populations in Thailand present unique issues that involve religious beliefs.

Especially as a regional hub and center for Buddhist leadership, Thailand has long seen as significant for its interreligious activity having both national and international impacts.

FREEDOM OF RELIGION OR BELIEF IN PRACTICE

Religious Demography

Thailand's estimated total population was 68.6 million in 2018. The 2010 population census indicated that 93 percent of the population is Theravada Buddhist and 5 percent Muslim or 3.4 million (though estimates

by various groups put the Buddhist population as low as 85 percent and Muslims as high as 10 percent). Other religious communities, representing less than 5 percent of the population or about 3 million, include animists, Christians, Confucians, Hindus, Jews, Sikhs, and Taoists.

The Buddhist clergy (*sangha*) consists of two main schools of Theravada Buddhism: Mahan kaya and Dhammayuttikanikaya. Mahan kaya is older and more commonly practiced within the monastic community. Ethnic Chinese and Vietnamese tend to practice Mahayana Buddhism. Most Thai Buddhists incorporate Hindu and animist practices into their worship. Thailand has been and remains a hub for socially engaged Buddhism. This involves social activism in various areas including approaches to mining, hydroelectricity, forest protection, education, and health care.

Muslims live across Thailand and include descendants of immigrants from South Asia, China, Cambodia, and Indonesia, as well as ethnic Thais. The Religious Affairs Department (RAD) of the Ministry of Culture statistics indicate that 99 percent of Muslims are Sunni. Islam is the dominant religion in four of the five southernmost provinces (Narathiwat, Yala, Satun, and Pattani) near the Malaysian border (commonly referred to as the Deep South). The majority of Muslims in those provinces are ethnic Malay.

The majority of Christians are ethnic Chinese, and more than half of the Christian community is Roman Catholic (approximately 388,000).

Many ethnic Chinese, as well as members of hill tribes (Mien or Yao, large ethnic groups in Asia), practice forms of Taoism.

Constitution and Law

The 2017 constitution provides that:

> "A person shall enjoy full liberty to profess a religion, and shall enjoy the liberty to exercise or practice a form of worship in accordance with his or her religious principles, provided that it shall not be adverse to the duties of all Thai people, neither shall it endanger the safety of the State, nor shall it be contrary to public order or good morals."

It further states that:

> "The State should support and protect Buddhism and other religions. In supporting and protecting Buddhism, which is the religion observed by the majority of Thai people for a long period of time, the State should promote and support education and dissemination of dharmic principles of Theravada Buddhism for the development of mind and wisdom development, and shall have measures and mechanisms to prevent Buddhism from being undermined in any form. The State should also encourage Buddhists to participate in implementing such measures or mechanisms."

These provisions have a long history in constitutions and laws (Thailand has had a succession of constitutions.). The 2007 Constitution (equality clause in Section 30) forbade discrimination on the basis of religious beliefs. It called on the State to encourage the application of religious principles to develop virtue and the quality of life.

Protections of religious freedom are also contained in the Penal Code, and other laws and policies. The judiciary and independent agencies provide redress mechanisms should one decide that his freedom has been infringed upon, but no case has ever been filed in court.

Government officers enjoy the same rights and liberties as other citizens, unless they are prohibited by law because of politics, efficiency, discipline, or ethics. Persons of all religions work for the government and many non-Buddhists have been appointed to high-ranking positions, such as that of Army Commander and a university president.

Thailand is a party to the International Covenant on Civil and Political Rights.

Government Practices Vis-à-vis Religion

Thailand builds on a long-standing triadic ideology of Chat, Sat-sa-na, and Pra-ma-ha-kasat— or the Nation, the Religion, and the King—so the Thai government has always deeply involved itself in the administration of religions. It has never been neutral or tried to distance itself from religion.

Thailand has a long history of openness to all religions and sects. In the Ayutthaya period (1350-1767), Muslims and Christians were granted residencies and allowed to manifest their beliefs as long as they posed no threat to the Kingdom. Some members of these religious minorities were appointed to high-ranking positions in the Siamese court. Hindu Brahmin priests performed royal ceremonies alongside Buddhist monks. The Siamese kings were obliged to patronize all religions within their kingdom. This duty was transferred to the government after the revolution in 1932.

