

**IDENTITY OF IRREGULAR TEENAGERS IN MYANMARESE
MIGRANT WORKER COMMUNITIES
IN MAHACHAI, SAMUT SAKORN, THAILAND**

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ABSTRACT

This thesis attempts to answer the research question of “how does irregular status help form shape the identity construction of the teenagers in Myanmar migrant communities in Thailand?”. To comprehensively analyze the condition of the teenagers, the impacts of statelessness on their experiences as teenagers in the migrant community compared to other irregular teenagers will be evaluated. Furthermore, the impacts of irregular status on the teenagers’ accessibility to various services will also be assessed. Lastly, this thesis will also discuss the development of teenagers’ identity as ongoing negotiation by considering their experience of exclusion, their sense of belonging to their community, and global subculture which they develop with their peers.

Irrespective of their citizenship status, teenagers in the migrant communities are still excluded and experience insecurity due to their ‘irregular’ status in Thai society. They are influenced by experiences of being denied the rights and after encounter discriminatory treatment socially and structurally. The Feeling of exclusion feelings affect the teenagers and keep them from building their identity. They struggle and compromise their identity every day within their surrounding social and cultural environment in Thailand. Thus, self-negotiation of identity of these teenagers who are in their developing stage is very interesting and should be investigated.

Based on the analysis to the research findings, the core argument of this thesis is regardless of rights and services which can be accessed by the teenagers in the marginalized groups, so they can still develop their own identity.

**KEY WORDS: TEENAGERS’ IDENTITY/ MYANMARESE MIGRANTS / SENSE
OF BELONGING / GLOBALIZATION /MIGRATION**

99 pages

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CHAPTER I

INTRODUCTION¹

1. 1 Background

Population mobility has been a customary tradition in Southeast Asia through trading and migration. After the colonialization era, boundaries were drawn and human mobility was more controlled. Population movement in this region was recorded and followed by the term “import” workers (Asis 2004, p. 205). In this phase, there were massive labour migrations that formed many immigrant communities in Southeast Asia to fill the jobs in the plantation and mining sectors facilitated by colonial power (Nair 2010, p. 104). This labour migration still continues in the present period, known as the industrialization era. The Philippines, Indonesia, Myanmar, Vietnam, Lao, and Cambodia are known as the major labour source countries (countries of origin). Malaysia and Thailand are countries of both origin and destination, and Singapore and Brunei are primarily countries of destination (Asis 2004, p. 206). In the postcolonial time, the attitude of the countries in regard to treatment of migrant workers are still following the colonial mindset that distinguished migrant as “other” and citizen as “self”. Today this attitude is preserved by the national security logic (Nair 2010, p. 104).

Thailand, as the core of the North ASEAN sub region, or mainland Southeast Asia, has been drawing migrants mostly from Myanmar and to a lesser degree from Cambodia, Laos, and Yunnan, China since the industrialization of the country in the 1990s (Asis 2004, p. 211). Among all the categories of migrants who move to Thailand, the number of low-skilled migrant workers from the neighbouring countries has dramatically increased and now exceeds one million persons (Huguet & Chamrathirong 2011, p. 1). Many of these low-skilled migrants are considered

¹ In this paper, I will use ‘Myanmar’ instead of Burma to refer to the country as it is the official name and more politically neutral. However, I might use the term ‘Burmese’ ,particularly in the conversations, to address someone who comes from Myanmar (Burma) as the people are more familiar with this term.

“irregular migrants”. Irregular migrants refer to foreigners who: (1) enter the country clandestinely or without approval, (2) enter the country with a valid document but stay longer than permitted, (3) enter the country legally but are working without permission, or (4) have been working with permission status but the status has changed because the work permit expired or the migrant changed employers (Huguet, Chamrathirong, & Richter 2011, p. 18).

There are many kinds of terms used to address categories of migrants such as undocumented, illegal, or unregistered. However, it is believed these terms are blanket categories that homogenize and dehumanize human beings (Kumar & Grundy-Warr 2004 in Grundy-Warr 2004, p. 230). As a result, this research chooses to use the term irregular migrants. In general, an irregular migration condition means the migrants and/or employers used irregular channels (Asis 2004, p. 203). This term is broad and moderate and covers all possible situations of powerless migrant workers. Conversely, “undocumented” excludes many categories of “irregular migrants who carry documents” such as persons who use a fake name or age, have a non-working visa, or overstay their visa (Asis 2004, p. 215).

In an attempt to register irregular migrant workers living in Thailand, the Government of Thailand with the National Security Council (NSC) initiated discussions with Myanmar, Lao PDR, and Cambodia in 1999. These discussions resulted in the signing of Memorandums of Understanding (MoU) with the three neighbouring countries during 2002-2003 (Huguet, Chamrathirong, & Richter 2011, p. 19). The two methods for legalizing irregular migrants, according to the MoU, are by (1) Nationality Verification (NV) for registered but ‘illegal workers’ who are already in Thailand and (2) Importing workers from the neighbouring countries with temporary passports (Huguet, Chamrathirong, & Richter 2011, p. 19).

Complementing the MoU, Thailand issued the Alien Employment Act of 2008 to order all migrants according to ‘temporary legal’ and ‘temporary illegal’ status (Huguet, Chamrathirong, & Richter 2011, p. 19). Temporary legal refers to persons who entered into Thailand illegally but completed the NV, or who entered legally under MoU with Thailand’s neighbouring countries (Section 9 Alien Employment Act 2008). Temporary illegal refers to persons who: entered illegally but are allowed to work

pending deportation, are stateless or are from minority groups that have not yet been provided with Thai citizenship (Section 13 Alien Employment Act 2008).

In 2010, the numbers of migrants from Cambodia, Laos, and Myanmar in total were 2,455,744 comprising of 78,686 regular new entrants under MOU, 932,255 migrants who had completed Nationality Verification (NV) process, and 1,444,803 unregistered migrants and their family members (Huguet & Chamrathirong 2011, p. 9). At the end of 2009, among the 1.3 million registered migrant workers from the three neighbouring countries, a total of 82% (1,078,767) of them were from Myanmar (Huguet & Chamrathirong 2011, p. 12). In December 2009, there were 39,809 registered Myanmar migrant workers in the fishing industry and 129,773 in seafood processing (Ministry of Labour 2010 in Huguet, Chamrathirong, & Richter 2011, p. 12). Due to the large number of migrant workers from Myanmar entering Thailand, this research will narrow its focus to the irregular Myanmar migrant communities, and in particular on the potentially-stateless Myanmar teenager in Thailand.

1.2 Problem Statement: Teenagers' Problems in Myanmar Migrant Community in Samut Sakhon Province, Thailand

As migrants became a more permanent feature in Thailand, the problem of migrant children who have not obtained citizenship is becoming more significant (Hall 2011, p. 18). Administratively, children born in Thailand to migrant workers are classified as international migrants and treated in the same category as their parents although technically they are not migrants (Huguet, Chamrathirong, & Richter 2011, p. 19). This classification constructs a difficult situation particularly for those whose parents are irregular migrant workers as the children will also be categorized as irregular. As a result, the children have to live and survive under the label of 'irregular' in their development.

From the approximately 377,000 children (less than 18 years old) of international migrants in Thailand, at least 150,000 of the total number were born in Thailand (Huguet & Chamrathirong 2011, p. xiv). According to the Samut Sakhon Hospital records from 2006-2011, 1,466 migrants obtained pre-birth services and 1,134 babies were born to migrant workers in this hospital (interview Samut Sakhon Hospital,

16 May 2012). Vichavej Private Hospital, the other hospital in Samut Sakhon Province which provides services to migrant workers, recorded in the period of 1 October 2010 to 30 September 2011, that the hospital gave service to 1,444 babies of migrant workers and helped deliver 1,134 babies to migrant worker families from 1 October 2010 to 30 September 2011 (interview Vichavej Private Hospital, 16 May 2012). In total, Vichavej Private Hospital estimated that 4,000 babies of migrant workers were born in Samut Sakhon Province. Of this group, a large portion was born to irregular migrant workers (interview Vichavej Private Hospital, 16 May 2012). This number does not include Myanmar children who are not born in hospitals due to parents' fear of exposure as undocumented or irregular residents.

Children born to Myanmar migrant workers are often denied birth certificates due to discrimination and corruption on the part of Thai officials despite the fact that the Thai government has provided guidelines for hospitals to issue birth certificates to all children. In the case of children born to irregular migrant workers with the help of a midwife, birth registrations are even more difficult to obtain. Besides the problems with obtaining birth registration for migrant workers' children born in Thailand, most of the irregular migrants did not register their children due to a fear of being exposed. The lack of birth registration will hinder the children from obtaining any citizenship either from Thailand or Myanmar. A person without citizenship or nationality is defined by the United Nations as being 'stateless'.

The condition of being stateless could be considered as a serious situation when the children grow and enter the teenage phase as they start to be expected to contribute something to their family and society. Although they might not be completely stateless, as this condition can be a temporary condition before they go back to Myanmar and verify their identity, many of them realize they do not belong to any state legally as they were born in Thailand but they are not recognized as Thai citizens. As a consequence of this 'stateless' condition, they might be hindered from access to some services such as education, health care, job opportunity, or even access to public space to enjoy their time with their young peers.

This condition of statelessness can be very significant particularly for the teenager who comes from Myanmar as they may face persecution in Myanmar and this could make them hesitate to return to the country. However, in regard to the experience

of teenage migrants living in Thailand, this is only one of the challenging conditions they may face. For example, whether they have citizenship or not, they may still be excluded from Thai society and experience insecurity due to their ‘irregular’ status in the country. The excluded feeling could be experienced by being denied rights and by encountering discriminatory treatment both socially and structurally. Moreover, the excluded feeling could affect how the teenagers build their identity which they negotiate every day within their surrounded social and cultural environment in Thailand. Remembering that they live in Myanmarese migrant communities, they may have some sense of cultural value from Myanmar yet they know that they cannot be ‘obviously Myanmarese’ if they want to be secure living in Thailand. Therefore, the self-negotiation of identity for these teenagers who are in their developing stage is a very interesting phenomenon to be investigated.

This thesis attempts to evaluate the condition of irregular teenagers with stateless status living in migrant communities in Thailand. Furthermore, the access to services and discriminatory action toward the teenager both by policy and individual based will be evaluated as factors that could support their exclusion. The phenomenon of identity negotiation for these teenagers will be observed through the sense of belonging which is constructed preserved through: social and cultural value within the community, the struggle against an oppressed condition, and the teenagers’ ‘sub-cultures’ that is developed through the interaction with their peers and globalization.

1.3 Objectives of Research

- To analyze the impact of statelessness status to the teenager’s experience living in Thailand compared to other irregular teenagers.
- To identify the accessibility of Myanmarese irregular teenagers in Mahachai to various services such as education, health, housing, and job opportunity as part of the experience of being excluded.
- To analyze the relationship between sense of belonging to the community and the teenager’s global sub-culture to the negotiation and development of the teenager’s identity.

1.4 Research Questions

My research asks “how does irregular status shape the identity construction of the teenagers in Myanmarese migrant communities in Thailand?” It is divided into three sub-questions:

1. What is the impact of statelessness on their experiences as teenagers in the migrant community compared to other irregular teenagers?
2. What is the impact of irregular status on the teenagers’ accessibility to various services?
3. How do the teenagers develop their identity considering the experience of exclusion, their sense of belonging to their community, and the global subculture they follow and adopt with their peers?

1.5 Profile of Research Site: Mahachai, Samut Sakhon Province, Thailand

This study was conducted in Mahachai, Samut Sakhon Province which shares borders with Bangkok, Ratchaburi, Nakhon Pathom, and forms part of the coast of the Gulf of Thailand (Pearson 2006, p. 114). Samut Sakhon is composed of three districts: Muang Samut Sakhon, Ban Phaeo, and Krathumbaen and is a primary destination for a large number of migrants, especially from Myanmar (Pearson 2006, p. 114). The province is Thailand’s center for shrimp processing. Thailand is among the world’s three largest exporters of shrimp and shrimp products (LPN 2011, p. 7). The shrimp industry contributed 4% Thailand’s gross national product (GDP) in 2005 (Pearson 2006, p. 113) and 2% GDP in 2007 (LPN 2011, p. 7).

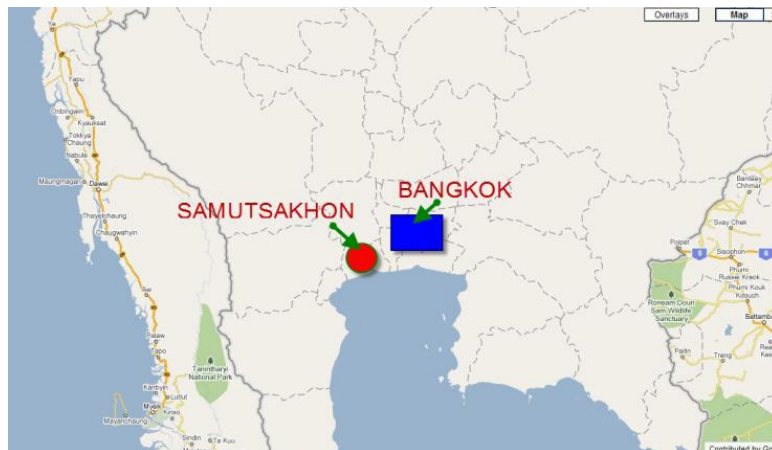


Figure 1.1. Mahachai, Samut Sakhon Map

Source: Courtesy of Vanaspong 2011

The backbones of this industry are migrant workers from neighbouring countries, especially Myanmar. According to Labour Rights Promotion Network (LPN), an NGO which focuses on labour rights issues in Mahachai, Thailand, there were around 199,508 registered migrants living and working in Samut Sakorn in 2012. 79,215 of the migrant workers registered in 2012 and 120,000 of the migrant workers registered in 2011 (LPN 2012, p. 7). From the 79,215 registered migrant workers, 70,508 people were from Myanmar, 4,490 were from Lao, and 4,217 were from Cambodia. This number does not include the unregistered and/or irregular migrant workers who are scattered around Mahachai. It is said that most irregular Myanmar migrant workers in the Bangkok periphery live in Mahachai (Archavanitkul 1998 & Caouette, et al 2000, p. 14 in Sangnet 2004).

According to Sompong Srakaew, the director of LPN, a large number of workers in Samut Sakhon are from Mon, Burma, and Karen ethnic groups who often live in migrant communities composed of people from their ethnic group (Srakaew 2012). From the survey held by LPN in 2009, there are more than 40 communities scattered all around Mahachai. The big communities are Thai Union (30,000-40,000 workers), Mahachai Nivet (10,000-15,000), Talad Kung (8,000-10,000), Wat Hong Community (9,000-10,000), and Watkatum (10,000-15,000) (LPN 2009). For this research, I choose 8 large migrant communities for my research fields and visited some smaller communities for observations.

1.5.1 The Labour Rights Promotion Network (LPN)

My research was conducted with generous assistance by the Labour Rights Promotion Network (LPN) particularly for participant recruitment. LPN was founded by Sompong Srakaew, the Executive Director, in 2005. LPN is the only large non-government organization in Mahachai, Samut Sakhon that aims to promote quality of life for workers. This includes rights-protection, equality promotion, self-reliance, and peacefully living together in society (LPN 2012). Beside Samut Sakhon, LPN has two other offices in Ratchaburi and Samutprakan province.

LPN's concerns are in the areas of: access to basic human rights, education rights for migrant workers' children, health, child protection, worker's rights, child labour precaution, prevention of human trafficking, and reproductive health (LPN 2012). In the Samut Sakhon office, LPN's activities include: providing direct assistance to labourers/victims, development of services for labourers, providing a counselling center, establishing a center for multicultural and information center for newly entry migrant, assisting children enrolled in the school system, having an open learning center for children and adults, and supporting migrant children in the government school system (LPN 2012).

1.6 Research Methodology

In this research, I employ a qualitative methodology, particularly an ethnographic method. With the ethnographic method I intended to see the world from the perspective of participants. I lived near the migrant communities, conducted observations of their daily activity, and did in-depth interviews on how the teenagers' experienced living in Thailand every day, about the teenagers' sense of belonging, as well as the teenagers' sub-cultures that they adopted and practiced from the media. I wrote field notes every day and attempted to capture comprehensive aspects of the situation for the teenagers living in Myanmarese migrant communities in Thailand.

During my research period, about three months, I gained trust and openness from the teenagers. I visited their schools often and I went to their migrant community to learn how they spent their time every day. I was also able to learn about their behaviour and the social and cultural values practiced within the community by

interacting and talking (with the help from my interpreter) with the teenagers' family, relatives, and neighbours. In the time of cultural events and festivals, I joined celebrations and participated in the rituals that were held. For example, I attended some Burmese ethnic wedding parties and community gatherings. I also went out with the teenagers shopping in the community market and observed the things they bought and wore. By employing ethnographic methods, I was able to capture more comprehensive data and facts about the life of teenagers in their migrant communities.

I utilized a mixed approach of worldview by using both a social constructivist and participatory method. I employed a social constructivist approach to see how individuals developed subjective meanings of their experiences which are often influenced by their social and historical background (Cresswell 2009, p. 8). As I developed the research on the issues of inequality, oppression, and domination in the marginalized migrant community, I also used a participatory approach as I hoped my data would be used to reform the programs and change the participants' condition (Cresswell 2009, p. 9).

1.6.1 Research Methods

1.6.1.1 Research Duration

I conducted the ethnography field research for 2.5 months from mid-March 2012 until end of May 2012.

1.6.1.2 Sampling and Recruitment

To choose my participants, I employed a purposive sampling technique (Krathwohl 1998, p. 206) as I already planned my target participants. I selected 8 large migrant communities in Mahachai as my research fields since it was not possible to do research in all the migrant communities in the area. My target participants were teenagers in the age range of 11-17 years old. However, I also interviewed youth aged 18-25 years old, parents, school teachers and headmasters, NGO activists, government officers, and hospital officers.

I used Labour Promotion Network (LPN) organization as the entry point to recruit my participants. As LPN advocates rights to education to the migrant teenagers, I received contacts to several teenagers who then helped me recruit

participants who lived in their respective communities through the passive snowball sampling technique. Further, I found some stakeholders related to the migrants' administration procedure to get some documents and contact them directly to conduct the research.

1.6.1.3 In-depth Interview

As the main method, I conducted in-depth interviews with my research participants using semi-structured questions. This meant I used a specific set of prepared questions but also left room to probe beyond the answer into a dialogue with interviewee (May 1997, p. 111). In total, I successfully obtained 81 participants which consisted of interviews with 31 teenagers, 12 young adults (in the range of age 18-25), 13 teenagers' parents, 1 Burmese teacher, 1 headmaster, 7 activists from 4 organizations (LPN, Rak Thai Foundation, Arakanese Student Monks Association, Seafarer Union Burma), 2 government officers from the Department of Public Health and the Samut Sakhon Provincial Employment Office, 2 hospital officers in Samut Sakhon, 1 labour expert, and 1 Focus Group Discussion (FGD) with 12 youths.

Among the teenagers, I conducted interviews with both stateless and not. These two groups were very important to see the similarity and differences of how they experience their life as young people in the migrant community. Furthermore, it was also important to divide the teenagers into those who were working and those who were studying in school to get the idea of the different kind of oppression for the different status of young people.

I used audio recording to record all my interviews with the consent from participants. All participants had the option to refuse being recorded. I also used field notes to document the most important and significant findings during the field research, including interviews. I have all my soft copy data on a hard disk with a password which is stored in a locked cabinet. I will erase the data after 10 years.

1.6.1.4 Collecting Secondary Sources

I also used secondary sources such as government publications, academic research, and previous research reports from the NGOs concerned with migrant labour especially in Samut Sakhon Province (Kumar 2005, p. 141) to obtain

comprehensive information about the condition of irregular Myanmarese teenager. I did not use much data from Thai newspapers or other mass media sources as it was mainly in Thai.

1.6.2 Data Analysis

To analyse the data, I applied a double hermeneutic approach to interpret the statements from the informants (Marsh & Furlong 2002, p. 26). This approach is very useful to analyse my findings in identity discourse where the participants that I interviewed gave personal meanings to their opinion on their identity, and furthermore, I as the researcher interpreted their statement about their identity. I used a phenomenological approach which considers the content of the participants' consciousness of their own reality as valid data for investigation and makes no assumptions about what is or is not real (Stewart & Mickunas 1974, p. 4).

1.7 Ethical Issues

1.7.1 Informed Consent

All participants were informed of the purpose and the nature of the research in the beginning of the interviews. Consent was obtained verbally and recorded by an audio recorder. This was done because some participants may not have been comfortable with a written statement or they may have been unable to read.

