

Thailand



Stable / Unchanged ▬

Religion	Population	Area
<ul style="list-style-type: none"> ○ Buddhists : 87.1% ○ Muslims : 5.9% ○ Ethnoreligionists : 2.3% ○ Agnostics : 1.8% ○ Christians : 1.3% ○ Others : 1.6% 	68,147,000	513,120 Km ²

Legal framework on freedom of religion and actual application

While political power has been in the hands of the military junta led by General Prayuth Chan-O Cha since May 2014, the country has experienced a delicate period of transition. It is in this context that the ruling military drafted a new constitution, the twentieth in a century, which was approved by referendum on 7th August 2016.^[1]

King Bhumibol (Rama IX) passed away on 13th October 2016 after 70 years. His successor, Crown Prince Maha Vajiralongkorn, who has taken the name Rama X, has not yet announced the date of his coronation.

The new constitution was promulgated on 6th April 2017 by the new king, but not before he obtained several amendments to boost his powers.^[2] Although the document is clearly aimed at ensuring the military can continue to dominate politics, it offers important guarantees for freedom of religion. In a country where Buddhism profoundly structures social life, article seven makes it clear that the king can only be a Buddhist.^[3] However, religious freedom is clearly defined in article 31: “A person shall enjoy full liberty to profess a religion, and shall enjoy the liberty to exercise or practise a form of worship in accordance with his or her religious principles, provided that it shall not be contrary to the duties of all Thai people: neither shall it endanger the safety of the state, nor shall it be contrary to public order or good morals.”^[4]

However, during the drafting process of the new constitution, debate focused again on the place of Buddhism and whether to include a constitutional clause that would make Buddhism “the national religion of the country”. Already in 1997, in 2007, and in 2014, during the elaboration of previous constitutions, there had been talk of promoting Buddhism,^[5] but this time anxiety arose among religious minorities, particularly about article 67 of the new text.^[6] This article declares that the state should “support and protect Buddhism and other religions”. The original constitutional draft stipulated that the state “shall establish measures and mechanisms to prevent the desecration of Buddhism in any form and encourage

the participation of all Buddhists in the application of such measures and mechanisms”^[7] In the adopted text it is no longer a question of defending Buddhism against all “desecration”, but only of preventing Buddhism from being “undermined”, giving the state the mission of supporting and protecting Buddhism, “which is the religion observed by the majority of Thai people for a long period of time”. In particular, the state must “support education and [the] dissemination of the dharmic principles of Theravada Buddhism”^[8]

Even in this softened form, article 67 has raised concerns, particularly among religious minorities; in particular because, contrary to most of the previous constitutions, it does not refer to the importance of “religious harmony”.

This concern has been most acute in the Muslim minority. Not surprisingly, in the referendum of 7th August 2016, the three provinces with a Muslim majority in the south of the country (Yala, Pattani and Narathiwat) saw the highest proportion of votes against the new constitution. An ethno-nationalist insurgency against the central state has been going on in those provinces for decades where the population is 80 percent Muslim and culturally Malay. The conflict, which has worsened since 2004, has killed about 7,000 people, both Buddhists and Muslims.

The ruling junta quickly heeded the concerns expressed about article 67 and, on 22nd August 2016, issued a decree to “complete” this article. The purpose of the decree was to “prevent acts that threaten Buddhism and other religions” (and a committee was set up to do this) and it reiterated the traditional call for “religious harmony”^[9] Thai Muslims reacted with some scepticism, while acknowledging that the decree was a gesture of good will on the part of the military regime to “put things right”.

The constitution notwithstanding, the exercise of religious freedom in Thailand is real. The government recognises, through the Religious Affairs Department of the Ministry of Culture, five religious groups – Buddhists, Muslims, Hindus, Sikhs and Christians – and the religious organisations connected to these five groups can obtain certain benefits from the authorities such as tax exemptions, expedited visa applications and state subsidies. The state allocates US\$160 million each year to the country’s temples in four areas (building upkeep, religious education, promotion of religious activities and salaries of Buddhist temples’ superiors). The largest share of these grants (US\$148 million) goes to Buddhism through the National Buddhism Bureau, a body that is separate from the Religious Affairs Department^[10]

This said, belonging to a religious group that has not registered with the authorities does not seem to be an obstacle to getting benefits. The International Religious Freedom Report for 2016 published by the United States Department of State notes that Mormons are not officially recognised and yet this did not prevent them from obtaining 200 missionary visas to support their activities in the country.^[11] Many Christian organisations also use Thailand as a base for their operations in South-East Asia since it is quite easy to obtain a tourist visa to enter the country and carry out missionary activities without complaints from the authorities.