The state's constitutional obligation to patronize, promote, and protect Buddhism and other religions involves the obligation to encourage followers of all religions to live in harmony and apply their religious principles to develop virtue and quality of life. Thus, the state does not passively allow the practice of all religions; it actively urges followers to practice their religions in ways that promote these goals. The Ministry of Culture's Department of Religious Affairs is to facilitate the activities of all religions and promote understanding among the different religions. The Department helps organize, accommodate, or subsidize various religious activities.

Different religions must be officially recognized to receive State support. There are now five recognized religions: Buddhism, Christianity, Islam, Hinduism, and Sikhism. Other religions may apply for official recognition provided certain requirements are satisfied: first, the theology of the religion must be distinguishable from that of other recognized religions; second, the religion must have more than 5,000 followers, according to the national census; third, its activities and teachings must not be contrary to the Thai Constitution and laws; and fourth, the religion must have no hidden political agenda.

Organization of Buddhism and Islam

Buddhism in Thailand is highly and strictly organized. The state delegates the duty of regulating Buddhism to the Sangha Council, established in 1963 under the 1962 Sangha Act. It is the supreme body overseeing Buddhist monks of all sects. The Sangha Council is presided over by Sangha Raja, the Supreme Patriarch, who is appointed by the King. The Sangha body is divided by geographical districts, each of which is under a Chao-Ka-Na or senior abbot, who oversees the monks in his district. Although it is run by Buddhist monks, the Council was established by statute and functions as a government agency. Monks must follow the Council's rule and guidelines. An important power of the Sangha Council is to grant recognition of Thailand's various Buddhist sects and creeds.

The Central Islamic Council of Thailand (members are Muslims appointed by royal proclamation), advises the Ministries of Education and Interior on Islamic issues which is a complex challenge given the diversity of Thai Muslim communities. The government recognizes 39 elected Provincial Islamic Committees

nationwide. Their responsibilities include providing advice to provincial governors on Islamic issues; decisions regarding mosques - their establishment, relocation, mergers, and dissolution; appointing imams; and issuing announcements and approvals of Islamic religious activities. Committee members in Thailand's Southern provinces[2] act as advisers to government officials in dealing with the area's ethno nationalist and religious tensions. The government provides funding for Islamic educational institutions, the construction of mosques, and participation in the Hajj.

The Ministry of Justice allows the practice of sharia as a special legal process, outside the national civil code, for Muslim residents of the Deep South on family law, including inheritance. Provincial courts apply this law, and a sharia expert advises the judge. The law officially specifies the administrative structure of Muslim communities in the Deep South, including the process of appointing the *chularajmontri*, the Sheikhul Islam of Thailand, whom the king appoints as the state advisor on Islamic affairs.

Religion and Politics

Buddhist monks[3] receive numerous benefits from the state, but their political rights are severely limited. The Constitution denies monks the right to vote, the basic requirement for other political activities such as initiating a bill, petitioning for impeachment, or voting in a referendum. However, some monks, notably Phra Phuttha Itsara, who was the key spiritual leader of the People's Democratic Reform Committee or PDRC (the Yellow Shirts) during its 2013-2014 movement, successfully use their revered status to mobilize the masses and advocate for political campaigns. The Sangha Supreme Council issued an order prohibiting the use of temple land for political activities, rallies, meetings, or seminars for purposes that violate the law or impact national security, social order, or public morals.

Buddhist activists are increasingly involved in shaping public policies. Some Buddhists proposed a bill in 2014 to establish a Buddhist Bank and a bill on Buddhism Protection. The Buddhist Bank was proposed as a state enterprise to provide special loans to temples and Buddhist organizations for religious purposes, with all executives Buddhists and including representatives from the Sangha Council and the National Buddhism Office. The Ministry of Finance opposed the plan as not being economically feasible. The Buddhism Protection Bill's two goals were to promote and protect Buddhism. It proposed setting up a fund to provide financial aid to all Buddhist activities. The bill also proposed imposing stricter criminal sanctions on attempts to defame or undermine Buddhism.

In 2005, a network of Buddhists led by General Chamlong Srimueng, a well-known member of the Santi-Asoka sect, pressured the Stock Exchange of Thailand not to list Thai Beverage PC, a large producer of alcoholic drinks in Thailand. Chamlong argued that by going public, the company would be incentivized to promote drinking in order to boost profit for its shareholders, though refraining from drinking alcohol is a basic precept for Buddhists. After a year-long protest by the group, the company decided to list on the Singapore Exchange instead.

In contrast, Buddhist activists in Thailand are moving forces in the regional and global efforts to advance Socially Engaged Buddhism, which involves an understanding of Buddhism's broad social responsibilities. The Thai NGO founded in 1989, the International Network of Engaged Buddhists[4] based in Bangkok, is one such organization.