1.7.2 Legality

The participant might be subject to the immigration law because of their illegal status in Thailand. As a research, I did not invoke their 'illegality' as I was only interested on their experience and life story within their community.

1.7.3 Vulnerable Population

I was aware that my research was conducted in a migrant worker community which is a vulnerable population in Thailand. I was very respectful of their values and customs and did not use discriminative language in my questions.

1.7.4 Children

My target participants were teenagers between the ages of 11-17. My topic was a low risk topic which did not address sensitive issues and would not raise any potential trauma to the teenager. Participants were only asked about their activities and their opinion about their sense of belonging related to their identity.

1.8 Limitation of the Research

1.8.1 Time Constraint

With such a limited time to conduct my research (2.5 months) I was concerned my findings would not be sufficient to develop my data. However, with the help from LPN in linking and recruiting my potential participants, I could utilize my limited time more efficiently to reach all possible stakeholders. Thus, I could manage to obtain comprehensive data.

1.8.2 Language barrier

Since all interviews were conducted in either the Myanmar or Thai language, I translated all questions through an authorized language expert and employed an interpreter who worked with me during the whole time of my field research. Later, all interviews were transcribed to English to minimize misunderstanding. However, I understand that I was not able to capture complete sense in everyday conversation which might be important to support my findings. This language barrier also hampered me from accessing reports and other written documents in Myanmar and Thai comprehensively.

1.9 Significances of Research

1. To contribute to the study of the impact of statelessness status to identity particularly on young persons in migrant communities in Thailand;
2. To contribute to the study of teenagers' rights in Thailand as it is an area which has been understudied;

3. To empower the teenagers' participation to construe their perception about their irregular status and identity;

4. To produce recommendation for both NGOs and the government to develop programs for irregular teenager migrants.

CHAPTER II

THEORETICAL, POLITICAL, AND LEGAL CONTEXT

In this chapter, I will discuss the theoretical framework and approach that I will use to analyse the phenomenon of teenagers in Myanmar migrant communities in Thailand. In particular, this framework and approach will be used to understand some factors that could shape the identity of the teenagers in the migrant community in Thailand. According to Castles and Miller (2003), we are now living in an age of migration which makes migration an extraordinarily complex phenomenon (Castles and Miller 2003 in Brettell and Hollifield 2008, p. 2). In this thesis, I employ both micro and macro perspectives to understand the whole picture of the situation encountered by teenage migrants which could influence the development of their identity. Therefore, I adopt the perspective of scholars who are concerned with migration issues.

In this thesis, I use the perspectives of political science, sociology, and anthropology to balance the macro and micro approach and to produce a complete analysis. For the macro perspective, I use the stance of political scientists who are concerned with: the role of the state to control border and migration flows, the impact of migration on the matters of sovereignty and citizenship, and the consideration of foreign policy, political, and international systems (Brettell and Hollifield 2008, p. 8). Considering that the citizenship status or the legal identity of stateless teenagers in the Myanmar migrant communities may influence the identity of the teenagers, I conducted a legal analysis to evaluate the term statelessness according to the UN definition in the convention related to stateless status and irregular migration which was ratified by Thailand. As the impact of citizenship status on the teenagers' daily experience was evaluated; my research revealed that what was more significant to the life experience of teenagers in Thailand was their migration status. In other words, whether their presence in Thailand was regular or irregular was more important than their citizenship status. Therefore, the irregularity of migration status will also be analyzed thoroughly as an aspect that could affect the identity of the teenagers.

Furthermore, the legal procedures that migrant teenager should follow in order to get their 'rights' in Thailand will be evaluated according to international and national laws. Although the teenage migrants are not Thai citizens, there are mechanisms that allow them to access some services from the government after they have obtained documents which are relevant to their status as irregular migrants. This mechanism will be evaluated as a discriminatory regime which excludes irregular migrants from Thailand's social welfare system. In the case of the irregular teenagers in the migrant communities, the discrimination and exclusion that are encountered by teenagers in the implementation of the special service mechanisms will be analyzed as a factor which affects the teenagers' daily experience and thus, their construction of identity.

The macro perspective of international instruments and legal provisions in this chapter is employed to define the rights of the teenagers which are correlated to the economic and social welfare aspect of the teenagers' condition in the migrant community. This aspect is considered as vital in the process of identity negotiation for the teenagers since it will define how the teenagers experience life in Thailand; which is very much determined by the opportunity they have. The opportunity then will determine which life styles can be chosen by the teenagers.

At the micro level, I adopt sociological and anthropological perspectives which focus on individuals' points of view within their social ties and which emphasize the experiences of individual migrants and migrant families (Brettell and Hollifield 2008, p. 10). By employing an anthropological perspective, I questioned the meaning of citizenship for individual migrants and how this is incorporated into the teenagers' identity. Moreover, their daily experience in getting access to some services and their daily activities in Thailand was observed and investigated in-depth by employing ethnographic methods. The anthropological perspective here is employed together with the sociological perspective which emphasizes the roles of migrant communities in developing a sense of belonging for the teenagers. The sociological perspective also accentuates the labeling from Thai society to the teenagers' image which influences how the teenagers build a certain kind of identity.

Here I work from the perspective that identity is constructed, negotiated and influenced by various factors such as family's nurturing value, social and cultural value

preserved in the community, and the everyday experience of interacting with society and peers. In the case of teenage migrant workers, the sense of belonging to a community is influenced by the interaction of the teenagers both with people in the migrant community and people outside the community. Within the community, sense of belonging is constructed by communal cultural value that is practiced together such as the reciprocity between families, cultural ceremony, and using the ethnic group's language inside the community.

Further, global teenagers' sub-culture includes the social and cultural aspects which affect the identity construction from the micro perspective. The social aspects mean that the adoption of global sub-cultures is influenced by the interaction with their peers as well as their interpretation of the media that they consume every day. More importantly, I found that global culture is used by the teenagers as a strategy to strengthen and secure their presence as young people in the global world and to present themselves in the broader Thai society as modern teenagers to counter the image of 'backwardness'. The negotiation of the practice of global youth culture cannot be interpreted separately from their cultural background as migrants from Myanmar who have experienced repression in their home country and have encountered exclusion and discrimination from Thai society.

Therefore, both the macro and micro perspective are utilized to build a comprehensive story, defining various aspects of the condition of Myanmarese irregular migrant teenagers in Thailand, which influence their identity construction.

2.1 Statelessness in Myanmarese Migrant Communities in Thailand: National and International Policy

Thailand is not a state party to the 1954 Convention relating to the Status of Stateless Persons or the 1961 Convention on the Reduction of Statelessness. Moreover, Thailand is not a signatory of the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families. The constitutional law in Thailand regarding the rights and protection to stateless people and migrant workers is limited. However, remembering that there is a huge number of migrant workers from Myanmar, Lao PDR, and Cambodia in Thailand, this country establishes policy every

year based on the developed MoU and on particular decisions applied at the national level.

In regard to the potential stateless teenagers in migrant communities, Thailand ratified the 1989 Convention on the Rights of the Child on 27 March 1992. Thailand has a reservation on article 22; however, it removed its reservation on article 7 of 1989 Convention on the Right of the Child. Article 7 (1) says “the child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents”. Despite this, Thailand does not have to grant citizenship immediately to all children born in Thailand; although birth registrations are given (The Government of Public Relation Department 2011). In the case of children born in Thailand, according to the Thai Nationality Act (2535 B.E.), citizenship is only given to children who have both or one parent who is Thai or have both parents who are legal aliens. Under this law, alien couples’ children, where one or both parents are illegal, cannot acquire Thai nationality.

Nonetheless, according to the Cabinet Resolution in January 2005, Thailand can grant citizenship to (a) those who have Thai ancestors and who cannot get back to their home countries; (b) Thailand born children whose parents have lived in Thailand for at least 10 years; (c) migrant children deserted by their parents at a very young age and who have stayed in Thailand for 10 years or more; (d) parentless children who have been adopted by Thai people; (e) those graduating from Thai higher education institutions; and (f) knowledgeable migrants who have contributed their work and expertise to the benefit of Thai society (ILO 2006, p. 3-4). Although there is the possibility that teenage migrants can get Thai citizenship, the implementation of these provision is weak. The irregular condition of the migrant workers makes their bargaining position to claim citizenship status under the 2005 Cabinet Resolution very thin.

Myanmarese children who were born in Thailand will be treated under the Myanmarese Citizenship Act if they are permitted to return to Myanmar by the regime (Nyo & Smithe, 2005). According to the 1982 Citizenship Law, irrespective of their place of birth, citizenship by descent is granted to children who have at least one parent who is a full citizen, associate citizen, or a naturalized citizen if the other parent is either

a full citizen, associate citizen, or naturalized citizen. Further, a child is granted citizenship if one parent is an associate citizen and the other a naturalized citizen (Section 7b-7f in Tang Lay Lee 2005, p. 156).

Due to the nature of the Myanmar Citizen Act, which grants citizenship according to ethnicity base such as Kachin, Kayah, Karen, Chin, Burman, Mon, Rakhine and Shan (Section 3), the documentation of birth registration is crucial to prove the claimant's nationality. A person born outside Myanmar can have his birth registered either by the parent or guardian (in the proscribed manner and within one year from the date of birth) at the Myanmar Embassy or Consulate or at the organizations prescribed by the Ministry of Home Affairs (Section 10). However, parents who left Myanmar illegally would not be able to register their children at the Myanmar Embassy or any Consulate offices. Besides, the parents themselves may have lost their citizenship if they fled Myanmar permanently (Section 16). This would further hamper the children from obtaining Myanmar citizenship.

Many obstacles and limited opportunities lead to the failure to fulfill the citizenship requirements either from Thailand or Myanmar. This makes the Myanmar children who were born in Thailand, according to the definition of stateless in the United Nations Convention relating to the Status of Stateless Persons, as stateless (1954 Convention relating to the Status of Stateless Persons Article 1). Additionally, there are some complex conditions of regularity regarding statelessness of teenagers in Myanmar migrant communities in Thailand. The following section will discuss the complex scheme of statelessness and irregularity and its impact on the teenagers' daily experience.

2.2 Definition of Terms

2.2.1 Definition of Stateless Person

According to Article 1 of the 1954 Convention relating to the Status of Stateless Persons, 'stateless person' means 'a person who is not considered as a national by any State under the operation of its law, and is thus someone without any nationality or citizenship anywhere'.

2.2.2 Definition of Teenager

There are various definitions of teenager that can be referred to. The term teenager itself is often called adolescence and it is sometimes covered under the ‘youth’ category. For example, UNICEF and ILO often refer to adolescents as persons between 10-19 years old. In comparison, The UN definition of youth is “people between 15 and 24”. In this research I choose to focus on people between 11-17 years old. Although under the 1989 Convention of the Rights of the Child this group of people are defined as children, I use the term teenager as it reflects the transition and dynamics between the onset of puberty and maturity. Further, this term is more commonly used to specifically address persons between the age of 11-17 years old where youth covers a broader and older age.

The term “teenager”, similar to the term “youth”, is a relatively recent invention which refers to “the extension of the period of transition that lasts from the end of compulsory schooling to the entry into waged labour” (Buckingham 2008, p. 4). Teenagers are seen as being in a state of transition, of “becoming” rather than “being” an adult. In most cases, which also apply to Myanmarese teenagers in migrant communities, teenage migrants must negotiate their separation from their family and enter a new phase of life which is to be independent (Buckingham 2008, p. 3-4). The changing situation is one aspect that influences the process of “becoming” for teenagers. These different life experiences will bring different factors to be negotiated as they achieve their identity.

2.3 Relationship between citizenship and rights

Study about citizenship and rights are usually limited to either discussion of the distribution and mobilization of resources or on participation of civil and political rights. For example, Helve and Wallace (2001), T. H. Marshall (1950), J.M Barbalet (1988), and Hannah Arendt (1950) have discussed the relationship between citizenship and rights related to the distribution of resources and fulfillment of civil and political rights and economic, social and cultural rights. Helve and Wallace (2001) state that there are two meanings of citizenship: ‘formal citizenship’ which means the membership in a nation state, and ‘substantive citizenship’ which links to the idea of

rights and obligation (2001, p. 19). T. H. Marshall (1950), who was a pioneer in the study of the evolving rights of the citizen with his work 'Citizenship and Social Class' in 1950, emphasized the significance of social rights in relation to civil and political rights. He noted "the rights to freedom of speech has little real substance if, from lack of education, you have nothing to say that is worth saying, and no means of making yourself heard if you say it" (Marshall 1950, p.151). J.M Barbalet (1988) said that citizenship is not universal since it is determined not only by legal rights but also by the ability of individuals to mobilize their resources such as economic and social capital (Helve and Wallace 2001, p. 14).

There are not many studies that have been done to depict the real connection between citizenship as the rights to identity without being trapped in the legal identity discussion. For example, there are only a few studies which analyze citizenship as the right to identity itself, particularly identity on how the people see their identity themselves. Therefore, this thesis tries to analyze the correlation between rights and identity with the central argument being regardless of the rights obtained by the teenagers in Myanmar migrant communities in Thailand, they still can develop their identity. However, how the teenagers experience accessing some services could influence how they shape and present their identity. This will be significant for the discussion of the relationship between rights and identity.

The discussion about citizenship and rights is more problematic when it comes to people who migrate across borders such as Myanmar teenagers in the migrant community in Thailand. Citizenship is indeed crucial for marginalized groups, such as irregular migrant workers, "to obtain universal recognition for their rights in the liberal individualist tradition" (Helve and Wallace 2001, p. 14). Nevertheless, what is most important to assure the fulfillment of rights for migrant workers in receiving countries is their immigration status; not their citizenship status. The discussion might be different in the situation of refugees where citizenship from a country is the main source to get rights: "*If membership in a nation-state is the source of the rights, how can there be a right to have rights*" (Hannah Arendt [1951] 1979, p. 296). However, for migrants workers who are not applying for asylum to any country, their access to rights are more dependent on their immigration status, whether they are regular or irregular migrants, in the country.

Therefore, to better understand legal status and rights which will influence the identity of the teenage migrants, it is important to evaluate the rights for non citizens in Thailand. Relevant to this matter, Giorgio Agamben has stated that the regulation of 'being human' is politicized by nation-state (Rajaram & Warr 2004, p. 35). Although he mentioned the theory in the context of refugees, it can also apply to the condition of migrant workers as they are not citizens in Thailand. The condition of migrant workers are regulated and prescribed by the state with its power to give and not give the rights that, by international standards, all people should have.

Furthermore, Agamben's notion which is relevant for the context of teenager migrant workers in Thailand is the formation of 'zones of exception' to control the excluded in Thailand (Rajaram & Warr 2004, p. 35). The mechanisms through which the Thai government regulates migrants, such as determining which documents can be accessed and which services can be accessed, is one form of a power regime. These mechanisms function to accept, exclude, and discriminate who can received services and rights in Thailand, and this can be interpreted as creating 'zones of exception' for migrant workers, especially for those who are irregular migrants. The existence of 'zones of exception' will affect the life experience of the irregular teenagers in Thailand and will influence the development of their identity.

The notion that migrants' rights are determined by sovereign nation states is also supported by Lydia Morris. She said that migrant rights are stratified according to the regulation made by nation states which are different cross-nationally (Morris 2002, p. 19). Different countries apply different regulations related to access to residence, work, and welfare. According to Joppke, residency and access to the labour market are the two most precarious elements for migrants (2010, p. 85). These two elements are also relevant for the context of migrants in Mahachai, Thailand. For irregular teenagers in Myanmarese migrant communities in Thailand, young people 11-17 years old in Mahachai might enter the labour market (Pearson 2006, p. 118), although the national regulation only allows children to do light work once they are 15 and more heavy work once they are 17 years old.

In a transition phase from children to adult, young people's rights are often abandoned and forgotten since it is unclear which 'package of rights' they have as people tend to acquire different rights at different ages (Helve & Wallace 2001, p. 18).

Some services like education and health services are supported and provided by NGOs, but there are some sectors that cannot be accessed or involved in by teenagers due to legal constraints even though they are seen as capable to contribute something to the community. The condition that they start to contribute for their community while there is lack of access to services or rights that are specific to teenagers would affect how the teenagers develop their understanding about their identity.

2.4 Teenager's Culture as their Identity

Considering that irregular status is related to insecurity, constraints to access some rights, and also exclusion experienced by the teenagers during their residence in Thailand, this thesis will try to capture various aspects that potentially influence teenagers' identity construction. There are many meanings of identity discussed in the social sciences (Anderson 1983 in Anderson 2006, Smith 1995, Gottlieb 1973, Lyle & Shannon 1973, Lasson 2002). In this thesis, I work from the perspective that identity is shaped by the consequences of influence to the self from society, culture, and other factors that are outside the self. This idea is supported by some academics such as Foucault who said that identity is socially constructed. Benedict Anderson also supported this. He said that 'identity is a socio-cognitive construct' which emphasizes the importance of cultural and social factors in shaping identity (Anderson 1983 in Anderson 2006). Moreover, the contacts, complex circumstances, and multifaceted life experiences also influence how young people shape their identity (Rodriguez 2000, Harris and Sim 2002 in Kwong 2011, p. 872).

In the context of teenage migrants, economic, cultural, and political shifts must be considered as an important aspect in the discussion about teenagers' identity as they experience different conditions which can change their values and world views (Inglehart 1997, p. 1). According to the constructivist theory, it is important to consider milieu transition experienced by the teenagers such as changes in the life situation, job employment, interaction with other migrants and the broader Thai society. Further, the different political condition in Thailand compared to the oppressive military junta in Myanmar will change their values, life goals, and patterns of behaviour (Lyle & Shannon 1973, p. 31). The multifaceted life experience will be a foundational factor for

the teenagers to develop the understanding of who they are, and to construct the image of the teenager they would like to present.

Teenagers' identities are developed both by the individual teenager and also the recognition and confirmation by others (Buckingham 2008, p. 3). Related to this, identity is usually obtained or realized in the process of comparing 'us' with 'them' (Helve & Wallace 2001, p. 236). For young people in marginalized societies, they usually take on the identity label that other people place on them (Nagel 1994 in Kwong 2011, p. 878). This theory is very relevant to the discussion about the Myanmarese teenagers' identity negotiation. As they consider the label that other people put on them, they negotiate how they perceive themselves and decide what kind of appearance they make to present themselves in the broader Thai society.

The experience of being marginalized will also shape their identity. Migrants in the city are often 'condemned to live in two worlds', one of the urban community and one of their native community, and they never quite belonging to either (Park 1928 in Kwong 2011, p. 872). A similar proponent of this perspective, Stonequist, stated that migrants experience marginality between the dualism of the dominant society's exclusion and the non-acceptance by their original community (Stonequist 1937 in Kwong 2011, p. 872). In many cases, teenagers still associate themselves as members of their home country although they might not have any intention of living there (Kwong 2011, p. 879).

The condition of teenage migrants' living in two societies, the Myanmarese community and Thai society, brings a more complex situation for them to negotiate their identity. Therefore, without trying to push the teenagers to choose one identity, I analyze the identity construction phenomenon in two ways: (1) how the teenagers see themselves and (2) how they present themselves in the broader Thai society. The first way, "how the teenagers see themselves", relates to the teenagers' sense of belonging to a certain community. The second part of the identity discussion relates to how they present themselves in the broader Thai society. This is seen as their strategy to secure their presence and increase their confidence to blend into Thai society although they might not fully belong to Thai society.

However, as the era of Diaspora has come, the discussion of native land is developed and identity is analyzed as de-territorialized or as a differently territorialized

entity. This means that identity is not associated to ‘physical place’ any longer; rather it is associated more to ‘space’ of certain cultures and communities that build a sense of belonging (Said 1979, p. 18 in Gupta & Ferguson 2002, p. 68). In this thesis, I employ this argument which emphasizes that space is more significant on shaping teenagers’ identity rather than ‘place’ per se. The identity construction is more about the value learnt within the community, not only about where the community used to be.

In regard to sense of belonging which will help construct identity, some factors that need to be considered are:

‘how people categorize themselves and others, how they identify as members of particular groups, how a sense of group belonging or “community” is developed and maintained, how groups discriminate against outsiders, how the boundaries between groups operate, how groups relate to each other, and how institutions define and organize identities (Buckingham 2008, p. 5-6).

In the case of irregular teenage migrants in Mahachai, this notion is very relevant as many of them associate themselves as members of their ethnic community. Their sense of belonging to their community cannot be separated from the experience of exclusion from other groups and other factors that influence the construction of the sense of belonging. It is important to see both how they preserve and practice the culture and religion of their ethnic groups in order to keep their sense of belonging to the community, and how they practice and involve the youth’s culture that they develop themselves within their community.

