

The Paradox of the School as a “Protected Zone”

-Revisiting Educational Rights for Stateless Children on the Thai-Myanmar Border-

Many states often prioritize the right to education for stateless children over other social rights. Focusing on their school experiences, this study examines how schools function as “protected zones” for stateless students in Thailand and discusses the specific mechanisms and paradoxes of this prioritization.

Protecting stateless children’s human rights is a global priority. Many nations thus exceptionally guarantee their right to education, even though other rights are restricted (Bhabha, 2009). Thailand has one of the largest stateless populations in the world, including approximately 170,000 school-aged children (United Nations Network on Migration in Thailand, 2024). Since the implementation of the 2005 “Education for All” policy, Thailand has actively accepted stateless children into its national education system. The legal status of stateless children is shielded within schools. Therefore, schools have functioned as the “protected zone” against rights deprivations (Cheva-Isarakul, 2018). However, the mechanism and consequence of this specific form of protection remain unclear. Against this background, this study aims to examine the functions of schools as “protected zone” as well as their limitations by focusing on the school experiences of stateless students in Thailand.

This study employs a qualitative approach based on one month of fieldwork conducted in February 2025. A public vocational college at the upper secondary education level in the Thai-Myanmar border area was selected as the fieldwork site. Data was collected through semi-structured interviews with 27 stateless students in the college and through participant observation of daily morning assemblies. The participants were stateless students of Karen or Burmese origin and were 1.5- or second-generation immigrants. Although all of them have lived in Thailand since birth or from before the age of 10, they do not hold any recognized nationality. The data was analyzed using coding-based text analysis.

The findings reveal two primary characteristics of the school as the “protected zone”. First, by protecting the rights to education for stateless students, a school provides them with essential resources to overcome their cultural and linguistic barriers within the school, while also rendering their legal status less visible. The 2005 “Education for All” policy enables schools to offer institutional supports, such as teachers who speak Burmese or the Karen language. In addition,

schools in the border area tend to be ethnically diverse. Stateless students are thus able to build close relationships with peers, including co-ethnic friends. In this way, schools as the “protected zone” guarantee stateless students both the right to education and the resources needed to address difficulties arising from their immigrant backgrounds. Second, the school functioned as state ideological apparatuses that require students, including stateless students, to perform a “good” Thai citizen. In the morning assemblies, which serve as a site of national ideology, teachers frame education as a benevolence granted by the Thai state rather than as a fundamental right of students. Doing so, they demand students’ discipline and loyalty to the Thai state in exchange. Notably, stateless students also actively accept these obligations and conform to performed as an ideal Thai citizen as promoted by the state within the school context. Therefore, it can be argued that the function of schools as the “protected zone” is conditioned upon the stateless students’ submission to national ideology.

By examining the functions of schools as the “protected zone,” this study also discusses the consequences to exceptionally prioritize stateless children’s right to education over other social rights. While providing effective resources to overcome cultural and linguistic barriers, schools simultaneously shield stateless children’s legal status and require them to perform as a “good” Thai citizen in accordance with national ideology. This suggests that schools may present two paradoxes for stateless students. First, schools may obscure the deprivation of stateless students’ rights to their native languages and cultures, as these are not even recognized as rights within the school context and their absence thus comes to be taken for granted. Second, schools may actively reproduce the myth that everyone, regardless of nationality, has equal opportunities beyond their schooling, as long as they are sufficiently dutiful in meeting the expectations embedded in national ideology. This case study further indicates that both education and migration policies in each country need to ensure broader rights for stateless children, in addition to guaranteeing access to the national education system.

Keywords: stateless children, educational right, protected zone, Thailand

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