[2] Commonly known as the Deep South, though for some the term has taken on a pejorative sense.

[3] There are an estimated 300,000-360,000 monks in Thailand (full-time and part-time monks), with about 85,000 novices at most times.

[4] http://inebnetwork.org/about/

Religion and Education

Thai law requires religious education for all students at both the primary and secondary levels; students may not opt out. The state-mandated school curriculum, with which all schools must comply, includes religion as part of the Social, Religion, and Culture study cluster requirements. The objective is to promote harmonious, peaceful living in Thai and global societies, good citizenship, faith in religious teaching, the value of natural resources and the environment, and Thai patriotism. Students must satisfy two criteria: to correctly understand the history, importance, and teachings of popular religions in Thailand, in particular Buddhism, and be able to promote harmonious living in society; and second, they must profess to be a good follower of and promote Buddhism, or a religion of their choice.

The curriculum prescribes detailed standards and guidelines for teaching Buddhism. Regardless of their personal beliefs, students are expected to learn Buddhist teachings, to appreciate the role of Buddhism in promoting better understanding between neighboring nations, and in creating civilization in and bringing peace to the world community. Students must also be able to pray, and to meditate at levels that range from that of a beginner to intermediate. Thus, although the subject is titled Religious Studies and is to contain information about all of the five recognized umbrella religious groups, it is a de facto a course in Buddhism. Students, both Buddhists and non-Buddhists, learn Buddhist teachings rather than examining the many religions present in Thai society in a neutral manner.

Students who wish to pursue in-depth studies of a particular religion may study at private religious schools and transfer credits to public schools. Individual schools, working in conjunction with their local administrative boards, are authorized to arrange additional religious studies courses. Two private Christian universities with religious curricula are open to the public, and there are ten Catholic grade schools whose curriculum and registration the Ministry of Education oversees.

The Ministry of Education officially incorporates a dharma course into its operations. It runs the project, "Rong Rien Nai Faan" or Dream School. It acts essentially as a lab, experimenting with new methods of teaching to improve the quality of Thai education. The Ministry requires teachers and students of the Dream School to attend a dharma course for five days. A controversial decision involved the Ministry signing a memorandum of understanding appointing the Dhammagaya sect (well known for connections to politicians, wealth, and radical Buddhist teachings) to instruct the dharma course.

There are several hundred primary and secondary Islamic schools throughout Thailand. The Ministry of Education has collaborated with Islamic experts to prepare the Islamic Education Core Curriculum B.E. 2551. It is an addition to the existing Basic Education Core Curriculum for schools that decide to provide Islamic education. It teaches the Koran, the history of Islam, and Arabic or Bahasa Melayu.

The 2011 Universal Periodic Review of Thailand's human rights situation focused on issues around the religious education of children in the southern provinces.[5] Parents in the south are suspicious of the national curriculum provided by the Thai government and accuse mainstream public schools of trying to divert their children to a non-Islamic way of life by teaching them the Thai language and Buddhism. These parents choose to send their children to Islamic schools, which teach the Koran and the Arabic language and use Bahasa Melayu as medium of instruction. In doing so, however, they defy the Ministry of Education's requirement that children have 12 years of compulsory education.

[5] https://lib.ohchr.org/HRBodies/UPR/Documents/session12/TH/JS9-JointSubmission9-eng.pdf

The Islamic schools are said to fail to equip students with skills necessary for the job market, such as basic competency in Thai and English. Thai authorities are worried that these schools might become training grounds for insurgents, and have forcibly closed some Islamic schools. The State tries to regulate Islamic schools, requiring that they compromise by offering the conventional curriculum and certifying the schools which are willing to do so.

There are four types of Islamic schools. The traditional *pondok* school has no planned curriculum. Students of all ages live within the residential compound belonging to an Imam, or teacher, and can leave whenever they wish. A *pondok* school teaches the Koran and Arabic. Second, Islamic private schools, registered with the government, may offer non-Koranic curriculum. Graduates from these two types of school may pursue higher education if they take and pass the state comparability examination. The third type of school is the most formalized: a private school that incorporates Islamic studies into the national curriculum so that it is State certified and subsidized; classes are taught in Thai and students can automatically further their education upon graduation. Finally, *tadika* or day schools offer Islamic classes for young children from Grades One to Six and provide after school courses, which are often held in a mosque.