To address the second aspect of identity which is “how they present themselves in the broader Thai society”, the expression, life style, behaviour, and appearance of the teenagers, particularly their choice to adopt global youth culture, will be the main focus. Here I see their expression of identity that is presented by the teenagers to wider Thai society as a way to secure their presence in Thailand even though it is not always correlated to their sense of belonging to a certain community.

With the experience of such marginalization, the Myanmarese teenagers in the migrant communities often develop their sub-culture (which in this case is a global modern culture) with other teenagers in their community response to ‘oppression’. These global cultures are often seen as not only subordinate but also subversive as they usually arise from contradiction and tension between the dominant and the repressed

social order (Buckingham 2008, p. 4). However, we must be mindful that the nature of teenagers is to explore and experience something fun regardless the repression that they encounter. Therefore, what interesting is to understand the strategy of the teenagers to keep 'having fun' in the surrounding condition which is relatively not free. One of the teenagers' efforts to have a good time is by following and participating in the global young culture which is manifested through lifestyle such as clothing and possession of certain gadgets. This behavior then explains how the teenagers present themselves in broader Thai society to secure their existence in a fun way.

The global youth culture, in fact, is often adopted as an image to be presented in the broader society to achieve a certain degree of equality. It is an image displayed to show that they blend into the global society. To utilize this concept, I focus more on the contemporary youth cultures which see sub-cultures in the sense of 'lifestyles' that are more fluid (Buckingham 2008, p. 5). This could be the possession of something such as hand phones, particular style of clothes, or participation in group activities. We should not forget that peer group is often the mirror for the young people. 'As the child grows, the peers will make up to 80% or more of the identification influences' (Lasson 2002, p. 181). Furthermore, it is important to understand that globalization, which is reflected in teenagers' behaviour, contribute to shape the strategy on how the teenagers negotiate their identity and present themselves in certain way in order to make them feel more secure and survive living in the other people's land.

2.5 Conclusion

After considering some theories and discussion particularly regarding the citizenship status, rights, access to some services, and the construction of identity, this thesis will utilize these theories simultaneously wherever it is relevant on the discussion and finding analysis in this thesis. The core argument in this thesis is that regardless of the rights that can be obtained by the teenagers, they still construct and develop their own understanding about their identity. However, all the factors such as the teenagers' legal status, exclusion and discrimination from Thai society, and difficulties in accessing some rights need to be considered in the teenagers' identity negotiation.

Therefore, all these aspects will be thoroughly discussed by employing the relevant and abovementioned theories.

The concepts and theories discussed will be applied in the relevant sections of this thesis to strengthen its arguments. Some theories will be used to analyze the core idea of this thesis, while other theories might only be included to comprehend the discussion. All the arguments and data analysis in this thesis will support the core arguments that no matter what the rights and conditions encountered by the teenagers are, they still can develop their identity. However, the formation or result of the identity negotiation will be influenced by the abovementioned factors in the teenagers' surrounding.

CHAPTER III

CONDITION OF IRREGULAR TEENAGERS OF MYANMARESE MIGRANT WORKERS LIVING IN MAHACHAI THAILAND

Considering that this thesis utilizes both macro and micro perspective to analyze the dynamics of the situation of Myanmarese irregular teenagers in the migrant communities, particularly the aspects that might influence the construction of identity for the teenagers, this chapter focuses on the macro perspective of the condition of the teenagers. The conditions that are discussed include the examination of teenagers' situation with their stateless and irregular status. Additionally, their experience of exclusion will be studied as the result of both policy and individuals' based discrimination in Thailand related to the ability of the teenagers accessing some rights.

At the beginning of this chapter, the concept of statelessness is discussed thoroughly by considering both the international standards and national laws on the conditions that make someone stateless. To get a more comprehensive and applicable discussion about statelessness, the problem of citizenship that exists in the Myanmarese migrant communities is analysed together with other forms of irregular status. This part will evaluate the impact of stateless status to the access to services compared to other irregular statuses.

Moreover, the condition of the teenagers living in Mahachai Thailand will be discussed in the relation to discrimination and exclusion that they encounter from the broader Thai society. The discrimination practices here are analyzed on two bases: discrimination by policy established by the Thai government and discrimination on an individual basis by Thai society. In the discussion on discrimination by policy, the special arrangements that have been made available to fulfil and protect the rights of the teenagers are evaluated as tools of the Thai government to control the movement of the migrants, including teenagers. Some mechanisms which are developed to record, register, and provide some services for migrant workers through the possession

of some documents are analyzed as a tool to create “zones of exception” (Rajaram & Warr 2004, p. 35). These mechanisms discriminate against migrant workers including teenagers.

Furthermore, besides evaluating control mechanisms in the policy on migrant workers, this chapter also discusses discrimination and exclusion experienced by teenage migrants on an individual basis from Thai society. The difficult living conditions of teenagers in Thailand will be evaluated by considering the exclusion experienced from: the broader Thai society, treatment from Thai corrupt police, and the extortion of agent/ middlemen. These external factors may worsen the life experience of the teenagers in Thailand, and make them conscious that they are an outsider and have not become a part of Thai society.

The abovementioned three factors (i.e, the citizenship/irregular status, the policy/ mechanism control by Thai government, and experience of being excluded and discriminated by Thai society) are the context that needs to be understood as factors which influence how the teenagers develop and negotiate their identity. The argument of this thesis is, regardless the condition of the teenagers, they still develop their own understanding about their identity. They negotiate and choose which identity to present to the broader society based, in part, on the consideration of the condition and life experience encountered, with the rights and services as vital components. The real condition, particularly that which is influenced by their legal status and wellbeing including rights distribution, access to services, and negative treatment from Thai society, needs to be understood as it will significantly shape the teenagers’ behaviour and their identity.

3.1 Statelessness and the Irregular Status of Myanmarese Teenagers in Migrant Communities in Thailand

According to Sompong Srakaew, 70%-80% of the babies born in Mahachai particularly to Myanmarese migrant workers family are stateless. This is due to Thailand’s regulation which does not automatically give nationality to babies born to migrants in the country. Without having citizenship, a person will face difficulties in

obtaining protection from any state. Furthermore, their rights will not be guaranteed, their existence will not be recognized, and their wellbeing will be constantly threatened. Therefore, presumably, statelessness is a crucial legal status which will significantly affect the experience of the teenagers since their citizenship status would affect the ability of the teenagers to access some rights; and this experience would thus influence the teenagers' identity.

However, the research findings suggested that irregular status, particularly undocumented status, has a more significant impact on the teenage migrants' experience than a stateless status. This is because what is important for people living outside their country of origin, particularly for the migrant worker group, is their immigration status rather than their citizenship status. Therefore, the relation of statelessness to a broader irregularity picture will be discussed by considering that there are many forms of irregularity experienced by the teenagers in migrant communities. To present a clear picture, I will discuss the possible of legal procedures that the teenager in a migrant community might have. Besides, I will also evaluate how stateless status affects their access to some services, compared to the ability of other teenagers who have citizenship in accessing the services. The access to get the rights and the condition will be analyzed as a factor that influences the identity construction of the teenagers.

3.1.1 Statelessness in Migrant Communities in Mahachai

According to Article 1 in the 1954 Convention relating to the Status of Stateless Persons, "stateless person" means 'a person who is not considered as a national by any State under the operation of its law, and is thus someone without any nationality or citizenship anywhere'. The Myanmar migrant children who are not registered to Myanmar's birth record will be "stateless" under this definition as they are not considered as citizens of Myanmar or Thailand. Thailand does not automatically grant nationality to people born in the country. According to Patima Tungpucakul, the LPN's project coordinator for the children education division, the Thai Police opened a report stating that no children from any migrant worker community has ever been granted Thai nationality so far (Interview with Tungpucakul, May 7th, 2012). This information confirms that all Myanmar babies born in

Thailand will be considered as stateless or nationality-less if they do not return to Myanmar to register for citizenship.

Although Vichavej Hospital estimated 4,000 babies were born to migrant families in Mahachai each year, the number of children and teenagers living in Mahachai in 2012 was only around 6,000-7,000 people (Srakaew, 2012). This is because migrant workers often send their children back to Myanmar as it is safer for the children due to the possibility of being arrested by police. Further, many of the migrant worker parents do not have time to take care of them (MK's mother, Interview on May 27th, 2012). After they attain the age of 6 or 7 years old some children who were raised in Myanmar are sent back to Thailand to live with their parents. In this situation, there is a possibility that some children were registered by the Myanmar government and thus obtained Myanmar nationality. Among this group of children, some bring their documents when they return to Thailand but some do not. However, there are many children who did not register their birth during their time living in Myanmar. Thus, their condition will be the same as the children who were born in Thailand and who never went to Myanmar: they will be stateless.

In the context of the Myanmar teenagers in migrant worker families in Thailand, the types of citizenship problems they encounter are varied. They could be 'completely stateless', living in limbo where their birth is never registered and thus they have no document (*de jure* stateless). They could be 'nationality-less' where they have a birth certificate but have yet been recognized as a citizen in any country due to a failure to register or verify their nationality (Tianchainan, 2012). Or, they could be 'semi-stateless' where they actually have citizenship through birth registration or population record in Myanmar but they have lost the document to prove their citizenship (*de facto* stateless). It is important to see that all of the categories are determined by the registration process in order to have the documents.

This formal approach which depends on the registration process often does not work well when it comes to the real situation in the field, particularly for some people from Myanmar who are unaware of the importance of documentation. Patima Tungpucakul said that Myanmar does not have a systematic population registration system that is capable of recording the data of all its citizens. Moreover, the ongoing ethnic conflicts in Myanmar make people refuse the sovereignty of

Myanmar's government and thus make them more comfortable to associate themselves to their ethnic groups rather than with nation-state identity (Interview with Tungpucakul 2012).

“Migrant workers from Myanmar usually do not think that legal procedures are important. They are ignorant to legal documents and are not familiar with formal registration processes. Many people [migrant workers] got their first ID card here [in Thailand] when they registered for work permit or residence permit” (Interview with Tungpucakul May 7th, 2012).

Furthermore, in regard to stateless people in the migrant worker communities, statelessness should be analyzed beyond the *de jure* and *de facto* categories because what are important for everybody's existence to stay in Thailand are the documents that they have. For example, even if they have nationality but they cannot prove it through a Myanmar ID card or birth certificate they will be placed in the same category as stateless people and other undocumented migrants. On the other side, in the case of Myanmar migrant workers, the distinction between statelessness (*de jure* and *de facto*) and having citizenship status is blurred since, regardless of their registration as Myanmar citizens, the people barely get protection or rights fulfilment under the authoritarian government of the Myanmar junta military. Thus, if we employ the interpretation that citizenship means the availability of protection from the state all Myanmar migrant workers who work and live outside Myanmar despite their nationality status are actually without protection.

Considering that statelessness is only one of the legal status problems of Myanmar migrant workers in Thailand which will influence the identity of the teenagers, it is important to understand the whole picture of the legal status problems. The chart bellow will try to breakdown all the legal status conditions of Myanmar teenage migrants whether they were born in Thailand or Myanmar and whether they lived in Myanmar after they were born or not. Moreover, the chart shows the relation between statelessness and irregular status of migrants in Thailand as this will affect the condition and legal status of the teenager. Besides understanding the possible legal status, the chart is useful to illustrate that Myanmar teenagers in Mahachai, Thailand have very diverse and different experiences from one and another which might influence their negotiation to develop their identity.

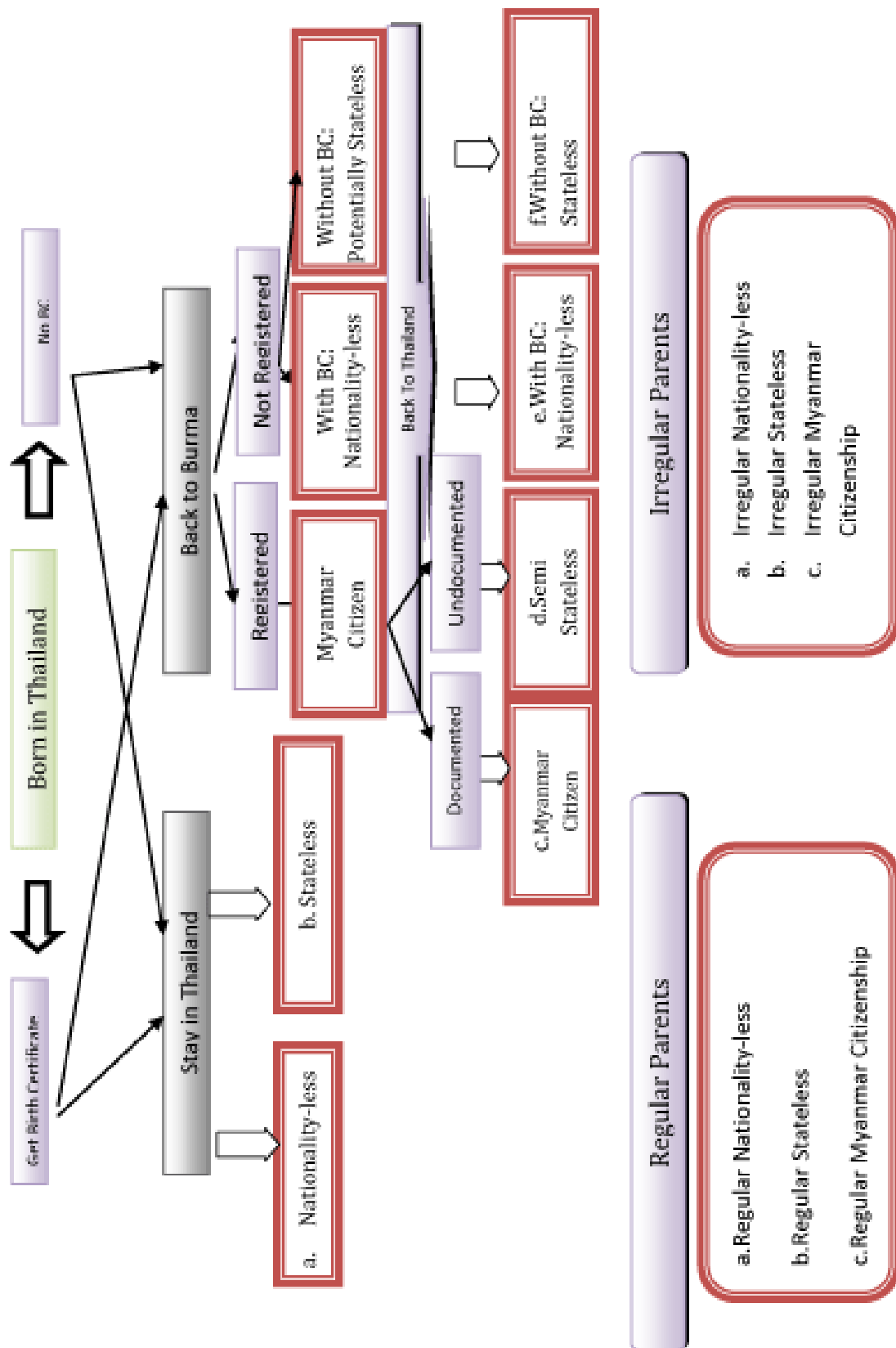


Chart 3.1 The Possibility of Myanmar Teenagers’ Legal Situation in Migrant Communities in Mahachai, Thailand

The chart above shows all the possibilities of legal status problems according to the regulation and provision set by international standards, which require the recognition from a country through registration as the precondition for citizenship. Moreover, the national citizenship laws of both countries, Myanmar and Thailand, are considered as the legal formal procedure to identify the possible irregularity status of the teenagers in Myanmar migrant worker communities in Thailand. Although in the implementation stage Myanmar citizenship or a Myanmar ID card can be obtained illegally through bribing government officials, the chart above shows the formal procedures according to laws as it is important to understand the original legal provision.

From my field research, I found that apparently, citizenship status does not significantly affect the condition of migrant workers in Mahachai. From the perspective of the Thai government, the most important thing in dealing with the presence of migrant workers is showing that they are 'legal' and authorized to stay and work in Thailand under the national immigration law. Thus, this places the migrant workers regularity status as more important than citizenship status. No matter if they have nationality or not, what really matters for immigration police and provincial police are that the migrant workers have registered and do not breach Thai laws.

Furthermore, the chart above clearly shows that a stateless condition does not only apply to those whose parents are irregular. The stateless condition can also happen to the teenagers whose parents enter Thailand regularly. It is important to see that statelessness and irregularity are two conditions that can be interconnected but do not necessarily correlate. The discourse about statelessness usually refers to the frame established by international standards and rules which occur as the result of a failure to register or fulfil the citizenship procedure determined by a nation state. By contrast, irregular and regular legal status of a migrant is completely determined by the authority of the respective states. Many teenagers whose parents or guardians are regular migrant workers can also find themselves as stateless if their birth was never registered or if they were never recorded under a citizen census in any country. The categories of regular and irregular are actually very fluid. For example, a regular migrant who entered the country with a passport can become an irregular migrant when she/he stays longer than permitted.

As regular status is apparently more important than citizenship or nationality status, the legal proof of regular status, such as any document which is applied to 'regulate' the presence of irregular migrants in Thailand, is more important than the documents showing their nationality. For example, a Burmese girl said, "*I am not afraid although I do not have birth certificate and do not have nationality. No worries. I have work permit and it is enough*" (AN, interview on March 31st, 2012).

For teenage migrants, the status of their parents or guardians is very important; although it is not the only factor to determine the 'fate' of the teenagers. Administratively, children born in Thailand to migrant workers are classified as international migrants and treated in the same category as their parents even though technically they are not migrants (Huguet, Chamrathirong, & Richter 2011, p. 19). The teenagers whose parents or guardians have registered would be able to register their data in a municipal office which will be important for the application of a living permit, a work permit, and a passport. Although the registration status of the parents or guardians would not guarantee a teenager's acquisition of Thai citizenship, they are at least protected by the laws that guarantee their parents or guardians' wellbeing under labour laws.

In general, according to Sompong Srakaew, there are four (4) conditions of teenagers in migrant communities in Mahachai based on the parents' status:

1. Teenagers whose parents have been living in Thailand 'illegally' for some time but then applied for the Nationality Verification (NV) process so that they have a temporary passport and temporary work permit (temporary illegal).

2. Teenagers whose parents came to work in Thailand through the Memoranda of Understanding (MoU) mechanism between Thai and the Myanmar government (temporary legal).

3. Teenagers whose parents have a work permit but do not have passport. Currently, newly arrived migrants cannot register to follow NV process as Thai government was not open for registration in 2012 (irregular migrants).

4. Teenagers whose parents do not have any documents but they work in a factory so that the factory will be responsible for the migrants' stay (irregular migrants specifically undocumented migrants) (Interview with Sompong Srakaew, May 1st, 2012).

The teenagers under 15 years old and in the conditions of 1 to 3 can still obtain documents to secure their existence and have access to some services. But teenager under the 4th category (teenagers whose parents do not have any documents but they work in a factory so that the factory will be responsible for the migrants' stay) will find more difficulties to register for documents such as T.R 38/1. Furthermore, when they turn 15 years old and they are ready to enter the work force the process of getting a work permit will be more difficult if they have not registered for a TR 38/1. If the teenagers are engaged in a school institution, they still have an opportunity to 'legalize' their stay in Thailand. Otherwise, they will likely be trapped in dependency to a broker or middleman; or, they will end up being an irregular and undocumented person who constantly feels threatened staying in Thailand.

In regard to the discussion of identity, it can be concluded that irregularity as a legal status is more significant in the influence and the construction of teenagers' identities compared to stateless status. This is clear as the condition of an irregular migrant would bring a bigger challenge to the ability of the teenagers to access some services compared to statelessness. Therefore, the further discussion will focus on the context of irregular teenage migrants. Related to the condition of teenagers affected by irregular condition, the following part will discuss the mechanism that is arranged to regulate migrant workers in Thailand. The mechanism is also established to set some provision which will allow the teenage migrants to access some services which will affect the life experience of the teenagers and contribute to the construction of their identity.

3.2 The Ability of Migrant Teenagers to Access Rights in Thailand

The circumstance that almost all people in migrant communities were undocumented stimulated Thailand to establish specific mechanisms to deal with statelessness and other irregularity problems, including the problems for teenage migrants. This mechanism was made quite complex by requiring the migrants to get certain documents. Further, the specific documents needed are always changing. This section will discuss the mechanism as a system to exclude and discriminate the

presence of migrant workers. The regulations were made to control their movement and condition which establishes “zones of exception”. According to Ko Ko Aung, a labour NGO activist, the regulation and procedures regulating the documents for migrant workers change every year. This constant regulation change is intentionally made to confuse the migrant workers and the NGO activists who are advocating for the rights of migrant labour. This change also creates space for the police officers to use discretion with the law and extort migrant workers (KKA, interview on May 6th, 2012).