Incidents

In this predominantly Buddhist country, headed by a military government since 2014, one of the most sensitive points of religious life concerns the relationship between political powers and Buddhist monks. Two events illustrate the complexity of this relationship.

On 29th December 2016, the National Legislative Assembly, a 250-member parliament wholly appointed by the junta, unanimously passed an amendment to the 1962 Monastic Law on how to appoint the Supreme Patriarch of Thai Buddhism.^[12] The amendment strips the Sangha Supreme Council (the monastic community) of the power to appoint the patriarch. The new article stipulates that “the king appoints the supreme patriarch, and this choice is then countersigned by the prime minister”. (In practice, the king chooses the new supreme patriarch from a list of names provided by the prime minister). The measure was designed to ensure that the post of supreme patriarch did not go to a specific individual on the basis of the old method of appointment. The high-ranking monk in question, 91-year-old Somdet Chuang, is seen by the military and their conservative allies as too close to the Wat Phra Dhammakaya, a financially and politically influential temple which advocates a heterodox and materialistic version of Buddhism. On 7th February 2017,

another monk, Somdet Phra Maha Munivong, who was 90 years old, was appointed by the king as the head of Thai Buddhism.^[13]

A second event concerns the same temple, Wat Phra Dhammakaya. Its former superior, Abbot Dhammachayo, is suspected of financial malpractice and money laundering. In order to arrest him, the junta mobilised some 4,000 police agents and hundreds of soldiers for three weeks, from mid-February and 10th March 2017, to go through the immense Buddhist temple complex, which covers 320 hectares north of Bangkok. Dhammachayo has not been found. The junta stripped the main temple officials of their clerical functions.^[14] The military regime desires to place Dhammakaya Temple under their own control because the ruling generals are convinced that it has close ties with the political clan of former prime minister Thaksin Shinawatra.

The other major issue concerns the situation in the five provinces of southern Thailand, four of which are overwhelmingly Muslim and Malay. Here, the central government has been pitted against the local majority, which has demanded recognition of their distinctive character within the country. The fight is not strictly speaking religious in nature. The question is whether Bangkok will recognise the existence of a community that does not want to be assimilated into the dominant Thai and Buddhist culture. This minority claims the right to speak another language, a Malay dialect, to have another religion, Islam, and to be rooted in a different culture, one of Malay origin.

Bangkok's security-focused response has shown its limits. A force of 60,000 soldiers and police has not been sufficient to control a population of about two million people, nor to eradicate violent militants. In retaliating after the murders of Thai teachers and Buddhist monks, government forces have used violence which they have justified in the name of a state of emergency in three provinces. According to the NGO Deep South Watch,^[15] 14 people died and 43 were wounded in February 2018 alone. In 2016, the death toll was 307 and with 628 wounded. Three quarters of these are civilians, 60 percent of them Muslims and 35 percent Buddhists.^[16]

Since violence first broke out in 2004, no negotiated solution has seemed to be in sight. With each bout of violence in the south of the country, petitions circulate around the kingdom, signed by lay people who are roused by the sermons of monks warning of the "future eradication" of Buddhism in the south. In November 2015, Phra Apichat Promjan, a Buddhist monk from Bangkok, wrote on Facebook: "if a Buddhist monk dies" from Muslim violence "a mosque should be burned, starting from the northern part of Thailand southwards"^[17] The monk has since been defrocked.

Other sensitive issues include the fate of Pakistanis who found refuge in the country and Chinese nationals who are members of Falun Gong. Taking advantage of the relatively easy access to Thailand, thousands of Pakistani Christians have claimed refugee status in the country. However, the UNCHR's delays in processing their asylum applications has put them in an untenable situation. Up to 7,000 refugees live in very precarious conditions. On 27th May 2017, a 35-year-old Pakistani Christian man died of a heart attack at the Immigration Detention Centre in Bangkok. According to other detainees, he had been left unattended for several hours while repeatedly complaining about chest pain^[18]

Prospects for freedom of religion

The military nature of the ruling regime has not fundamentally challenged the status of freedom of religion in Thailand. However, the crackdown by the junta against the Sangha Supreme Council shows how far the dividing line between temporal and spiritual power has become blurred.^[19] In the long run, this subordination of Buddhism to the government – a government installed by a coup d'état – could seriously damage the credibility of Thai Buddhism.

Endnotes / Sources

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