Women's Equality and Religion

A concern related to women's equal rights is discrimination against female Buddhist monks and nuns. Women are seen as active supporters of Buddhism, but their rights are quite limited. They can make donations and attend Buddhist rituals, but because of their gender, they are not allowed to be ordained as monks, an honor regarded as the highest form of merit in Buddhism. Similarly, there are concerns around application of Sharia family law within Muslim communities. More broadly, social attitudes towards gender equality can be shaped by religious traditions. This includes specific efforts to address violence against women and gender-based violence more broadly.

A group of female Buddhist monks submitted a petition to the National Human Rights Commission that followed up on a petition to amend the law to recognize female monks. However, the Sangha Supreme Council continues to prohibit women from becoming monks; women wishing to join the monkhood usually travelled to Sri Lanka to be ordained. Of the 360,000 Buddhist clergy in the country, 229 were women. Since a gender equality law exempts cases involving "compliance with religious principles," female monks (*bhikkhunis*) were excluded from gender equality protection by the government. Officials neither formally oppose nor support female ordination and officials allow *bhikkhunis* to practice and establish monasteries and temples. Without official recognition, however, monasteries led by women are ineligible for any of the government benefits received by other sanctioned Buddhist temples, primarily tax exemptions, free medical care, and subsidies for building construction and running social welfare programs. Unlike male monks (*bhikkhus*), *bhikkhunis* received no special government protection from public verbal and physical attacks that sometimes involve male monks opposing the ordination of female monks.

The Central Islamic Council in August 2018 issued a regulation setting 17 years as the minimum age for marriage. According to the law, the minimum legal age for marriage, regardless of religion, is 17. The regulation followed in the wake of the marriage of a 41-year-old Malaysian man to an 11-year-old Thai girl in the Deep South. The girl was returned to her family in 2018.

Refugee and Migrant Issues

Human rights groups and UNHCR note that some of Thailand's refugee and asylum seeker population has fled religious persecution elsewhere.[6] Those living in Thailand without legal permission to stay face the possibility of arrest, detention, and deportation regardless of whether they are registered as refugees.

Raids targeting persons living illegally in Thailand occur regularly, with thousands having been arrested, including some UNHCR-registered refugees and asylum seekers. They are part of what the government calls broader immigration raids, and include persons from a number of vulnerable religious minority groups, some of whom had or were applying for asylum or refugee status from UNHCR. Raids have not targeted any specific religious group and the government has not deported any UNHCR-registered refugees or asylum seekers from these raids and allowed UNHCR access to these individuals. The NGO International Christian Concern reported that more than 70 Pakistani Christians were confined to the Bangkok Immigration Center in what were described as "degrading, unclean, and overcrowded" conditions. Mostly Christian Montegnards (or Degar) refugees from Vietnam have been arrested and the adults detained, while more than 50 children were separated from their parents and sent to three shelters.

Human rights and migrant assistance groups reported difficulties among Muslim and South Asian migrants in obtaining legal status, especially after a new decree came into effect. Muslim migrants from Myanmar, many of whom reportedly fled persecution, said they were unable to acquire the necessary documentation from Myanmar. The Thai labor minister stated in 2018, that more than 250,000 migrants would have to leave the country.

Activists, including Human Rights Watch, have expressed concerns about how the government might react to requests from China to extradite Chinese dissidents, including those associated with religious groups banned in China. There are no reports to date of forcible deportations. Tourist police have arrested Chinese nationals for distributing Falun Gong documents and fined them for overstaying their visas.

Missionary Work

The Religious Affairs Department (RAD) sets a quota for the number of foreign missionaries permitted to register and operate in Thailand. Religious groups proselytize without reported interference.

Thai Buddhist monks working as missionaries were active, particularly in border areas among the tribal populations, and receive some public funding. According to the National Buddhism Bureau, there were 5,426 Buddhist missionaries working nationwide. Buddhist missionaries needed to pass training and educational programs at Maha Makut Buddhist University and Maha Chulalongkorn Buddhist University before receiving appointments as missionaries by the Sangha Supreme Council. Government regulations stipulate that no foreign monks are permitted to serve as Buddhist missionaries within the country.