This situation clearly indicates the Thai government’s power to create “zones of exception” (Rajaram & Warr 2004, p. 35) for migrant workers because it limits their movement and access to rights in Thailand.¹ The established mechanism which could provide some benefits for the teenagers actually is made unsustainable because it clearly excludes certain migrant workers, particularly irregular migrants. Moreover, this mechanism is not always properly implemented due to discrimination by Thai people.

The following part will evaluate the experience of the teenage migrants in accessing the available rights in Thailand based on the established standards of international law. This section will focus on the teenage migrants’ ability to access some rights such as rights to residence (housing), rights to work, rights to health, and rights to education. These rights are chosen based on the documentation mechanisms established by Thai government such as T.R 38/1, work permit, health insurance, and student ID card. The following section will describe all documents related to mechanisms established by the Thai government which can be analyzed as policy based discrimination.

3.2.1 Rights to Residency

¹ It is important to understand that Thailand did not only establish discriminatory policy for migrant worker. In fact, Thailand has some regulation which discriminate against minority such as Nationality Act B.E. 2508 (1965) as amended by Acts B.E. 2535 No. 2 and 3 (1992) which becomes legal barrier for some hill tribes to obtain citizenship. Besides, there are some racial based discriminations still happening in Thailand, see “Shadow Report on Eliminating Racial Discrimination: THAILAND”, (<http://www2.ohchr.org/english/bodies/cerd/docs/ngos/CRDWThailand81.pdf>). However, this chapter will only discuss the discrimination by policy which is relevant to Myanmarese migrant workers in Thailand

The wellbeing and the development of children are protected by the CRC under Article 27 particularly article 3². Thailand does not provide mechanisms to accommodate irregular migrants by providing housing for them. However, Thailand did establish a mechanism to register the residency of the migrants including teenagers which will allow them to get a T.R 38/1 document to ‘secure’ their temporary permission to stay in Thailand.

3.2.1.1 T.R 38/1 [Tor Ror 38/1]

T.R 38/1 is the basic document issued by the Ministry of Interior. All migrant workers, with their family, can register their residency in Thailand and get temporary residence cards. T.R 38/1 is a document to record the data of all people living in the country including Thai citizens, regular migrant workers, and irregular migrant workers. For Thai citizens, the document is called *Tabian Ban*. For migrant workers, the document is called *Tabian Rasadon Tangraw* and followed by the series of numbers 38/1. The regulation to issue a T.R 38/1 for migrant workers came into force in July 2004 (Mekong Migration Network and Asian Migrant Centre 2013, p. 119). This regulation is supported by the Inhabitants Act (1991) which allows inhabitants, regardless their legal status in the country, to report their personal data such as address, marriage, birth of children, death of family members, etc. to the nearest municipal office. Thus, the T.R. 38/1 provides a chance for the presence of children to ‘be reported’.

All residents in a family who have the same address will usually be recorded under one T.R. serial number which consists of 13 digits. This document is only valid for 1 year and needs to be renewed annually at a municipal office for the cost of 80 Thai baht per document per year. T.R 38/1 is not a mechanism to legalize irregular migrants but a mechanism to record their personal data so that the Thai government knows where they come from, what they are doing here, and where they live (Interview with Bandit Thanachisit, 17 May 2012).

² Article 27 (3) CRC states that “states parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing”

The mechanism of T.R 38/1 document can be analyzed as the system to control the movement of migrants. Although the mechanism seems similar to the system applied to Thai citizen, this mechanism in fact threaten the residency of undocumented migrants in Thailand. As there is a physical form of the T.R 38/1 document, any corrupt police can use it as a threat to send back the migrants to Myanmar if they cannot show the document. Therefore, the Thai police could easily extort the migrants if they do not have T.R 38/1. However, it is not clear whether T.R 38/1 is sufficient to secure the existence of Myanmar migrant workers in Thailand. The uncertainty of T.R 38/1's legal power brings a difficult situation and makes the migrants feel less secure.

There is some disagreement about the legal power of T.R 38/1 to protect the existence of migrants in Thailand. This illustrates the indeterminate legal nature of the T.R 38/1. Some migrants say that the T.R 38/1 will not be sufficient to release them once Thai police capture them and ask for their documents. But some other migrants say it is enough.

“Police usually will ask for more documents such as work permit, and if we have work permit they will ask for passport. Thus, I think T.R. 38/1 will not go far to protect us” (SU, interview on May 12th, 2012).

Another migrant said that the police just want to extort migrants and if the migrants have some knowledge they can argue that they should not be arrested because they have a T.R 38/1(PT, interview on May 12th, 2012). This unclear legal power shows an establishment of an exclusion mechanism by the Thai government and opens the chance for further discrimination and extortion toward migrant workers.

According to the regulation, only teenagers whose parents are documented can have access to get T.R 38/1 because they need to be listed under the address and T.R number of their parents. The teenager does not need to show birth certificate to register for the T.R 38/1. They only need to be present and go with their parents to fill out their personal data and have their face photographed. Here it can be concluded that irregular status which depends on parents' status affects the accessibility of the teenagers to get some service/documents.

“I have T.R 38/1 and I carry the copy of document everywhere. If I lost it, I just need to remember the 13 digit numbers of the card if the police ask me”
(CZ, interview on April 7th, 2012).

3.2.2 Rights to Employment

Residency and access to the labour market are the two most precarious elements for migrants (Joppke 2010, p.85). One mechanism that is available in Thailand to access jobs and employment is the work permit. Section 44 of the Labour Protection Act B.E. 2541 (1998) prohibits employment of children under 15 years old. In the case of teenage migrants in Thailand who have attained the age of 15-17 years old, they may perform some types of light work. However, to do work in the fishing industry, which is the most common industry in Mahachai, they would need the service of a middleman because working in the fishing industry is not considered as light work.

3.2.2.1 Work permit

After obtaining a T.R 38/1 teenage migrants who are already 15 years old can apply for a work permit as this document is the only document required to receive a work permit. Regarding this matter, Thai national law under the Labour Protection Act of 1998 prohibits employment of children under 15 years old. It also regulates the working conditions allowed for children from 15-18 years old. Moreover, The Child Protection Act of 2003 defines children as anyone below the age of 18 and guarantees the principles of non-discrimination and best interest of the children. According to Thai law, a full time job such as working in the fishing industry is not permissible for children between 15 and 18 years old. In reality, teenagers working in the fishing industry (or other prohibited sectors) often fake their age so that they will not be caught as child labours.

According to legal procedures, to get a work permit a teenager can come with their employer or broker to Samut Sakhon Provincial Employment Office under the Minister of Labour. The teenager only needs to bring their T.R 38/1. They do not need to present their birth certificate in this stage. After registering, all applicants need to pay 3,800 Thai Baht. This covers the 1,900 Thai Baht for the work

permit issued by the Minister of Labour, the 1,300 Thai Baht for health insurance issued by Minister of Public Health, and the 600 Thai Baht for a health check (PO, LPN's staff interview on May 7th, 2012). Despite the established amount of 3,800 Thai baht, in practice many teenagers are asked to pay as much as 5,000 to 8,000 Thai Baht by their brokers. Generally migrants pay 12,000 Thai Baht the first time they arrive in Thailand to pay for both the temporary living permit (T.R 38/1) and work permit including, the medical check (AW, interview on April 18th, 2012).

Since all the forms are in Thai, the teenagers, who can neither speak nor read the Thai language, need the assistance of a broker. Here the brokers can extort the teenager especially if they do not have a document such as the T.R 38/1.

"I have to pay 6,000 baht to get work permit and my company pay for it. Later, they will reduce my salary every month to pay off the cost. My broker said that I pay more because I don't have any documents" (YB, interview on April, 7th 2012).

The mechanism of work permit registration is an exclusion mechanism to control and 'terrorize' the migrants since the labour registration at the Sakhon Provincial Employment Office does not open registration every year. During my research period in 2012, the Ministry of Labour was not open for registration. As a result, the newly arrived migrants had no chance to get the proper document to stay in Mahachai during this period. The registration process in previous years was also regulated by 'unsustainable' procedures which always change every year and confuse the migrant workers.

According to the Facts and Figures Timeline of Migrant Registration in Thailand, by the Mekong Migration Network (2008), registration for irregular migrants opened in August 2004 after a phase of the T.R 38/1 registration, reopened in July 2005 as the implementation of the 15 May 2005 Cabinet Resolution, opened in July 2006 as the implementation of the 18 May 2006 Cabinet Resolution, opened in July 2007 as the implementation of the 19 December 2006 Cabinet Resolution, and opened in 2008 as the implementation of the 18 December 2007 Cabinet Resolution. In each year, the regulations for this procedure, such as the cost of the work permit and the requirements to apply for the work permit, always changed. This fact is evidence that the work permit mechanism is a form of "zones of

exception” because it intends to keep migrant workers excluded from Thai society by establishing a control system.

In regard to teenagers’ accessibility to obtain work permit, those whose parents are undocumented will experience more difficult access to get work permit since they would not have T.R 38/1 as the precondition to obtain a work permit. Further, irregular migrants will be more vulnerable to extortion by brokers as their survival in Thailand will be dependent on brokers or middlemen who can get them the documents they need, and even provide job opportunity if the migrants pay a lot of money to them.

“When I started work in my company, I was 17 years old but my broker told my employer I was 20 years old. I did not have any documents but my broker took care of everything from searching job to make me work permit. [...] Before I got work permit, I got card from my company so police will not arrest me” (SE, interview on April 29th, 2012).

3.2.3 Rights to Education

Thailand has not performed its best effort to implement Article 28³ of the CRC for all children in Thailand, including children and teenagers in migrant worker communities. Despite the 2005 Thai government campaign on ‘Education for All’, there has been no sustainable mechanism to protect the rights to education for teenagers in migrant worker communities. The elementary schools that accept migrant children in Mahachai operate based on the agreement with the Labour Promotion Rights Network (LPN) which clearly shows that a rights based approach (RBA)⁴ has not been implemented in this matter.

Thai Law has allowed undocumented migrant children to register in schools with a T.R 89 registration form. Nevertheless, schools still deny them access by giving excuses such as the schools do not have teachers who speak Burmese, or the other ethnic group languages spoken in Myanmar. Furthermore, although migrant children can be accepted in Thai elementary schools they cannot continue to high school or

³ Article 28 (1) of the CRC says: “States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity”.

⁴ Rights-based Approach (RBA) is a framework that integrates the norms, principles, standards and goals; and characterised by methods and activities that link international human rights system which inherent to the notion of power and struggle with development (Boesen & Martin 2007, p.9).

university as there were no schools which agreed to admit teenage migrants in the period of this research in 2012. However, if they go to Thai school there is a mechanism of the student ID card which can protect the teenagers' presence in Mahachai.

3.2.3.1 Student ID Card

As the Thai Government issued the 'Education for All' resolution by the Ministry of Education on July 5th, 2005, the rights of all children to study in Thailand is guaranteed. Thus, everyone who has a student ID card will be protected under the law. Regarding teenagers without documents, the Ministry of Education issued a Regulation on Evidence of a Child's Birth for School Admission in 1992 to give an education document to those who do not have birth certificate or domicile registration.

However, although there is a regulation regarding education for all, not many schools implement it. Teenage migrants in fact can only access education with some help from NGOs, like Labour Rights Promotion Network (LPN), since most of the schools would reject migrant workers with the argument that the schools do not have capacity to teach in Burmese or other Myanmar languages. As a result, the national regulation is not applicable because the provision is not equipped with the regulation to implement it. Thus, the Thai government actually still discriminates against foreign students' particularly teenage migrants.

The LPN's success was a huge breakthrough since prior to 2009 there were only informal learning centers available for teenage migrants, which did not grant them a diploma or a student ID Card. By LPN's assistance, teenagers with any legal status condition can get the student ID card by registering to a Thai public school. According to the 'Invitation Letter to School Registration' distributed by LPN, the applicants need to bring 1 copy of their parents or guardians T.R 38/1, 1 copy of the passport (for those whose parents/guardians have a passport), and 1 copy of a birth certificate from the Thai Government (those who do not have a birth certificate need to know the exact date of the applicants' birth). As a result, on 13 May 2012 there were 51 student registrations recorded. Now, there are around 500 teenage migrants registered in Thai schools in Mahachai, particularly in the Wat Khampar

School which has accepted more than 300 children and teenagers from migrant families (Interview with Sompong Srakaew, 1 May 2012).

LPN assists all teenagers and children migrants to access school regardless of their citizenship or migration status. For those whose parents are undocumented, the applicant must get a letter from the Mahachai municipal office. Moreover, besides the school application form, every applicant who comes with their parents or guardians must complete the T.R 89 form. The T.R 89 form is a document available for individuals who do not have registration status, including stateless people. Thus, this form provides documentation for many stateless people in Thailand. T.R 89 is usually used for school, hospital, prison, or home registration. This form requires the school's/institution's registration number and the applicants' personal information. If there is no personal information available, the applicants must at least have their date of birth or their age confirmed by a witness.

After all data has been recorded, the T.R 89 with the teenage migrants' personal information will be sent to the Ministry of Interior with the school's registration number. Through these procedures, the children and teenagers will get a student ID card from the Minister of Interior which can be used to legalize their existence in Thailand. With this student ID card, the teenager can travel everywhere in Thailand, not only in Samut Sakhon Province. Thus, many migrant workers register their young children in school as a strategy to 'legalize' the existence of their children (interview with Parents, May 13th, 2012).

From the findings, we can see that the regulation to provide education in Thailand has not been made accessible for all. The accessibility of teenage migrants depends on LPN, who assists and advocates the rights to education. The other teenagers who do not have contact with LPN will have difficulties in obtaining information about education and school. Discrimination is often experienced by teenagers from schools, as institutions, which do not want to accept them.

3.2.4 Rights to Health

Thailand has not fully implemented Article 24 (1)⁵ of the CRC which guarantees rights to health. Furthermore, Thailand has not seriously provided health services and facilities which are guaranteed under article 3 (3) of the CRC⁶. The public relation official in the Department of Public Health in Samut Sakhon informed me in an interview that there is no specific health insurance for children of migrant workers who stay in Thailand (Interview with Department of Public Health Samut Sakhon, 4 May 2012). However, there is a mechanism of health insurance that can be accessed by teenagers if they work in a company.

3.2.4.1 Health Insurance

In the case of the teenagers, if they are working and have work permits, they will be covered by the health insurance that they pay for every year. The health insurance is purchased at the same time as the work permit. The work permit costs 1,900 Thai Baht per year and includes health insurance (1,300 Thai Baht) and health checks (600 Thai Baht). With the health insurance the migrants only need to pay 30 Thai Baht every time they go to hospital for a health check.

Regarding the accessibility of the teenagers to health insurance service, the teenagers who do not have insurance through a job can purchase health insurance individually if they or their parents have a T.R 38/1. If they do not have any document or factory job that is responsible for them, they cannot purchase private health insurance in the hospital. Thus, it is more difficult for undocumented teenagers whose parents are undocumented to access health services compared to other legal status of the teenagers. Due to difficulties in accessing the health services, the teenagers often have to use the service of brokers or middlemen.

“Generally the migrants’ children are not covered by any health insurance scheme from government. However, they can purchase private health insurance themselves if their parents have document, at least T.R 38/1. It is required as

⁵ Article 24 (1) CRC says, “States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.”

⁶ Article 3 (3) CRC “states parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision”

the health insurance agency need rigid data about the clients to process the claims” (TW, interview on April 18th, 2012).

There are also some assistance programs from hospitals and NGOs for teenagers who cannot obtain health insurance to access health services. For instance, Samut Sakhorn Hospital, as a public provincial hospital, has a program to support all migrant workers that do not have documents by providing 10-15 million Thai Baht to support them per year (Samut Sakhorn Hospital, interview May 16th, 2012). Besides, some private hospitals, such as Vichaivej Private Hospital, provide social insurance which covers both the babies born in the hospital and their mother's for 28 days if the mother has the social insurance (Vichaivej Private Hospital, May 16th, 2012). Additionally, NGOs such as LPN give funding to cover the health services for migrant workers. Aside from that, Rak Thai has a program to advocate for every child and teenager to be able to access health services in the hospitals in Samut. According to the Rak Thai Program Director, Rak Thai collaborates with the provincial hospitals to give vaccines to migrant children in Mahachai. Moreover, it advocates for undocumented children and teenagers to be able to get a health insurance card from hospitals (interview with Rak Thai Program Director May 10th, 2012).

From the research findings, it is known that the mechanism of public health insurance is only available for those who work, which means that in general teenagers would not be able to access them since most of the teenagers are not allowed to work yet. Furthermore, the accessibility of health services for teenagers whose parents are irregular and undocumented is more difficult. They cannot purchase health insurance without giving rigid data about their responsible guardian as the teenager is not considered as legitimate to make any decision or contact themselves. Besides, discrimination also happens when some hospitals refuse to give medical services even though some teenagers can and are willing to pay the health service costs. Many hospitals would hesitate because they doubt the teenagers can afford the bill.

3.3 Experience of Exclusion and Discrimination for Teenage Migrants

After evaluating the discrimination by the policies and mechanisms established by the Thai government, regarding access to rights and services for teenage migrants, this part will examine the discrimination and exclusion on an individual basis that is experienced by the teenagers in accessing services according to the established mechanisms. There are three factors that affect the life experience of the teenagers in the migrant communities in Mahachai, Thailand: discrimination from Thai society, extortion from corrupt police, and exploitation from an agent/middleman. The negative experiences encountered by the teenagers will affect how they develop and negotiate their identity. Therefore, the discussion in this part will be linked to the discussion of how the teenagers identify themselves in relationship to their belonging to their community and how they present themselves in the broader Thai society.

3.3.1 Discrimination and Exclusion from Thai Society

Teenagers' identity is developed both by the individual youth and by the recognition and confirmation from others (Buckingham 2008, p. 3). As we understand that identity is manufactured and constructed, we need to consider not only psychological but also sociological factors. We need to understand not only how the teenagers see themselves but also how 'others' typify them (Sarup 1996, p. 14). The contacts, complex circumstances, and multifaceted life experiences influence how young people shape their identity (Rodriguez 2000, Harris and Sim 2002 in Kwong 2011, p. 872). Significantly, young people in a marginalized society tend to take on the identity label that other people place on them (Nagel 1994 in Kwong 2011, p. 878).

The way teenagers negotiate and develop their identity must be understood within the context of prolonged exclusion and discrimination from Thai society. In the situation of the teenage migrants, the main problems of discrimination come from Thai students in their school and, for those who work in a factory, from poor treatment by Thai work leaders. The negative experiences teenage migrants encounter in Thailand solidify their identity as an 'outsider'. A Burmese girl (12) who has spent most of her life staying in Thailand (9 years) explicitly told me that she is Burmese. "*I am*

Burmese so I will always be Burmese. I do not want to be Thai. We are here for long time, yet we are still different” (MI, Interview on May 25th, 2012).

Teenagers who study in school get an opportunity to be more integrated to Thai society as they will speak Thai, read and write in Thai, and importantly they will get a student ID card which secures their residency in Thailand. It is obvious that the socialization process is greatly affected by education in the school not just from their home (Lyle & Shannon 1973, p. 175-177). But, the Thai peers are ‘hell’ for them. All of the teenage migrants I interviewed said the attitudes of the Thai students are mostly negative. According to a 14 year old boy,

“Last year in Wat Kamphar School, there was a big fight between Thai students and migrant students until a Thai student brought a knife to school. He said that it is because the Thai students always mock and bully the migrant students from Myanmar (AS, Interview on May 3rd, 2012).

According to a Burmese teacher, the teachers’ attitudes regarding this case were not impartial. The Thai teachers, for instance, said that it was largely the Myanmar teenagers’ fault because they often are not polite. For instance, they never greet “*Sawatdi Krap*” to the Thai students and teachers (Interview with Burmese Teacher, March 29th, 2012).

Not only do Thai students and teachers create problems, but schools as an institution often discriminate against teenage migrants. Despite the Thai laws which allow all children to get education in Thai public schools, many schools still refuse to accept teenagers from the migrant communities. They usually argue that they do not have enough resource to provide extra teachers who speak the Burmese language, etc. No matter if the teenager has a birth certificate or a passport, the schools still reject them.

In Wat Kamphar School, which accepts the largest number of migrant children in Mahachai, discrimination still exists. The teenage migrants in school, who are usually 11-14 years old, cannot join in regular Thai class with their peers of the same age. ‘Instead, they are required to take ‘adjustment classes’, starting from the 1st grade, to learn the Thai language and letters’. Even though some teenagers have academic reports from their previous study in Myanmar, they still have to repeat their study from the 1st grade. Although the classes are in Wat Kamphar School, they are

separated from the general building and taught by teachers provided by LPN. Later, if the teenagers pass an exam, they can continue to the regular Thai classes.

Despite discrimination experienced in schools, those who do not go to Thai school will not learn to speak or read Thai and it will be easier to cheat or exploit them in the work place. Most of the teenagers who do not go to school are working in the factory. They will be unlikely to get good positions as they cannot speak or read the Thai language. For these teenagers the problems of discrimination and negative treatment are from the work leaders. Almost all the interviewed teenagers complained that their work leaders were rude. A boy told me that the work leader discriminated against him in many ways.

“He (work leader) did not let me take a rest. If I go to toilet he will recall the time and take up the money. For example, I work 40 hours of work a week but he took 5 hours salary per month because I go to the toilet”, (IB, Interview on April 7th, 2012).

Not only is discrimination present in schools and work places but in the community they also receive negative treatment from other institutions and neighbours. A Burmese girl who lives in a migrant community said that she and her family pay more in rent, electricity, and water than Thai tenants. Moreover, she said that Thai people usually do not want to live in the same building as migrant workers from Myanmar as they claim the Burmese food smells too strong. Some boys, who live in a community next to a Thai residence, said that the Thai teenagers and young people always bully them. *“Those Thai kids never allow us to play in the playground or use the common table tennis. They are always rude to us and sometimes ask money from us” (AD, interview in field observation March 25th, 2012).*

Many migrants informed me that the tension between the Thai and Myanmar societies actually were caused by prolonged hatred since the war hundreds of years (over 200 years) ago. However, I see this statement as a way to emphasize and legitimize the boundaries between the ‘self’, Myanmar and the ‘others’, Thai. They told this story to show that they are Myanmar which is different from Thai. I also observed that Myanmar migrant workers address Thai people, among migrant workers, as ‘Shan’ as they speak the same language with the Shan people in Myanmar

(DA, interview on April 7th, 2012). I see this is as a strategy to avoid the situation where Thai people feel offended if they know the migrants are talking about them. This label, or address, actually further excludes the Myanmar people because assimilation or acculturation will be more difficult if the migrants keep their community closed 'against' Thai society.

3.3.2 Extortion by Thai Corrupt Police

Besides discrimination by Thai people, the most significant factor for exclusion of teenage migrants is corrupt police. In Mahachai, regardless of the documents the migrant workers have, corrupt police will find reasons to arrest and extort them. For example, although a work permit is sufficient to protect working teenagers from police arrest, the police can ask for other documents such as the Terror 38/1. If the teenagers have Terror 38/1, the police will ask for their passport. Thus, according to one teenager, the wallets of migrant workers are usually full with documents, cards, and papers to be shown to police to avoid arrest when there is examination (PT, Interview on May 12th, 2012). However, as police know that the migrant workers, particularly teenagers, usually do not understand the laws they can deceive and extort the migrants regardless.

"You need to pay different amount of money to different police. If you are captured by police who rides motorbike, you have to pay 2,000 baht. If the police is riding a car, you have to pay 2,500 baht. But if the police take you to the office, you have to pay 18,000 baht if you want to be released. But when immigration police caught you, they will send you back to Myanmar borders after arrest you in detention center. Thus, it is better to give the money to police right away they capture you; don't let them take you to their office. It will cost a lot!" (Interview with PZ, April 7th, 2012).

According to a Burmese seller who used to be a middleman, there are several kinds of police in Mahachai. There are local police, immigration police, and regional police (JJ, Interview on May 5th, 2012). He said that for the local police in Mahachai, there are five (5) levels of power. The lower levels, first (1st) to third (3rd), usually do regular and simple jobs. The fourth (4th) level of police officers are those who usually raid and arrest migrant workers. The fifth (5th) level of police officers

usually handles big criminal cases and deal with big businesses in Mahachai. Police in the fifth level have broad power to behave in corrupt ways and make ‘deals’ with powerful stakeholders for their own benefit.

Aside from holding raids on migrant workers, the fourth level of police are typically the ones who sell special ‘deals’ to irregular migrant workers in order to protect them from being arrested. An undocumented teenager confessed that he paid 500 Thai Baht every month to the police, and if he was caught by the police he just needed to contact the police officer who he paid (YM, Interview on April 7th, 2012). For this deal, the teenager does not get any document or receipt as the police do not want to produce evidence that they perform this corruption. One teenager said that there are many groups among the police who arrest migrant workers according to a distribution zone. For example, if he pays money to the police in a Blue Zone but he gets caught by police from a Yellow Zone, he needs to call the Blue Zone police and they will explain to the Yellow Zone police that the teenager should not be arrested. Usually there is already an agreement among the police officers themselves.

The police in Mahachai are not only receptive to bribery to prevent arrest, but they are open for bribery in other situations as wells. For example, migrant workers are not allowed to open business in Thailand. However, if they pay the Mahachai police a certain amount of money every month they can do their business.

“If you want to open the store safely, you need to give the money to the 4th and 5th level of local police, the immigration police, and the Samut Sakhon regional police. To open my store, I pay 500-2000 Thai Baht for 4th and 5th level police department and 1200 Thai Baht for immigration police that divided to 600 Thai Baht for Mahachai Immigration Police and 600 Thai Baht for Bangkok Immigration Police. Besides, I also give money 500 Thai Baht to some officers in regional police” (JJ, Interview on May 5th, 2012).

As many police in the different levels are corrupt, there are many ways to exploit and take advantage of teenage migrants. This phenomenon causes insecure feelings and limits the teenagers’ ability to freely interact with their peers, outside their community, or to easily travel around Mahachai. They feel threatened all the time even if they have some documents. Teenagers, particularly girls, usually spend most of their time in their residence rather than go outside due to the possibility of being

exploited by police. With the police corruption, many migrants are not motivated to register through the Thai government's formal procedure as it is more effective just to bribe the police in the field. The migrants would always think that they are exploited by police because they are migrants and from Myanmar. This makes the assimilation process between migrants and Thai people difficult. As a consequence, the bonding within a migrant community will be tighter. This could result in a strengthened sense of belonging to their Myanmarese, or their other ethnic group, community.

3.3.3 Agent/ Middlemen's Hegemony

The discriminatory behaviour and extortion by police is supported by organized agents or middlemen who take advantage of the migrant workers. As many migrant workers, including teenagers, do not understand procedures and laws, they rely on agents or middlemen. Thus, the agents or middlemen often keep information from the migrants to make them more dependent; and therefore, the migrants can be continually exploited. As the migrants' dependency is preserved by agents and police who take advantage of the migrant workers, the documents that can actually protect teenage migrants become useless.

The table below illustrates how agents/middlemen intervene in various aspects of migrant workers' life. According to LPN's action research in 2008, agents exist everywhere in Mahachai. There are at least ten (10) types of agents that operate in Mahachai. They include (1) agents smuggling workers into Thailand which includes (1.1) agents at sending points who help procure potential workers in various villages, (1.2) transit agents who receive the workers after they have crossed the border, and (1.3) agents at the receiving end who take the workers to different jobsites in Thailand; (2) agents supplying workers to factories; (3) agents working to mediate with police; (4) agents helping migrant workers to get work permit/health insurance cards; (5) repatriation agents; (6) agents helping with hospital referral; (7) loan shark agents; (8) overseas money transfer agents; (9) sub-contractor agents, and (10) human trafficking agents (LPN 2008, p. 29-33).

Although there are agents who do not exploit the workers and actually help facilitate travel and work and money transfers many more agents behave in exploitative ways. They take advantage of migrant labourers with no consideration for

their suffering (LPN 2008, p. 29). With the advantage of having broad links with police and local government officials and capability in the Thai language, the agents think that it is fair for them to charge the migrant workers an excessive amount of money. When they are supposed to help the migrant workers, who were arrested, negotiate with the police the agents often ask for more money than the police so that they receive a profit. Hence, with such strong and powerful links between the police and the agents or middlemen, the migrant workers' documents are often treated only as 'accessories'. With or without these documents there is still the possibility that the migrant workers will be extorted and expected to pay large amounts of money which can trap them in debt.

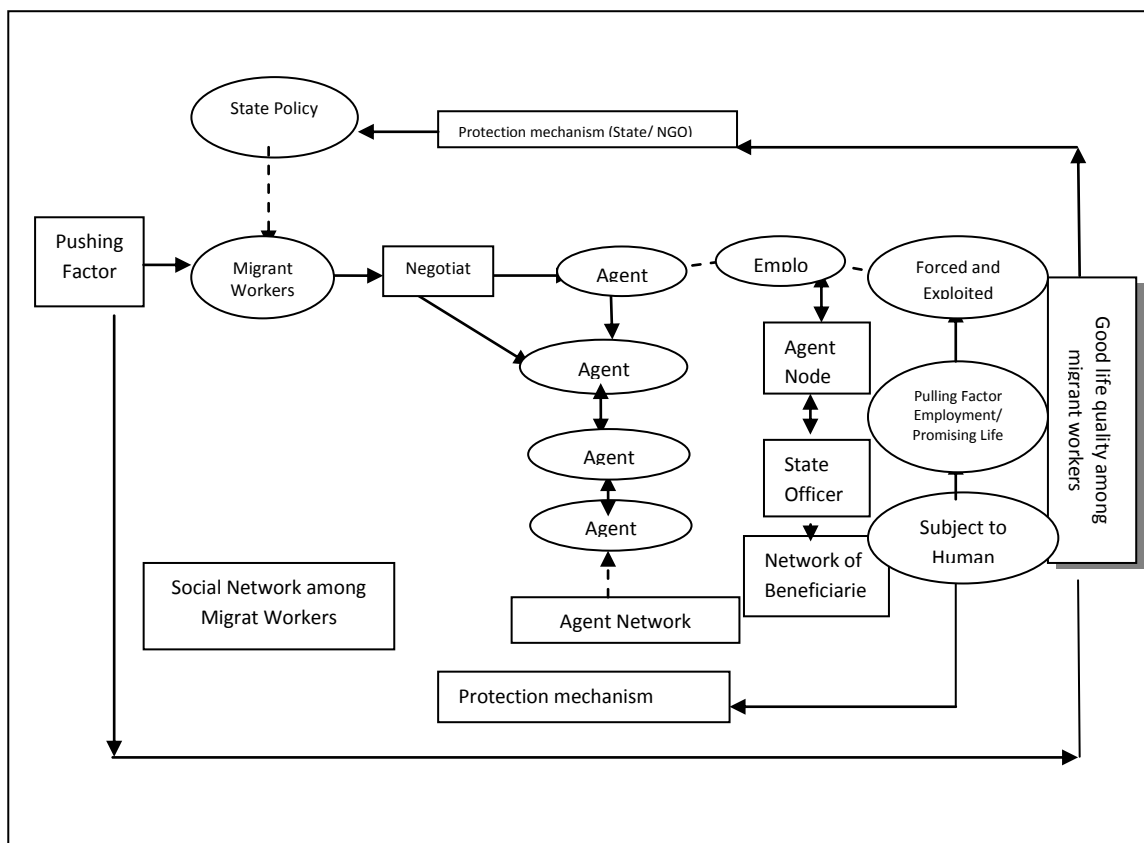


Chart 3.2. Structural Relationships between Migrant Workers and Agents (LPN 2008, p.9)

With the manipulation of agents or middlemen supporting the corrupt police, the migrant workers will constantly face difficulties living in Thailand. Thus, it is likely the migrant workers will build strong solidarity among themselves, and they

will associate primarily with their groups or communities who are usually composed of the same ethnic identity or country of origin.

3.4 Conclusion

Regarding the citizenship status of the teenagers, as their legal identity, I found that being stateless in Myanmar migrant communities in Thailand does not bring significant consequences to the teenagers' condition. The most important legal documents to stay in Thailand are a passport or work permit which can be attained despite their citizenship status. Instead, an undocumented situation is the worst condition that can be experienced by the teenagers in the broader picture of irregularity. Since a stateless status would not produce any significant impact to the experience of living every day, it is less likely that the stateless status would affect the teenagers' identity. In contrast, an undocumented irregular status would greatly affect the ability of the teenagers to access some services provided by the Thai Government. The experiences of exclusion and discrimination will affect how teenagers develop their identity.

Some documents that can be obtained by the teenagers as a registration mechanism regarding their status as migrants are: T.R. 38/1, work permit, health insurance, and student ID card. These documents will be easier to obtain if the parents' or guardians' immigration status is regular as the status of the teenagers depend on their guardians' status. In reality, the mechanisms do not necessarily protect and fulfil the rights of the teenage migrants. Moreover, the mechanisms themselves actually build zones of exception which clearly demarcate the different treatment of the migrant workers. The implementation and distribution of services are full of discriminatory practices which further exclude teenagers. Some factors that significantly hinder the implementation of the protection mechanisms are discrimination from Thai society and extortion from Thai Police and middlemen.

The teenagers' access to services is affected by the legal status of their parents or guardians. The teenagers whose parents are irregular will face more challenges to purchase health insurance, get a T.R 38/1 or work permit, and register in a Thai school. However, even irregular teenagers whose parents are undocumented

may still be able to access some services such as education and health insurance after completing a more complicated procedure.

The condition of harsh discrimination and exclusion from Thai society make the teenagers rely on different types of agents such as NGOs and middlemen. These agents/stakeholders help secure migrants' access to services such as getting T.R 38/1, renting accommodation, and getting a job in company. Although housing can technically be accessed by any migrants who have the money to pay rent, some landlords require work or residence permits. It is often safer to use middlemen to arrange accommodation. The teenagers, including irregular ones, may also get access to jobs in a company through brokers or middlemen. Before the teenager turns 18 they are only allowed to work in certain 'light work' jobs under the Thai labour law. As a result they may depend on a middleman to help them obtain a job (which is not considered 'light work') before they turn 18. This dependency on agents/ middlemen will make the teenagers' situation more precarious as many agents are actually exploiting the teenagers.

In conclusion, all the difficulties encountered by teenagers in the migrant worker communities including: limited rights to be accessed, discrimination from Thai society, extortion from corrupt police, and exploitation by agents/ middlemen facilitate the exclusion of these teenagers from the Thai society. No matters if the teenagers were born in Myanmar or Thailand, they experience the same tough conditions as part of the migrant community. This will influence the development and understanding of their identity. This thesis argues that regardless of the rights and the access to services the teenagers receive, they are still able develop their identity. However, decisions to identify their identity are influenced by the conditions of living in Thailand, including the discrimination and exclusion experienced by policy and the individual based negative treatment from society due to their irregular status.

CHAPTER IV

IDENTITY OF IRREGULAR TEENAGERS IN MYANMARESE MIGRANT COMMUNITIES IN MAHACHAI, THAILAND

To be able to comprehensively understand the discussion about teenagers' identity in this chapter, it is important to comprehend the background and situation of the teenagers. This includes knowing their complex legal status (citizenship and immigration status) in Thailand and their experiences of being discriminated and excluded in accessing rights and services discussed in the previous chapter. These experiences will affect the way the teenagers negotiate their identity; and influence how the teenagers see themselves and how they would like to present themselves in the broader Thai society.

However, this whole thesis argues that despite of the problem faced by the teenagers in the migrant community and regardless of the rights obtained by the Myanmar teenagers in Thailand, they still develop their own understanding of their identity. As human beings, they develop to be people who need appreciation for their contribution and existence. As identity is fluid and is based on the context, this chapter attempts to analyze how the teenagers see themselves and how they want other people to see themselves. Here the findings show that the way the teenagers see themselves is influenced by the sense of belonging to their ethnic group in the migrant community, which is strengthened by the experience of exclusion and insecurity living in Mahachai with irregular status.

However, the sense of belonging to their ethnic groups in the migrant community is not always manifested in the way the teenagers present themselves when living in Mahachai. This chapter will also discuss how the teenagers build their image as global youth or global teenagers and how this image helps them survive life in other people's country. This 'identity' they put on themselves is effective to raise their confidence to interact with broader Thai society and move more freely in town as their

appearance is similar to the Thai people's profile. This is particularly the case if they also speak the Thai language.

During my field research in Mahachai I found that the discourse about how the teenagers see themselves as quiet problematic as generally the teenagers do not think about "who they are"; although they have to deal with the condition of "being different" in their everyday life. Therefore, I started by asking them how they would define "in which community they think they belong" to identify their sense of belonging. James Clifford once questioned the meaning of 'native land' in the discourse about sense of belonging in twentieth century (Clifford 1988, p. 275 in Gupta & Ferguson 2002, p. 68). He sees that in the era of Diaspora, identity is de-territorialized or differently territorialized (Said 1979, p. 18 in Gupta & Ferguson 2002, p. 68). Discourse about sense of belonging will be seen by the way the teenagers attach their sense of belonging to a certain community defined as a "space" rather than a "physical place". This concept of 'community' is particularly relevant when remembering that many of the teenage migrants may have never been to their native land in Myanmar as they were born in Thailand.

Although speak of native land can be still relevant in the study of migration where the people are frequently visiting home (Govers, 2006), the context of Myanmarese teenagers living in migrant communities in Mahachai Thailand is different. They may have been born in Myanmar but moved to Thailand when they were children. They may have been living in Myanmar for a period of time but have had a longer experience staying in Thailand, or they may have been born in Thailand and have never gone to Myanmar. There is a high diversity of teenagers' migratory experience from Myanmar to Thailand. In this chapter I will unpack the discourse of sense of belonging from some aspects such as their place of birth, how long the teenagers have been living in Thailand, and their opinion about getting Thai citizenship. The discourse about sense of belonging is linked to the construction of the teenagers' identity; particularly on defining "who they think they are" as identity is a socio cognitive construct which emphasizes the importance of cultural and social factors (Anderson 1983 in Anderson 2006)

Related to the identity construction, there are various factors that influence how people develop their identity such as family, ethnic, cultural, religious, political,

economic, physical, sexual, and intellectual factors (Gottlieb 1973, p. 64). Moreover, the behavioural change of the parents due to assimilation or acculturation in a new environment, economic, cultural, or political shift can also influence the values that children learn (Lyle & Shannon 1973, p.31; Ronald Inglehart 1997, p. 1). Furthermore, the socialization process is greatly affected both by education in the school and in the house (Lyle & Shannon 1973, p. 175-177). In this chapter, I will try to unpack these complex factors to evaluate how they underpin the teenagers' sense of belonging and their identity construction.

4.1 Teenagers' Sense of Belonging

Before I conducted interviews with the teenagers, I spoke to Patima Tungpucakul, LPN's project coordinator for the children education division. Regarding the teenagers' sense of belonging, she expressed worry that once the children grew up to be teenagers they may face problems in seeing where they belong.

“The 2nd generation of migrant will face huge problem. They will see themselves as Thai although all people see them as Burmese, Mon, or Kayah. Although they like more Thai food, speak Thai language, and learn Thai culture, they cannot be really integrated to Thai society due to bad treatment from Thai police and also Thai youth. It will make them depressed.” (Interview with Patima Tungpucakul, May 7th, 2012).

This statement is not completely accurate nor does it apply for all of the teenagers' conditions, particularly for those who are living in the migrant community. From the findings presented in this chapter we will find that most teenagers were not confused about defining which community they belonged to. However, some of the teenagers do face difficulties in defining their sense of belonging so it is very interesting to see the factors that influence this confusion. Most of the children who live with LPN's volunteers in LPN's housing interact with Thai people, eat Thai food, and live in the 'Thai way'. Consequently, it can be easily understood why Patima has the abovementioned opinion. However, as most teenagers live in the migrant community, they tell different stories.

In this part I analyze the correlation between the teenagers' sense of belonging which is very much correlated with the discussion of "space" developed within the community. Moreover, other factors such as their place of birth, how long the teenagers have been living in Thailand and the idea about getting Thai citizenship also will be discussed to comprehend the analysis to the identity development. The place of birth is observed to know if their place of birth would affect their sense of attachment to such a place although this thesis will argue that identity will be more constructed to the experience of value sharing in a community as the "space" rather than merely a "place".

As some of the Myanmar children born in Thailand never go to Myanmar I would like to see if there are other experiences they encounter which help define who they are. Many children are sent to Myanmar after they are born in Thailand to be raised by their extended family before they were sent back to Thailand to work or study after they can take care of themselves (around the age of 6 or 7). Considering more conditions the teenagers were experiencing by living in two different countries and cultures which develop the 'space' context for the teenagers, more complex factors will need to be considered to influence the construction of their sense of belonging.

Although the duration of living in Thailand may be a significant factor to influence the teenagers' sense of belonging, it needs to be considered that this duration may not have been continuous. There are some teenagers that are born and live in Thailand for their whole life, but most of the teenagers interviewed lived in Myanmar before their stay in Thailand. Nevertheless, the duration of stay in Thailand will be observed too to see the influential effect to teenagers' sense of belonging. Another variable that I observe is the desire of getting Thai citizenship to see if their choice to certain nationality would reflect their sense of belonging.