Eleven registered foreign missionary groups with visas operated in Thailand in 2018: six Christian, one Muslim, two Hindu, and two Sikh groups. There were 1,357 registered foreign Christian missionaries. The Church of Jesus Christ of Latter-day Saints, which is not an officially recognized Christian group, exercises its special quota for 200 missionaries through the Ministry of Foreign Affairs and National Security

[6] UNHCR reported that 93,132 refugees were living in nine refugee camps in Thailand (September 2019). Most refugees are ethnic minorities from Myanmar, mainly Karen and Karenni, centered in four provinces along the Thai-Myanmar border.

Council. Muslims, Sikhs, and Hindus had smaller numbers of missionaries. Many foreign missionaries entered the country using tourist visas and proselytized without the RAD's authorization. Non-Buddhist missionaries did not receive public funds or state subsidies.

Social Attitudes on Religious Communities, Discrimination

There is no religious persecution by the Thai state itself. The most worrisome persecution reported centers on violence in the Deep South (see below).

Some press reports indicated a rise in anti-Muslim sentiment in Thailand. *Deutsche Welle*, a German news site, reported that Buddhists in Thailand and other places saw Buddhism under threat, and "fear 'Islam and Muslims are trying to take over their country.'" Their fear has now translated into protests against the construction of mosques in various parts of the country, especially the north and northeastern regions. Buddhist and Muslim religious leaders, however, maintain that the majority of their communities continued to support interfaith dialogue and cultural understanding. Local media reported on a regional survey on extremism conducted by the Malaysia-based Merdeka Center for Opinion Research that found that while respondents in nearby countries revealed high rates of intolerance toward persons of other faiths, Muslims and Buddhists in Thailand expressed favorable views of one another.

Insurrection in the Southernmost Provinces

The long-standing Malay-Muslim separatist insurgency in the Deep South continues, as does a slow-moving peace-dialogue process that the main insurgent group rejects. The conflict has deep roots, fundamentally linked to the state's intention to assimilate Melayu-Muslims into Thai Buddhist society. This began in the nation-building period (from the last decade of King Chulalongkorn's reign onwards) and was intensified during the time when Gen. Phibunsongkhram was the premier. At that time the country's name was changed from Siam to Thailand to reflect the Thai supremacy over other ethno-religious groups. Thai Buddhist identity and culture was regarded as properly representing the Thai nation and non-Buddhist groups were banned from expressing their faith, for example through their ethnic attire; Melayu-Muslims in the south were not allowed to wear songkok and speak their language.

While the conflict does not center on specific religious tensions, it has elements of Buddhist/Muslim conflict, alongside historical grievances and ethnic divides. Regional dimensions echo broader tensions across Southeast and South Asia, and, at the same time, shine a spotlight on both government approaches to Islamic religious issues and to social attitudes towards Muslims. Ethnicity, culture, and religion are deeply intertwined in the conflict. The religious freedom of Muslims is not directly involved though most Muslims have suffered. Buddhists in the southern provinces have suffered great harm to their freedom of religion as they are more often targeted by the insurgents for their beliefs.

The conflict is geographically limited but serious, with impact within and beyond the borders of Thailand. Thai Buddhists of other regions, with limited knowledge on the conflict in the South, often associate Malay-Muslims and Muslims, in general, as groups prone to violence. Economic development, educational reforms, governmental recognition of cultural differences between the southern provinces and other regions, and more accountable law enforcement and justice systems are part of possible solutions. Political instability at the national level and internal rifts within insurgent groups hinder attempts to solve the conflict.

Three prominent legislative solutions aim to address the problem of Islamic insurgency in southern Thailand. Passage of emergency laws reflects a hard-line approach. Recreation of a special administrative

body and granting more autonomy to the southern provinces reflect a more compromising approach. Permitting Islamic schools and utilizing Sharia law illustrate efforts by the Thai government to address concerns about religious practice of the southern Muslim community. Other religious issues to be resolved, include whether to allow Friday to be a holiday (the day when all Muslims are expected to pray at the mosque); the Thai norm is that Saturday and Sunday are holidays.

Southern Buddhists are often targeted because of their religion. Buddhists are the minority in Southern Thailand (20 percent of the population) and monks and temples, and to some extent, state-run schools are seen as symbols of the Siamese invasion. Insurgents have sometimes deliberately murdered monks in a gruesome manner, such as by decapitation. Many temples have been deserted because monks felt insecure or the Buddhists living nearby no longer visited the temples to make merit. A special task force works to guard monks while they walk for alms in the morning; the task force itself has been subjected to shootings and bombings. More broadly, there are concerns that broader international trends, notably involving Islam and extremism, might affect the process in Thailand, notwithstanding efforts to ensure that they do not.

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