The table below is developed from the interviews that I conducted with 31 teenagers aged 11-17 years old. It shows that from 31 teenagers, 25 teenagers felt that their sense of belonging was to Myanmar or their ethnic groups, two (2) teenagers said they felt more like they were Thai, and four (4) teenagers felt undecided about which community they belonged to. The teenagers who chose 'Myanmar' to define themselves actually expressed their sense of belonging to their ethnic group such as Mon, Karen, Burma (Burma ethnic group), Shan, etc. This can be understood because there is huge rejection from some ethnic groups toward Burman domination in Myanmar. The

complex vertical conflict between Myanmar government and its citizens; and horizontal conflicts in Myanmar between ethnic groups contribute to complicated relationships among ethnic groups which strengthen their ethnic identity (Jonsson 2008, p. 40).

Table 4.1 Sense of Belonging of Myanmar Teenagers in Migrant Community in Mahachai

NO	NAME	SCHOOL GRADE	AGE	PLACE OF BIRTH	RESIDENCY DURATION IN THAILAND	SELF IDENTIFIES AS:	WANT THAI CITIZENSHIP?
1	ZA	2	16	MYANMAR	9 MONTHS	MYANMAR (MON)	YES
2	KMS	2	15	MYANMAR	3 YEARS	MYANMAR (MON)	YES
3	ADN	2	13	THAILAND	5 YEARS	THAI AND MYANMAR	YES
4	ZMA	2	14	MYANMAR	2 YEARS	MYANMAR (BURMA)	YES
5	MK	2	15	THAILAND	2 YEARS	MYANMAR (MON)	YES
6	TTA	2	14	THAILAND	3 YEARS	MYANMAR (BURMA)	NO
7	TZO	2	12	MYANMAR	1 YEAR	MYANMAR (MON)	YES
8	KH	1	11	MYANMAR	1 YEAR	MYANMAR (MON)	NOT SURE
9	EPP	3	15	THAILAND	15 YEARS	MYANMAR	NO
10	KB	1	11	MYANMAR	3 MONTHS	MYANMAR (KAREN)	NOT SURE
11	CZ	1	13	MYANMAR	10 YEARS	DO NOT KNOW	YES
12	DA	4	11	THAILAND	8 YEARS	MYANMAR (SHAN)	NO
13	MY	5	15	THAILAND	13 YEARS	NEITHER	YES
14	YU	7	16	REFUGEE CAMP IN MAESOT	9 YEARS	DO NOT KNOW	YES
15	NG	1	15	THAILAND	6 YEARS	MYANMAR (MON)	YES
16	PH	2	14	THAILAND	14 YEARS	THAI	YES
17	MT	2	15	MYANMAR	3 YEARS	MYANMAR (MON)	YES
18	SC	2	13	MYANMAR	1 YEAR	MYANMAR (BURMA)	NOT SURE
19	ZMA	2	12	THAILAND	1 YEAR	MYANMAR	YES

Table 4.1 Sense of Belonging of Myanmar Teenagers in Migrant Community in Mahachai (cont.)

NO	NAME	SCHOOL GRADE	AGE	PLACE OF BIRTH	RESIDENCY DURATION IN THAILAND	SELF IDENTIFIES AS:	WANT THAI CITIZENSHIP?
20	EP	1	12	THAILAND	7 MONTHS	MYANMAR (MON)	NOT SURE
21	SR	1	13	THAILAND	1 YEAR	MYANMAR (BURMA)	NOT SURE
22	MHT	3 STOP, WORK	15	THAILAND	5 YEARS	MYANMAR	YES
23	WT	2 stop, WORK	15	MYANMAR	10 YEARS	MYANMAR	YES
24	TKB	3 STOP, WORK	17	THAILAND	15 YEARS	THAI	YES
25	RS	0	15	MYANMAR	1 YEAR	MYANMAR (MUSLIM-MON)	NOT SURE
26	CH	3	15	THAILAND	15 YEARS	MYANMAR (MON)	YES
27	HNP	2	13	MYANMAR	3 YEARS	MYANMAR (MON)	YES
28	MI	4	12	THAILAND	9 YEARS	MYANMAR (BURMA)	NO
29	WW	3 STOP, WORK	14	THAILAND	3 YEARS	MYANMAR (MON)	NO
30	AL	WORK	15	BURMA	1 YEAR	MYANMAR (MON)	NO
31	TG	WORK	16	THAILAND	7 MONTHS	MYANMAR (BURMA)	NO

Moreover, it is possible that the teenagers' proclamation about sense of belonging could depend on the context they are in and who they are speaking to. Since I am an Indonesian who came from outside Thailand and Myanmar, they may tend to answer with "Burma" (instead of their respective ethnic group) as an equal comparison to "Thailand" or "Indonesia". The teenagers may also have answered "Burmese" as I formulated the question to ask whether they felt more "Thai" or "Burmese" because I assumed it would be easier for them if there were choices. I used the term "Burmese" instead of "Myanmarese" in conversation as most people call their country "Burma" rather than "Myanmar". However, from further observation and interviews, I discovered

that they had more attachment to their ethnic groups than to the country Burma. Thus, it could be concluded that their sense of belonging was frequently connected to their respective ethnic group in the migrant community.

The teenagers who answered “Thai” to define their sense of belonging have a complex life experiences that can influence their belonging. The “Thai” was interpreted as ‘want to be Thai’ by my translator as they still address themselves as not yet part of Thai society. It is because the fact that they have not fully integrated to Thai society. The complex factors that might influence the answer of “Thai” or decision are to be discussed in the following paragraph. Furthermore, the four (4) teenagers expressed uncertainty in their sense of belonging did so in different ways. One teenager said he feels like he is both Thai and Mon. Two teenagers said they do not know where they belong, and one teenager said “not both” as she feels she is neither a Thai nor Burmese citizen.

Regardless of the expression used, these four teenagers found difficulties in defining who they are and where they belong. As teenagers who are still in the stage of ‘searching’ for their identity, in the ‘becoming’ phase, their confusion is understandable. With their experience in social, cultural, and economic transition the teenagers may re-question which community that they belong to. As identity is fluid and changing the teenagers are in the process of ongoing negotiation to perceive their condition and to decide which group they belong.

“I am not sure whether I am more close to Thai society or Burma community. I used to live with my mother in migrant community. But now I live with teachers (LPN’s volunteers) and I speak Thai language and eat Thai food every day. But I am not Thai people although everyone thinks I am Thai. But, I am also different from those who live in migrant community. Now I don’t think I am Thai nor Burma.” (MY, interview on May 30th, 2012).

Regarding to place of birth, almost all teenagers who define themselves as “Thai” were born in Thailand. Moreover, almost all teenagers who felt confused about their sense of belonging were also born in Thailand. However, there is no clear pattern of ‘place of birth influence’ for those who have a sense of belonging to “Myanmar” or other ethnic groups. The findings show that from the 25 teenagers, who said they belonged to Myanmar or their respective ethnic group, 12 teenagers were born in

Myanmar and 13 teenagers were born in Thailand. Thus, it is necessary to understand that a person's place of birth is not the only factor that influences a person's sense of belonging'.

"I was born in Thailand but have lived in a Mon village in Burma for quiet long time. I came here again 2 years ago and live with my father in a company compound. Many Mon people in the compound, we share foods and we talk in Mon language. I will stay here (in Thailand) to work, but I think I belong to Mon people" (NG, interview on May 3rd, 2012).

Solely being born in Thailand is not enough to develop a feeling of becoming a part of Thailand, either fully or partially. Rather, staying in Thailand long enough to experience the culture and interact with Thai people is also important in developing a sense of connection to Thailand.

"I was born in Thailand and live here since. I go to school everyday and I can communicate well with Thai language. I look like Thai so I can go everywhere as all people think I am Thai. Of course I belong to Thai society" (PH, interview on May 3rd, 2012).

The data suggested that sense of belonging and identity is not merely about the physical place or the territory they were born and live per se. Rather, it is more related to their experience of the 'space' as Thai-ness or Myanmar-ness, which is socially constructed (Gupta & Ferguson 2002, p. 70). As many teenagers are sent to Myanmar before they live in Thailand they develop a sense and experience of living in Myanmar which is compared to their experience in Thailand. Thus, they have options to which community they feel more attached to. On the other hand, if the teenagers spend their entire life in Thailand they would have a limited picture about the situation in Myanmar, or experience Myanmar-ness, unless their parents or their community taught them the Myanmar cultures in Thailand. In this case, they may feel more sense of belonging to Thailand although they may not necessarily see themselves as being Thai. Furthermore, if they learn some of the cultural values of both Thailand and Myanmar, which could construct their opinion and way of living, there may be some confusion in defining which society they belong.

4.1.1 Memory Sharing and De-territorialized Identity

Discussing the notion of ‘sense of belonging’ is linked to the notion of social construction from one’s surrounding through experiences of togetherness in a certain community. It can relate to pleasant memories, intimate situations, and protective security that people share in their community (Sarup 1996, p. 2). But, it also can be constructed from the daily behaviour and interactions that define in which community they belong to. The findings reflect that in the case of teenage migrants, their sense of belonging is a result of the on-going negotiations both from preserved memories and their experience living in the migrant community in Thailand. Thus, ‘sense of belonging’ must not be seen as merely attachment to a place. More accurately, it is attachment to a space where the people who live in it share the same values, memories and practice the same way of living.

Some of the teenagers, particularly those who confess that they belong to their ethnic groups in Myanmar, said that even though their condition was poorer and less modern in Myanmar, they still preserve their memories of their close friends and relatives in Myanmar who they usually play and go around with, freely. A 14 years old girl who feels she is part of the Mon ethnic group said:

“I want to go back to Myanmar because all of my friends there. I felt happy. But here I just work and help my parents do the home works. I live in one big migrant community in Mahachai and most of the time I only interact with Burma people.” (WW, Interview on May 27th, 2012).

Indeed, teenagers that feel they are Myanmarese generally have spent longer periods of time living in Myanmar. They had a chance to interact with their relatives, experience their ethnic culture and tradition, and to interact with the society freely and without fear because during their time in Myanmar they did not experience systematic discrimination like they feel in Thailand.

In addition to occurrences of past experiences in Myanmar, we see examples of what Clifford said, which is identity is de-territorialized (1988, p. 275 in Gupta & Ferguson 2002). The identity is no longer attached to ‘physical place’ but more related to the idea of home and the cultural system as a ‘space’. This ‘space’ can be moved together with their migratory living and constructs the way people think and behave. The notion that identity is beyond the territory is supported by the finding that

the majority of teenagers associate themselves to Myanmar. Although the teenagers now live in Thailand, their sense of belonging is also constructed by their social interaction which is developed by their family and their neighbours in their community. Thus, no matter where the teenagers live, they are able to carry and preserve their Myanmar-ness. Their parents' teachings help them learn the Myanmar way of living and speaking, and they influence the movies they watch and the music they listen to. These conditions would construct the way the teenagers see themselves.

“Every day after I get back from school, I usually just take a rest or watch television. Sometimes I watch Myanmar movies; you can buy them in the market near community. Then, I will cook Burmese food for my family. My mother will shop from the community market; I will cook” (TTA, interview on April 7th, 2012).

The Myanmar values are preserved and taught to the teenagers in their residence in the migrant communities. From my observation, Myanmar tradition is practiced in daily behaviour and also culture events and tradition. Every time I visit a community, I always smell Myanmar food being cooked in the migrants' houses or sold in the food stalls around the migrant community. All houses, which is often just a room for 5-6 migrant workers, always have a television complete with a DVD player to watch Myanmar movies or music videos. Myanmar migrants speak their ethnic language to communicate with each other. It is very rare to hear Thai language spoken in Myanmar migrant communities unless they have a Thai visitor or seller. Men and women wear their traditional outfit every day; the *Longji*, a patterned fabric to cover the body from hip to ankle. The women will wipe their cheek with *Tanaka*, a traditional liquid face powder to rejuvenate skin. Besides, they like to chew a quid which usually consists of betel leaf, areca nut, and other ingredients such as tobacco, etc.

“Me and four other members of my family live in this room. Every day we live like other Burmese family. My parents taught me to respect elder people and help each other like taking care of babies in this community. If there is a celebration, people will cook together and send the food to other rooms.” (JS, interview on April 8th 2012).

Regarding the activity of teenagers in the migrant community, a girl told me about some groups of girls' activity in the migrant community:

“The Myanmar girls activity here is not much. Sometimes we go shopping together, gossiping, cooking, clean the house, and knitting. Yes, all girls must know how to knit. About Tanaka? Yes, many people use it. Me too. I also wear Longji in my room. But when I go outside, I don't wear Tanaka or Longji” (TG, interview on May 30th 2012).

In addition to daily activity, other Myanmar traditions are still preserved in migrant worker communities. For example, there is a Buddhist tradition that boys should be ordained as a monk. I visited a family whose son just shaved his hair to learn to become a monk in a monastery for couple of days. To celebrate this, the mother cooked Myanmar food. She made special rice complete with a traditional dessert and sweet to be distributed to neighbours in the migrant community.

This communal relationship is also reflected in the Myanmar wedding party. Since there are many Myanmar young people who become migrant workers in Thailand, almost every week there are wedding parties held in the communities around Mahachai, specifically on holidays. I figured out that the couple do not need to take any legal procedure to be married.

“To get married, Burmese people do not need to sign anything. Even when we live in Myanmar, we just need to inform neighbours and relatives that the couple are now living together. They can give their blessing, and that's all.” (TW, interview on March 30th 2012).

A woman told me that a married couple normally just need both their parents to agree and have some witnesses, preferably from neighbours who live around them, to verify that they are married. Once this is complete they will be a husband and wife. When I observed the ceremony there was no ritual by spiritual leader or monk. The couple just needed to give respect to the elders and receive their blessing. The bride and groom wore Myanmar traditional wedding clothes and stood in front of a stage decorated with flowers and Burmese letters. Many people who come to congratulate them also wear Myanmar traditional clothes. Many relatives, friends, and neighbours

also help serve Burmese food and welcome the guests. Burmese songs are played and everyone enjoys the cultural celebration and the togetherness of the people.

During my research period, I also witnessed a *Songkran* festival celebrated in the Myanmar way in the migrant communities. *Songkran* or the water festival is a large cultural event in Thailand, Lao PDR, Myanmar, and Cambodia, which are Buddhist majority countries. During this festival people will pour water on everyone around them as they believe it will clean their sins. In Mahachai, I visited a community during the *Songkran* festival and I saw a communal party and celebration for the special days. Women and young people who mostly were girls cooked traditional dishes and desserts for the whole community, which consists of more than 2000 people.

Here I observed how the *Songkran* festival is celebrated in the Burmese traditional way. After people dance and drench each other in the yard, the Myanmar traditional ceremony was held. First, a community leader lead young people and adults give respect to the elders and to wash the elders' feet, which was a Myanmar tradition. Afterward, some of the Burmese monks led the people in a pray in the Burmese language and gave the pontificate.

"We always do it in Burma. Here, during the Songkran, we gather in the field or other communal space to give respect to all elder people in the community with very specific ceremony and give them gifts. This is the difference with the Songkran festival in Thailand." (ZW, interview on April 16th, 2012).

The practice of Burmese and other ethnic group traditions in the migrant community preserves the sense of Myanmar-ness and constructs the sense of belonging for the teenagers to their migrant community. Although they live in Thailand and speak Thai in the school and society, they experience life in the Myanmar way when they interact with family and neighbours in their migrant communities. This should be underlined as a crucial factor which explains why most interviewed teenagers still have a sense of belonging to Myanmar, or their respective ethnic group, even though they have spent a long time living in Thailand. The space and idea of Myanmar is carried and preserved with them. They build their strong solidarity to survive and keep their ethnic values by living communally and practicing reciprocity in the Burmese way. This situation affects their sense of belonging and constructs the way they see themselves.

4.1.2 Social Construction of 'Space'

In the above section I discussed the teenagers who identified Myanmar as their home. In this part, I will analyze the teenagers who feel that they belong to Thai society. Here, again, I found that sense of belonging and identity was not merely about physical place or territory per se but was more related to the experience of the 'space' of Thai-ness, which is socially constructed (Gupta & Ferguson 2002, p. 70).

In addition to the experience of living in Thailand, I considered that the duration of their stay in Thailand would also have some impact on how cultural values are taught and constructed. All the teenagers who believed that they are "Thai" have been living in Thailand for 14 to 15 years, essentially meaning their whole life. Thus, they do not have an idea of Myanmar. Again, the 'idea' of Myanmar that they do not have is the imagination of 'what is there', about the way of living in Myanmar and the social and cultural condition there, and the structural system in the community. In this sense, the 'idea' of Myanmar is more related to the 'space' rather than Myanmar as merely a place. This missing link to Myanmar-ness could be replaced by Myanmar values taught by parents or the community. However, if it is not, they will have little Myanmar-ness experience to construct their identity.

In fact, I observed that both teenagers who feel that they are Thai do not experience very much Myanmar-ness construction although they live in the migrant community. One of them, a 14 year old boy lives in a community where Thai people and migrant workers live side by side. He said that he never went to Myanmar and never learnt any of the Myanmar culture, either from his community or mother (Interview with PH, 3 May 2012). When I spoke to his mother, she told me that she let PH think he was Thai as she never taught him any Burmese culture and because she does not have plan to go back to Myanmar.

"Our house was burned down and that was when I lost my elder son. I have no family anymore in Myanmar so I plan just to stay here (Thailand). I know PH wants to develop as a Thai person. I let him be..." (Interview with PH's mother, May 4th, 2012).

What helps construct PH every day is his experience and behaviour of Thai-ness. He speaks Thai all the time, he goes to a Thai school, and learns the Thai way of living in the society. He looks Thai, he dresses like Thai, he constructs his sense of

belonging to Thailand, and he hopes to become a part of Thai society. It is very interesting when his friends tease him *“He is a half Mon (mother) and a half Burma (father), but as a whole he is Thai. Hahahahaa..”* (Group Interview on May 3rd, 2012). This joke is very interesting as the teenagers see that identity can be counted in percentages. They see that by blood, PH has two ethnic group heritages from his mother and father. However, they pointed out that as a whole PH is a Thai, an identity that is formed, in part, as a consequence of the social and cultural experience of living in Thailand and not something ascribed from his parents. Unconsciously the teenagers, when they were teasing PH, also confirm that someone’s identity, which in this case is strongly linked to how they define the community they belong, is constructed.

Moreover, in regard to the relationship between sense of belonging and de-territorialized identity, the Thai-ness that PH experiences is beyond Thailand as a ‘place’ but is more related to a ‘space’, or dimension of ‘being Thai’, through the symbols and culture that he learns and practices in Thai society. Therefore, the sense of belonging is constructed by social interactions and his experience of the space of Thai society. Further, the experience of living in a community where Thai people and migrant workers from Myanmar live close to each other also enables PH to observe the different conditions between the two. He witnesses how Thai people often discriminate and underestimate the migrant workers and how the condition of Thai people is better than the migrants. Thus, his statement that he feels like Thai could be interpreted as a rejection of being Myanmar. He wants to be Thai and he wants to enjoy the privilege that Thai people have.

A similar social construction is also experienced by the other boy who also feels that he is Thai. This 17 year old boy works in a company and has lived in Thailand for more than 15 years. He said that when he was a little he had lived in Myanmar for a couple of years but he was too little to remember it. His parents are divorced and he now lives with a guardian, who is not his close relative from a Burmese community. His guardian has never taught him of any Myanmar cultures or values. The teenager speaks Thai very well and tries to adjust to the Thai way of living. Besides, what he experiences every day is the hard condition of Myanmar migrant workers in Thailand and really hopes to go beyond this. Thus, his opinion and sense of identity is

constructed by his experiences every day of the space of Thailand, including the rules and value that he must obey to be integrated in Thai society.

“I work in a shrimp company every day. It is hard and tiring. When I have free time I play internet games with my Thai friends in the game center owned by Thai. I never fight with Thai, more youth from Burma fight among themselves. I speak Thai very fluent and I can go around without fear so I think I am more integrated to Thai society”, (TKB, Interview on May 12th, 2012).

From the Burmese language used by the boy, my interpreter suggested to me that the boy actually feels that he “want to be Thai”, and does not yet considered himself as Thai. My interpreter explained to me from his observation during interview that the teenager still referred to Thai teenagers as “they” (the others), who are different from “me, us” (the self) in his community. His desire to be Thai is interesting as it also projects a resistance of ‘being Myanmarese’. This statement could mean that he was fed up with the poor condition and repression he felt as a migrant in Thailand. Moreover, as he understands how Thai people judge migrants, it is possible he does not want to be part of such a community.

From the testimony of both teenagers who feel Thai, we can conclude that a sense of belonging is constructed by social factors, including value learning and cultural ways of living, which one experiences. To feel more attached to a Thai or Myanmar community is not merely an attachment to a place but an option of how they picture their life in the future, which depends on the experiences they encounter.

The “choice” sometimes also reflects a power relation. For example, the ‘choice’ could reflect the individual’s resistance to and release from a binding power structure in one’s society by living in and try to associate with the more powerful, or dominant, society. Living as outsiders in others’ land, particularly as irregular migrant workers, can be really hard for teenagers. They witness how their neighbours and relatives in the migrant communities are extorted by Thai police. They feel insecure due to irregular status, and they live in a condition of ‘low class’ people in Thailand. Because teenagers are in the stage of developing their identity and who need recognition and appreciation of their existence, they envisage being persons who are free and receive equal opportunity to Thai people. Therefore, a way to accomplish this is to

distance themselves from migrant worker communities that receive structural discrimination. Then, they would prefer to imagine themselves as part of a Thai community as they know that their condition will be better off if they do belong to Thai society.

4.1.3 The discussion of Developing Identity

In this part, I attempt to understand the teenagers' testimony which demonstrated an uncertainty defining their sense of belonging, whether they felt more attached to a Thai or Myanmarese community. The uncertainty of the teenager's sense of belonging could be read as a certain level of their negotiation in developing their identity. The teenagers encounter different and dynamic experiences in their everyday life which makes them negotiate and choose how they see themselves and how they place themselves in the society. As identity is fluid and can change, it is important to evaluate the factors that might contribute the teenagers' development of their identity. From the findings, there are at least three factors that may affect how the teenagers negotiate their existence. They are equal experience of Thai and Myanmar culture, parents' influences, and citizenship status.

4.1.3.1 Equal experience and construction between Myanmar-ness and Thai-ness spaces

According to the table, the teenagers who felt that they belonged to both Thai and Myanmar society have been living in Thailand for more than 10 years. Yet, all of them have also lived in Myanmar for a couple of years. Thus, they have some experiences from both countries to be compared. Similar to the previous explanation, the duration of living in a place is not merely a matter of time or a physical place but more importantly a space, an experience of learning the culture, the way of living, the values, and the chance to develop relationships with people. These experiences will help construct the consciousness of a sense of belonging to certain communities. When the experience and knowledge gained to both Thai society and Myanmar community are equally strong, it could be difficult for the teenagers to identify which one they feel most connected to. Therefore, teenagers in this situation may exist in both, or in

between both, without ever considering the need to identify themselves to only one community.

This phenomenon is surely normal; particularly as we understand that the teenagers are in negotiating process of determining how to place their self in the society. This legitimates that identity, or sense of belonging, does not have to be singular. Teenagers have more experience to be negotiated especially for in a migrant community which encounters diverse values, traditions, and cultures. The reality is that often they feel either attached to both communities or not attached to any of them. The argument here is that as long as the teenagers may experience life and develop themselves in both communities freely, they may have an equal degree of sense of belonging to both communities.

A very interesting story comes from a girl who has Nepalese descent, who was born in a refugee camp in Mae Sot, and who now lives as a migrant teenager in Mahachai. She said that her dream is to live in Karen State, Myanmar because her extended family lives there. However, she admitted that one day she wants to visit Nepal as it was her country of origin, although she does not envision living there. This girl speaks five (5) languages: Nepalese, Burmese, Karen, Thai, and English. When I asked about her sense of belonging she said she does not know if she feels more attached to a Nepalese, Burmese, or Thai community. During my field research she was living independently with volunteers in a Thai NGO. She plans to work and live in Thailand but the place she calls home is Karen State (YU, Interview on May 30th, 2012).

Immigrants often use the memory of 'home' to imagine and construct their new lived place (Gupta & Ferguson 2002, p. 69). Nevertheless, this girl's concept of home does not reflect her sense of belonging as she would not associate herself as part of Karen society. The movements that she experienced in various places made her learn diverse kinds of cultures and values. And those experiences construct her decision to live in Thailand for the future to be able to work and earn good money. However, she is still uncertain in which community she belongs. With her varied experiences, she is developing as a more 'global' person and does not attach her existence to one particular community. With her migratory pattern, she has the

adaptability to jump from one community and culture into another community and can survive living in any society.

4.1.3.2 Parents' Point of View

Besides the variety experiences of values and cultures encountered by the teenagers in the migrant communities, I found that one factor which also influences teenagers' sense of belonging is the parenting values, including the parents' perspectives. For instance, although Myanmar culture is preserved in their migrant community, parents' opinion plays a significant role in the identity consciousness of the teenager. Besides, the parents' point of view toward Thai society and parents' decision to live in Myanmar or Thailand in the future also influences how teenagers would associate themselves to a certain society.

ADN, a 13 year old boy who has been staying in Thailand for 5 years, and who previously lived in Myanmar for 8 years, defines himself both as Thai and Mon. He is a stand out student who always tries hard to understand and follow the Thai way of living and to integrate into Thai society. When I asked his father about the expectation of the parents to the son, he answered that he wants ADN to be able to integrate into Thai society.

"I want ADN to study in Thai school, learn Thai language and learn Thai way of greetings and things. I hope he can integrate to Thai society so that he can get same job opportunity with Thai people" (ADN's Father, Interview on May 27th, 2012).

Moreover, his mother said *"We will not go back to Myanmar unless the situation is getting better. You know, democracy. Aung San Suu Kyi talks only. No democracy"*, (ADN's mother, Interview on May 4th, 2012).

From the case above, we can see that the parents' opinions about integrating into Thai society may affect the teenager's sense of belonging even though the surrounding community preserves a Myanmar culture. This finding supports the notion that through acculturation, assimilation, economic absorption or cultural integration, the parenting practice may change and thus affect the identity construction of the teenagers (Lyle & Shannon 1973, p. 35-38). This is in line with Ronald

Inglehart's statement: economic, cultural, and political shift can change people's values and world views (1997, p. 1).

The parents' influence was not only found in teenagers who experienced confusion to their sense of belonging. In many cases, the parents' point of view affirms the teenagers' sense of belonging. TTA, a 14 year old girl who said she is Burmese, told me that she wants to go back to Myanmar someday. This is similar to her parents' view as they have decided to go home in the next couple of years. The mother said:

"I do not want TTA becomes Thai. I teach her to be Burmese. I told her to go to school so that she will be educated and also safe as she will obtain Student ID Card, not to educate to be Thai" (TTA's mother, Interview on May 27th, 2012).

TTA's parents' point of view is projected in their teachings, which preserves Burmese culture such as the Burmese way of praying to Buddha and giving donations through feeding fish after praying in the temple. In their house in Thailand, they use the Burmese language to communicate and eat Burmese food.

It must be understood that parents' influence also includes the parents' absence of guidance. Three out of four teenagers who felt confused about their sense of belonging do not live with their parents. As a result, they cannot obtain the opinions from their parents and do not get particular values and teachings from them. They are on their own in deciding their sense of belonging and in this case the experiences in the community or larger Thai society become the main factors constructing their sense of belonging.

4.1.3.3 Legal Identity

The complex relationship between citizenship status and sense of belonging appears from the testimony of MY (15) who may be experiencing a confusion as she expresses that she is neither Thai nor Burmese. Although the previous discussion in Chapter III has illustrated that statelessness does not significantly affect the condition of teenagers compared to those who have citizenship in living in Mahachai, this single testimony shows that it still may have an impact to their sense of

belonging. However, I believe this would only apply for those who understand the laws and the utility of having citizenship.

MY was born in Maesot, on the border between Thailand and Myanmar, and she stayed with her mother for a couple of years. Since she was 9 she has been staying in housing at the Labour Rights Promotion Network (LPN) and visiting her parent in Mae Sot once a year. Since then, she has studied in Thai school, consumes Thai food, speaks the Thai language (most of the time), dress in the Thai way, and interacts a lot with Thai people. Nonetheless, she feels that she is not completely Thai due to unclear legal status.

“I feel like I am not Thai nor Burmese because I do not have birth certificate from Burma and I also do not have Thai citizenship. Although I look like Thai, I am not a complete Thai as there are something that I cannot do that Thai citizens can such as travelling abroad with Thai passport (MY, Interview on May 4th, 2012).

It is interesting to see that in a way legal status may also influence a sense of belonging, or national identity, for someone. Since the stateless status appears to be less significant in affecting the social and physical condition of teenagers in migrant communities compared to an irregular condition which is experienced by most of the migrants in Mahachai, the citizenship status apparently could have impact on how a teenager develops their identity and see themselves in relationship to the community constellation, where they belong. Although my findings show that many teenagers are not bothered by their legal status in relation to defining where they belong, this testimony is very interesting to acknowledge.

MY has more information and knowledge about what the consequences and benefits of having citizenship are. Thus, she understands that her legal existence would correlate with the place she will stay in the future. In this case, I also see that her parents' absence contributes to giving MY more choice to decide, by herself, which community she is more comfortable associating with, as there is no interference from parents. As MY has lived with Thai NGO activists for years and she experiences life in a Thai way, she is more attached to Thai society compared to other teenagers who live in the migrant communities. Furthermore, the Thai NGO is in a way her legal guardian who guarantees her security and access to public services in Thai

society. This way, MY can develop as a teenager in Thai society with better conditions. Yet, she could not identify herself as Thai as she has not been recognized as Thai legally. The legal status which could bring many consequences to the teenagers' condition, in this situation appears to be a factor which contributes to the negotiation of the teenager's decisions of where they belong in society.

4.1.4 Thai Citizenship VS Sense of Belonging

To further observe the relationship between sense of belonging and legal identity, I observe examined the desire of the teenagers to obtain Thai citizenship and the reasons the teenagers' made this decision. The table above shows that 18 teenagers want Thai citizen status, 7 teenagers do not want Thai citizen status, and 6 teenagers are not sure if they want to register for Thai citizenship. This data is very different from the previous study conducted by Hammar (1985) which suggested that a majority of immigrants do not want to register as citizen from the country of residence, even though they have been living there for more than 20 years. Hammer (1985) believed this was due to factors such as identity, loyalty to the country of origin, and a hope to return (cited in Sassen 1999, p. 146).

In the case of Myanmar migrant workers in Mahachai, there was no firm pattern between sense of belonging and the desire to get citizenship among the teenagers who wanted Thai citizenship. Although many teenagers expressed their desire to get Thai citizenship if they had the chance it does not mean that they are more attached to Thai society rather than to Myanmar society. Having Thai citizenship could be seen as the key to surviving life in Thailand. As Thai citizens, they will be free to go anywhere without feeling insecure about being caught by Thai police. Further, they would be able to get the same employment opportunities as Thai citizens, and they would have access to many services provided by government for Thai people.

According to YU, almost all migrants would desire Thai citizenship as it would give them more freedom while staying in Thailand. Another teenager said that he wanted to get Thai citizenship so that he could travel anywhere in Thailand. Some parents that I interviewed also expressed their desire to get Thai citizenship for their children if any NGO could help them do this. They are not afraid of having double citizenship or of experiencing difficulties in obtaining Myanmar citizenship when they

go back to Myanmar since they can pay an official to get an ID card, which would automatically give them citizenship. When I asked how they would deal with having a Thai citizenship if they want to go back to Myanmar in the future, they usually answered *“I have no plan yet to go back to Myanmar. However, if we return I will just bribe some officials to get my children Myanmar ID Card”*, (MK’s mother, Interview on May 27th, 2012).

Regarding the desire to get a Thai ID card, it does not mean that those who want to get a Thai ID card have a strong national feeling or national identity toward Thailand. The desire to get a Thai ID card is usually more a strategy of survival, to obtain a better political and economical situation. However, the ongoing ethnic conflict in Myanmar cannot be ignored as it is a significant factor which may have created less nationality sense toward Myanmar as a nation-state. Therefore, having citizenship in another country would not bother their patriotic sense because what matters to them is their ethnic group, which they feel they belong to and not Myanmar as a repressive country.

There is a minority of people I interviewed who do not wish to apply for Thai citizenship. The prolonged repression, discrimination, and exclusion that they experienced by their Thai peers are a part of the reasons some teenager do not want to get Thai citizenship. They already have plans to go back to Myanmar as they find that life in their home country is more pleasant. Those who do not plan to register for Thai citizenship usually just arrived in Thailand and only came to work. For them, they want to return to their family in Myanmar once they have collected enough money.

The 6 teenagers who were not sure if they wanted to get Thai citizenship generally gave the decision to their parents as to whether they should get Thai citizenship when they turned 18 years old. The teenagers who are in a state of transition, of “becoming” rather than “being”, are experiencing a period when they negotiate their separation from their family and develop their independency (Buckingham 2008, p. 3-4), so that the decision to identify themselves to attach to certain community is not fixed. Identity, after all, is a process, and that is why it is difficult to grasp it (Sarup 1996, p. 28).

In conclusion, the findings show that almost all of the migrant teenagers have sense of belonging to their Myanmarese or other ethnic groups in the migrant

community. This fact shows that the preserved values, traditions, and cultures which are practiced help construct the sense of belonging to the community. The togetherness, the behaviour, and the way of living that is shared among the migrants in the community have shaped the consciousness of the teenagers to be more attached to their migrant community rather than to Thai society.

4.2 Global Youth Cultures as the Teenager's Presented Identity

As abovementioned, the teenagers' identity, analyzed in this thesis, is not only considered by 'how the teenagers see themselves' related to their sense of belonging to a certain community, but also 'how they present themselves in the broader Thai society'. My research findings show that the teenagers' identity is negotiated based on some factors such as the cultural and social construction in the community, experiences of exclusion and discrimination from Thai society, and prolonged insecurity living in Thailand. Furthermore, the data obtained from observations and interviews suggested that the way the teenagers present themselves is different from how they see themselves in relationship to the sense of belonging to their migrant community. The teenagers appear to wear a modern global youth style when they present themselves in the broader Thai society.

Although they recognize themselves as part of a Myanmarese migrant community, the teenagers choose to appear as global young people when they travel around the city or meet Thai people. By presenting themselves as modern teenagers and not associating themselves to traditional Myanmarese teenagers who usually wear *tanaka* and *longji*, the teenagers feel safer with a modern style to blend into the wider society. The clothes and style that they put on their body actually also becomes an escape, a means for the teenagers to show to other people and especially to themselves that they can have a better condition. By putting on a new face and identity, they leave their repressive life as migrant workers and wear the image of fun modern young people who are not 'backward'.

Besides defining the 'self' from the perspective of the teenagers and evaluating the impact of society labelling, I found that teenagers in the migrant worker communities develop their own 'teenager identity' through a lifestyle and consumer

culture. I discuss contemporary youth cultures, which are followed by teenagers in the migrant communities, as sub-cultures. This means contemporary youth cultures are viewed not only as subordinate but also subversive as they usually arise from contradiction and tension between the dominant and the repressed social order (Buckingham 2008, p. 4). However, here I analyze the sub-ordinate relationship in the more observable variable such as 'lifestyles' expression (Buckingham 2008, p. 5) as a statement to the backwardness resistance. I observed that instead of presenting their belonging to Myanmarese or ethnic community, they are more interested to develop their own image from the influence of their peers. Lasson said 'as the child grows, the peers will make up to 80% or more of a person's identification influences' (Lasson 2002, p. 181). This specific teenagers' way of developing identity particularly in the migrant community builds a kind of subculture that is a response to the repressive society.

According to my observations and daily interaction with the teenagers, I found that the teenagers followed the current global trend which is happening around the world. During my research period, I met many teenagers who dressed in the latest Korean youth style, some wear punk-style outfits, Emo style and also Hip-hop style clothes. Some young boys who joined LPN's classes wore tight dark jeans, black T-shirts, and big earring in their ears during their free time outside of school.

"We like rap music, hip-hop, and B-Bop style dance [American youth modern dance]. That styles are cool! We learn the music, dance, and style from television and internet." (Group interview with teenager boys on May 6th, 2012).

I observed that these teenagers, particularly those who attend school, visit Youtube websites a lot in order to see the dance and music that is popular around the world. Some older boys that I met chose a Korean styled appearance. They wore colourful outfits, straightened their hair and dyed it with pale blonde hair paint, which is similar to the style of Korean boys bands advertised everywhere.

This Korean style is not only followed by the boys. Many girl teenagers that I met were also influenced by this style. For example, they wore colourful vintage dresses with ribbon, high heels, ear piercings, and they coloured their hair.

“I like Korean style. Here I pierced some holes on my ears and colour my hair. I just like it, it makes me pretty. I wear jeans and put on some make up if I want to go to Mall with my friends who have work permit. Just for a walk.” (JS, interview on April 17th 2012).

They see such styles from the popular Korean dramas on television. Besides, Korean group music is very popular everywhere which makes this Korean style very popular among other youth. However, some other girls who declare themselves as ‘not too feminine’ prefer the Emo-style instead of the Korean style. The Emo style comes from the music culture that is developed among independent musician who typically play alternative music.

“I prefer Emo style. I don’t like feminine style. Emo style? hmm, pierce your ears, cut your hair like this (short), and use jeans or pants instead of dress (MY, Interview on May 4th, 2012).

Whatever the style is that they follow, they learn it from outside their community; that is outside the migrant worker community, outside the Myanmar community, and even outside Thai society. The teenagers learn about global youth culture through the television and internet. I observed that almost all houses in the migrant worker communities had VCD or DVD players to play music videos and movies. The teenagers usually watch Myanmarese and international music videos and movies. From this entertainment, they learn how to dress, how to act, and how to identify and associate themselves as modern young people. This could help them get approval in the wider society, and more importantly it could help secure their existence in Thailand as they can blend into the crowd without being easily identified as irregular migrants.

For the teenagers, I also found that gadgets were considered as a very important possession, even in the migrant worker communities. Almost all teenagers had a hand phone and some of them even had a smart phone. Here I noticed the teenagers were conscious of what brands their gadgets were and mimicked the popular brands as these teenagers’ hand phones were expensive brands such as Apple, Samsung, Nokia, Blackberry, etc. Later on, I found that those hand phones were actually cheap and fake versions of those brands. As the casing shape and the program was very

similar with the original brand, no one would notice if it was a piracy product. These gadgets and devices helped them to reinforce their style and ability to adapt to a Thai modern society because they confirmed their image as global young people. In the Mahachai market, a fake Nokia brand handphone costs 1,400 Thai Baht. In comparison, an original one would cost around 12,000 Thai Baht. A boy showed me an imitation of Iphone which really looks alike the original one.

“The price of this fake Iphone was only 2, 900 Thai Baht while i know the original one will cost more than 20,000 Thai Baht. But no one can tell the difference, right?” (Group interviews on May 30th, 2012).

The teenagers proudly use the fake brand gadgets and associate the image of the gadgets with themselves. Moreover, other gadgets like computers also strengthen their prestige in front of their friends. In general, teenagers that I interviewed expressed their desire to have a computer as it was a common topic of conversation every day in their class.

“I want to have computer because all my Thai friends in class have one. We can do many things with computer and internet. If I have money, I want to buy one” (DA, interview on April 7th, 2012).

If the teenage migrants do not want to be left out by their peers in class they must keep up with the latest information or trend, such as gadgets which can connect to the internet. Aside from a computer, games, such as online games and Play Station games, are also a trendy activity for the teenagers particularly boys.

All of this fashion can be followed by the teenagers in the migrant community as the global markets reach them. Although they are excluded and isolated in their migrant quarters due to their irregular status, discrimination from Thai people or their fear of Thai police, they can purchase everything that they need, including clothes and gadget, to be part of the global community. In every community, there are markets opened to fulfil their needs. As the migrants cannot travel far from their community the traders, who mostly are Thai, open their stores and stalls near the migrant communities. In these markets, the teenagers can buy anything: clothes with the latest fashion, shoes, pirated VCRs and DVDs, fake branded stuffs including hand phones, and varieties of fancy accessories for young people.

Not only clothes but many beauty salons and barber shops are open in surrounding migrant worker communities where they can straighten, colour, or cut their hair with the latest style. Besides, for those who like gadget and games, many game centres are open for them. Many teenagers told me that they spend their time and money after school in game centre as it is what is 'happening' right now. I observed that they have some fun in the game centre as a compensation to being unable travel too far from their community, besides going to school. Many teenagers who like to go to game centres are boys while girls usually just buy the pirated movies, TV series, and music videos from the market and watch them on television in their house.

With these markets approaching them, it seems that there are no boundaries or obstacles for young people to keep updated and become stylish. After they dress up in the modern young people style the teenagers, in fact, will be more confident and feel more secure to expose themselves to the wider Thai society. Even though some of the teenagers still experience extortion, which hinders them from confidently travelling outside the migrant community, the teenagers are still able to confirm their existence as global citizens through their style and consumer behaviour, which make them more confidence and help them to develop as young people with dignity. Similar to the youth global life style trend everywhere in this contemporary era, the teenagers associate their identity through consumerism. When they wear certain styles of fashion or use some branded (although fake) gadget, they imagine themselves to be part of modern and prestigious society. They try to gain social acceptance through the symbolic culture of consumerism behaviour. Here the internet and other electronic media play very important part to 'uniform' style and culture globally across the world.

The teenagers who are more likely to express their sub-culture through fashion and life style have typically attained the age of 15 or above. This is because the style can only be expressed through the things they must purchase. Only those who have money, either from the salary that they get from working or from their parents, would be able to maintain this style. Teenagers in the age of 15 and above usually have worked full or part time so that they receive some salary. Instead of saving their salary, the teenagers usually will spend the money to buy fashioned clothes, gadgets, or to just buy food. Thus, this consumer cultures in a way also motivates the teenagers to work at an early age.

After they experience wearing fancy styles and building their image through fashion, gadgets, and other consumerism behaviour, they may continue to stay and work in Thailand to maintain it. Although they must do the dirty, dangerous and demeaning (3D) jobs, such as in the shrimp company in Thailand, they do not feel bad as they do not see themselves as being a part of Thailand. Rather they feel more attached to their Myanmar or other ethnic group communities where foreign labours who have a lot of money and bring a lot of remittance are highly appreciated (Mobasher & Sadri 2004, p. 10-11). This way of thinking, in a way, could help the teenagers 'survive' and 'resist' their negative condition in Thailand. They endure facing discrimination because they can develop their youth identity by working in Thailand.

The self satisfaction that they can be part of a global modern youth culture helps them to survive after negotiating all the condition they experience in Thailand. Since they know they will be treated differently and be seen as an outsider they develop their image so that they can keep up with other young people with all the accessories they put on themselves. The sub-culture as a resistance action might not directly challenge the wider repressive society per se, rather it may be showing their existence as young people who also can compete with the other youth in Thailand, or even in the whole world. They resist the image of remoteness, backwardness, and plebian which is associated to the migrant worker communities. They want to prove that they are modern, that they have a voice to be heard and an existence to be accepted. By showing that they are aware of the modern trend happening in the global society, they want to demonstrate their identity as young people which are different and dynamic even though they live in a pretty isolated migrant community in Thailand.

More importantly, by wearing the popular clothes and by presenting the global young people image the teenagers can escape from extortion and discrimination by police and Thai people. Although Thai people would know the different tones or dialect once they spoke Thai, the police or Thai people would not be able to know the teenagers were not Thai if they were in the street or in a crowded place if they ascribed to the same global style as Thai people. In one of my field research, I walked to the city market with two migrant worker girls who dressed with a modern style. On one of the bridges a police asked for the documents from some of the people who came off the bridge. Many people started to run, and some women from Myanmar, who wear *longji*,

were identified and caught immediately. The two girls who were with me just stepped aside under the bridge, just 5 (five) meters from the patrol police, and the police did not run to catch the girls as they appeared just like other Thai people. Thus, the girls were safe that day.

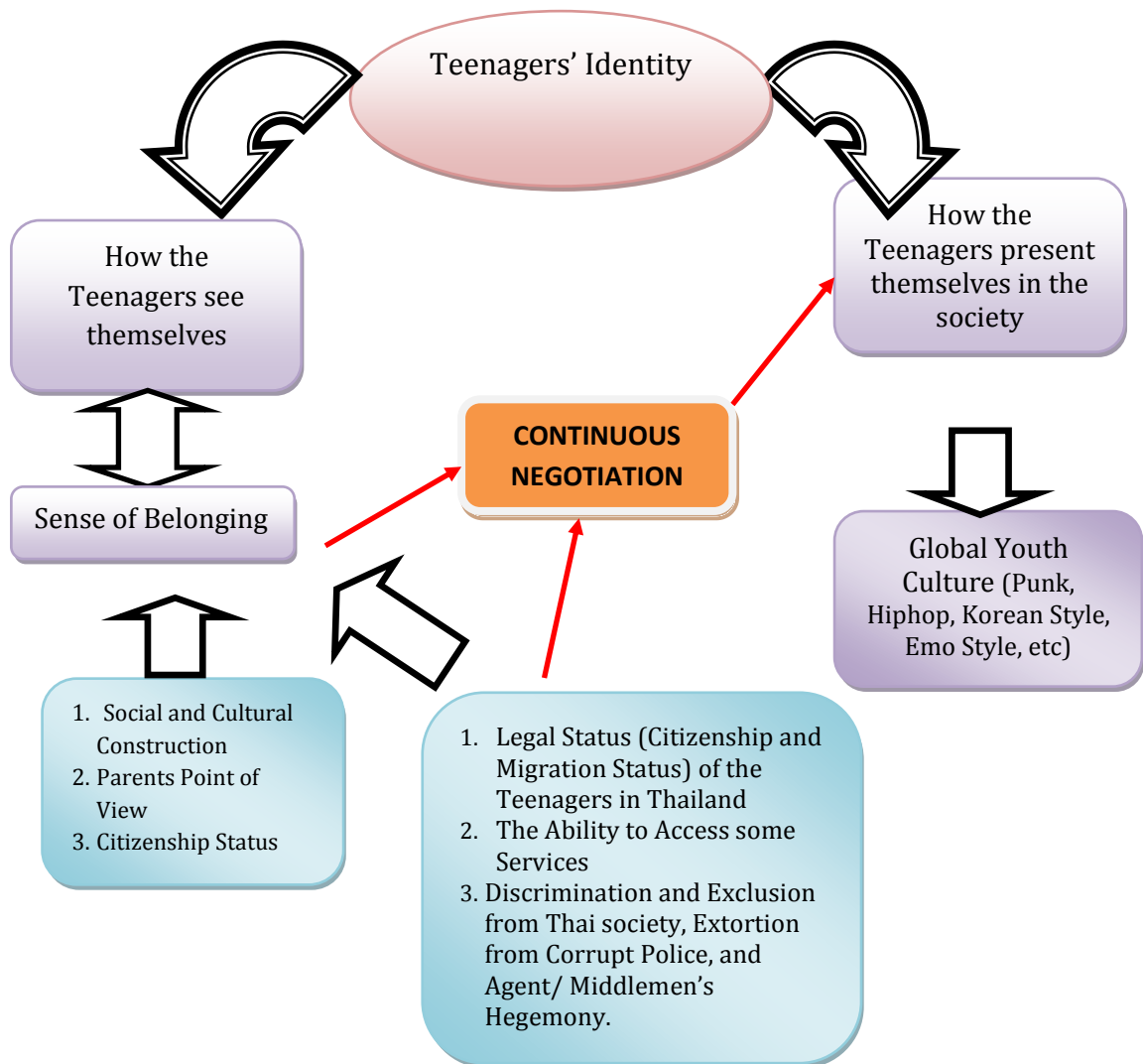
The image of ideal and modern young people, off course, is not only constructed socially by the Thai community but globally. The uniformity of this youth sub-culture is constructed through media such as television, internet, and massive productions of music and movies through DVD and VCR distribution. It might be analyzed that the young people do not consciously choose the style as their identity as it constructs their consciousness. However, it is important to observe that the openness of the teenagers' attitude toward modern youth culture is part of their strategy to survive living in a discriminatory society such as Mahachai. Despite of their sense of belonging to their Myanmarese, or other ethnic group community, the teenagers choose to display the modern style of youth culture after the negotiation process by taking into consideration various facets such as discrimination and exclusion from Thai society. They do this in order to be able to blend into the Thai society and get more security and may be access more public facilities.

4.3 Conclusion

Discussion about the identity of teenagers, particularly in the migrant worker communities, is a complex relationship and tension between different factors. From the research findings, identity is continuously negotiated especially for teenagers who are in the process of "becoming". The negotiation is influenced by various aspects that are experienced by the teenagers. Identity of the teenagers is built from the situation that they encounter in their surroundings and also the challenges they face from other people in the Thai society. Therefore, I found the teenagers' identity to be divided by two contexts "how the teenagers see themselves" and "how they present themselves in the society".

"How the teenagers see themselves" is really correlated to their sense of belonging. From the interviews conducted, most of the teenagers feel more attached to a Myanmar community, or other ethnic group in Myanmar such as Mon, Karen, Rakhine,

Shan, etc. The sense of belonging to their ethnic identity is constructed from the value, tradition, and cultures that are shared, preserved and practiced among the migrant workers in the migrant community where the teenagers live. Furthermore, the parents view and the citizenship status of the teenagers, which often is not certain, strengthen the sense of belonging of the teenagers to Myanmar or other ethnic group communities. Due to all these conditions, generally the teenagers see themselves as part of the Myanmar migrant community



The place of birth is not an essential factor determining their sense of belonging. Instead, the idea of culture, way of living, structure in a society, and the 'space' they live in (whether in Thai or Myanmar through social construction) is what really matters. Therefore, the longer teenagers learn to interact in a certain society,

they give more time to be constructed and their belonging to certain community might be influenced by the experiences. Furthermore, the desire of acquiring Thai citizenship is not correlated to sense of belonging but rather is a strategy to survive and get a better living in Thailand

The experience of the teenage migrants living in Mahachai, Thailand is quiet tough. They often face discrimination and exclusion from Thai society, and they experience extortion from Thai police and agents/middlemen who try to benefit from the irregular status of the teenagers. This discrimination and other pressures from Thai society, in a way, may strengthen the sense of belonging of the teenagers to the Myanmarese or other ethnic group community. Aside from that, this experience of exclusion may also become an obstacle for the teenagers to express their true feelings about attachment to their migrant community. Therefore, although inside they still feel attached to their ethnic community the teenagers choose to present themselves as modern global young people.

Due to the various factors that underpin the teenagers' decision to identify their identity, the teenagers in Mahachai present themselves with youth cultures such as following Korean style, hip-hop style, Emo style, Punk, or other global youth cultures. Aside from expressing themselves by wearing certain clothes, they also learn some modern dance and listen to modern music. Moreover, they use accessories such as piercings, certain hair styles, and purchase imitative gadgets. This modern global culture is chosen by the teenagers to represent their image and secure their existence living in Mahachai. Besides helping the teenagers to blend in and interact to wider Thai society, this modern youth style also supports the self-confidence of the teenagers. More importantly, by presenting the youth culture image in Thailand the teenagers become more secure from police extortion and discrimination from wider Thai society.

CHAPTER V

CONCLUSION

In the following chapter, I summarize all the findings that I collected from the research to answer my research questions. My research asks, “how does irregular status shape the identity construction of the teenagers in Myanmar migrant communities in Thailand?”. From the research findings, I argue that the negative treatment, exclusion, and discrimination encountered by the teenagers do not prevent the teenagers from developing their own understanding about their identity. Regardless of the rights that the teenagers may or may not be able to access, the teenagers still negotiate and shape their identity.

For the first question, regarding the impacts of statelessness status on their experience as teenagers in the migrant communities, I found that statelessness does not appear to significantly affect the condition of the teenagers compared to the situation of other teenagers who have citizenship living in the migrant community. Generally migrant workers from Myanmar do not have citizenship documents and have never registered their nationality in Myanmar. As a result, most of the people in the migrant communities fall under the category of stateless defined by the UN; although, they do not feel that they are stateless. An important point is that the regulations of how to obtain citizenship and nationality are determined by the states. Notably, not all people in the state’s region understand and are aware of the process for regulation. Thus, the lack of knowledge and awareness about the importance of identity documents, particularly citizenship documents, causes significant problems for the people. However, since they never consider it as a problem, statelessness does not significantly affect the condition of the migrants as they feel ‘normal’ and have a common condition with other people in the migrant community.

As these migrants live in Thailand, what are more important for them are immigration documents instead of citizenship documents. Because the teenagers’ immigration status depends on their parents’ or guardians’ status, the irregular status of the parents would affect the teenagers’ condition more than the statelessness status does.

The worst situation for teenagers is an undocumented condition due to their parents' undocumented status. The irregular teenage migrants will face more challenges in their life in Thailand. They will face more difficulties in accessing some services, feel more insecure in interacting with broad Thai society, tend to be discriminated against, and encounter more probability to be extorted by police and brokers/ middlemen. All these negative treatments and challenges experienced by the teenage migrants will affect how the teenagers negotiate their identity including how they see themselves in the relation to belonging to one community and how they present themselves in the broader Thai society.

The situation of irregular teenage migrants in Mahachai is challenging due to prolonged exclusion and discrimination from Thai society. Based on my research findings, it is known that the discriminations are formed in two levels: the discrimination by policy through mechanisms established by Thai government and exclusion by Thai society on an individual basis. These discrimination practices will shape the excluded feelings and will affect how the teenagers develop their identity.

The mechanisms established by the Thai government are the regulations to control the movement and wellbeing of irregular migrant workers, including teenage migrants, and to create "zones of exception" for the migrants. The regulations have been changed every year which confuses the migrants. Further, some regulations require migrants to register and pay a fee to obtain certain documents which, in fact, the legal power of the document to protect the existence of the migrants living in Mahachai, Thailand is uncertain. The mechanisms that are established by the Thai government are: TR. 38/1 for access to the right to residency, work permit for the right to work, health insurance for the right to health, and student ID card for the right to education.

Besides the mechanisms established by Thai government policy that form discrimination, the exclusion and discrimination is also experienced by migrant teenagers from broad Thai society on an individual basis. The discrimination from Thai officials and Thai people often hinders the teenage migrants accessing some services provided by Thai government. For example, some migrant workers' babies are not registered due to discrimination from the hospital's officers. Moreover, many teenage migrants cannot obtain formal education in Thai schools due to discrimination from the school and dissent from Thai students' parents. Furthermore, the teenagers often

experience extortion from corrupt Thai police and exploitation from brokers or middlemen. Fortunately, some non-government organizations (NGO) such as Labour Rights Promotion Network (LPN) and Rak Thai assist some teenagers to get some services like education and health care. However, since not all teenagers have access to those NGOs, the general condition of teenage migrants in Mahachai is difficult to access some services for their rights fulfilment.

Despite of the lack of rights protection and limited ability of the teenagers to access some services in Thailand, my findings suggested that the teenagers can still develop their identity. The harsh experience of living in Thailand, due to limited access to services together with discrimination and exclusion, would affect how the teenagers negotiate and develop their identity as young people who are in a 'becoming' phase. I analyzed from the findings that the identity is divided into two aspects: "how the teenagers see themselves" and "how the teenagers present themselves in the society".

"How the teenagers see themselves" is closely linked with the way the teenagers place themselves in society's constellation and therefore relates to their sense of belonging. Most of teenagers that I interviewed identify themselves as belonging to the Myanmar, or their ethnic group, community. I believe this is due to the everyday experience of learning Myanmarese cultures, values, and their way of living in their family and migrant community. The Myanmar-ness is preserved and carried to Thailand by the migrants to create a space of home that preserves their cultural identity. Thus, despite the place of birth, the most important factors influencing sense of belonging are both the parenting values and their experiences to either learn Thai-ness, Myanmar-ness, or both. The duration of staying in Thailand will reflect the amount of time and opportunity there is to experience certain cultures. Furthermore, the parents' expectation and peers' pressure are also factors that affect the sense of belonging.

Sense of belonging is also influenced by outside factors, not only how the teenagers see themselves but also how society sees them. In this level I found the discrimination from Thai society and the prolonged extortion by corrupt Thai police and middlemen was a serious problem that maintained the position of the teenagers as 'outside' of Thai society, particularly as non citizens who do not have permission to stay in Thailand's territory. This prolonged exclusion also contributes to strengthening

community sentiment and functions to form a sense of belonging to their community of 'origin', that is their Myanmar or ethnic group community.

Despite of their sense of belonging to their community, the teenagers choose to associate themselves as global young people with modern cultures to show "how they present themselves in the society". They are more comfortable to present themselves as global young people with modern cultures as they will not be as easily identified as part of the migrant communities, who are seen as a low class people in Thailand. Besides, this style or image that they present escalates their self-confidence and makes them feel more secure since no police or Thai people would recognize them as people from Myanmar who can be extorted. They can escape from a repressive condition as a migrant worker and become fun, modern young people, who are sociable and can represent themselves in the broader society.

The global cultures that are chosen by the teenagers to develop their life style are usually the Korean style, which is currently popular around Asia, or other music styles such as hip-hop, punk, or Emo. The teenage migrants have also followed the global modern trend of having gadgets such as hand phones, computers, or game players. The thing they are contesting, by presenting a global modern style, is not the Thai society directly but rather the image of remoteness and backwardness of migrants. This practice, then, is worn as an image developed by the teenagers to make other people associate them with that image. This way, the teenagers will be able to better survive and be safe while they have to work, attend school, or live in Thailand with discrimination and negative treatment from the society.

In conclusion, this thesis argues that, as human beings, the teenage migrants still develop and negotiate their identity as young people despite discrimination, exclusion, negative treatment, limited access to services, and the lack of rights protection for them in Thailand. These findings confirm other studies about oppressed communities which support the concept that rights violations committed against a person or community does not deprive them of their ability to act as an agent to develop and construct their own identity. Nor does it prevent them from choosing how they will build an image to present to the society and for other people to see. The two sides of identity are important to be understood as identity is fluid and can change. Moreover, it can have multiple layers that can be put on and off by those who apply them.

I hope that this research will contribute to and enrich the study about rights and identity, particularly in the context of teenagers in migrant communities which is usually only discussed in relation to legal identity. One recommendation that will be useful for the follow up of this thesis is re-evaluation of international standards and definitions of statelessness to accommodate all possible situations of human beings. This re-evaluation should not only consider the legal perspective but also take into account the social and cultural aspects in the respective communities. Furthermore, since this thesis does not discuss the teenagers' rights in very much detail, more research is needed to evaluate the service and mechanism provided by the Thai government to fulfil the particular rights of the teenagers, as a specific group, who need different treatment from children who are covered under Convention of the Rights of the Child (CRC).

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Interview

- 1 JS, interview on April 8th 2012
- 2 TG, interview on May 30th 2012
- 3 TTA, interview on April 7th, 2012
- 4 ZW, interview on April 16th 2012
- 5 AD, interview in field observation March 25th 2012
- 6 AD's father, interview on May 13rd, 2012
- 7 ADN's Father, Interview on May 27th, 2012
- 8 ADN's mother, Interview on May 4th, 2012
- 9 AN, Interview on March 31st, 2012
- 10 AS, Interview on May 3rd, 2012
- 11 AS, interview on March 29th, 2012
- 12 AW, interview on April 18th, 2012).
- 13 CZ, interview on April 7th, 2012
- 14 DA, interview on April 7th, 2012
- 15 Field notes on May 13th, 2012
- 16 Group Interview on May 3rd, 2012
- 17 Group interview with teenager boys on May 6th, 2012
- 18 Group interviews on May 30th, 2012
- 19 IB, Interview on April 7th, 2012
- 20 Interview Samut Sakhon Hospital, May 16th, 2012
- 21 Interview Vichavej Private Hospital, May 16th, 2012
- 22 Interview with Burmese Teacher, March 29th, 2012
- 23 Interview with Department of Public Health Samut Sakhon, May 4th, 2012
- 24 interview with Parents, May 13th, 2012
- 25 interview with Rak Thai Program Director May 10th, 2012
- 26 Interview with Bandit Thanachisit, May 17th, 2012
- 27 JJ, Interview on May 5th, 2012
- 28 JS, interview on April 17th 2012

- 29 KB, interview on March 30th, 2012
- 30 KKA, interview on May 6th, 2012
- 31 MI, Interview on May 25th, 2012
- 32 MK's mother, Interview on May 27th, 2012
- 33 MY, interview on May 4th, 2012
- 34 NA, Interview on March 30th, 2012
- 35 NG, interview on May 3rd, 2012
- 36 Patima Tungpucakul, Interview on 7 May 2012
- 37 PH, interview on May 3rd, 2012
- 38 PH's mother, interview on May 4th, 2012
- 39 PO, LPN's staff interview on May 7th, 2012
- 40 PT, Interview on May 12th, 2012
- 41 PZ, interview on April 7th, 2012
- 42 SE, interview on April 29th, 2012).
- 43 Sompong Srakaew , interview on 1 May 2012, at the Labour Rights Promotion Network Foundation (LPN) office, Mahachai, Samut Sakhon
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- 45 SU, interview on May 12th, 2012
- 46 Tianchianan, V, Interview in Press Conference of historic release of Stateless children on Friday January 27, 2012 at the Foreign Correspondents' Club of Thailand (FCCT)
- 47 TKB, Interview on May 12th, 2012
- 48 TTA's mother, Interview on May 27th, 2012
- 49 Tungpucakul, interview on May 7th, 2012
- 50 TW, interview on April 18th, 2012
- 51 TW, interview on March 30th 2012)
- 52 WW, interview on May 27th, 2012
- 53 YB, interview on April, 7th 2012
- 54 YM, interview on April 7th, 2012
- 55 YU, Interview on May 30th, 2012

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