

THE BIG INTERVIEW

112WATCH interviews Daniel Munier, a Senior Program Office at Scholars at Risk Network, on the impact of Article 112 on academic freedom.

112WATCH: How do you assess the situation on academic freedom in Thailand, particularly since the 2014 coup?

Daniel: Available data and anecdotal evidence raise serious concerns over the state of academic freedom in Thailand. Scholars at Risk's (SAR) Academic Freedom Monitoring Project has registered 56 attacks on higher education in Thailand since the 2014 coup. These include reports of scholars and students being arrested, prosecuted, and subjected to disciplinary actions for their academic work and public expression, often regarding the monarchy, military rule, human rights, and other important matters of the day. Expert-recorded data for the Academic Freedom Index (AFI) shows a significant drop in respect for academic freedom, from 0.53 (out of 1.00) in 2013 to 0.15 in 2014, and a score of 0.13 in 2021. For some international context, Thailand's AFI score is in the neighbourhood of that of other countries where we have seen threats to democracy and repression of the academic community in recent years, such as Hong Kong, Nicaragua, and Turkey, to name a few. The Monitoring Project and AFI data are helpful resources in understanding the variety of threats and how academic freedom is trending in Thailand, but we need deeper, qualitative research. Where do scholars and students in Thailand draw the lines for what they consider safe versus dangerous research, inquiry, and discourse? What consequences do they fear? How much and what research is foregone? Further research into these sorts of questions may not only help us develop a more nuanced understanding of the situation on the ground, but also inform what allies in academia and civil society can and should do to support those who are most at-risk and to improve respect for academic freedom throughout the country.

112WATCH: The lese-majeste law is the main source of harassment against academics working in Thai studies. What is the position of Scholars at Risk in regard to this law?

Daniel: Thailand's lèse-majesté law indeed undermines academic freedom and threatens the rights and status of scholars studying Thailand, as well as students and others who express their opinions regarding the monarchy through peaceful protests, social media, and

other channels. The law has been applied in such broad and punishing ways that it can present a minefield for scholars and students. Take for example the case of Sulak Sivaraksa, who was charged with violating the lèse-majesté law for comments he made regarding a battle fought by the sixteenth century Thai king Naresuan during a conference at Thammasat University. This would appear to be an extreme example, but it shows how overbroad lèse-majesté's application can be. More to the point: there's no question that the monarchy is an important institution in much of Thai society, but it cannot be beyond responsible scholarly inquiry, critique, or commentary— this is what makes the lèse-majesté law so troubling and in need of reform.

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112WATCH: What are the measures in terms of aiding scholars accused of committing lese-majeste?

Daniel: Public advocacy can be incredibly meaningful, if not necessary, to scholars facing such threats. Assuming the accused scholar welcomes and thinks they would benefit from public advocacy, supporters in and outside Thailand should stand in solidarity with them. Advocates should publicly recognize that the responsible exercise of academic freedom and peaceful expressive activity are protected by international human rights standards, and that attacks on academic freedom threaten higher education quality. Supporters may also consider conducting outreach to relevant international bodies, including the UN's Office of the High Commissioner for Human Rights, notifying them of instances where lèse-



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majesté is being used to punish academic freedom and requesting their intervention. International academic institutions with strong ties to the Thai academic community, including formal partner institutions, may also consider sharing their concerns publicly and privately with relevant government and higher education actors, underscoring their worry that such attacks undermine the environment needed for productive academic collaboration. These responsive actions are important and often necessary, but we must also think about what long-term, proactive steps are needed to protect scholars and students from such attacks in the first place, including trainings and awareness campaigns on academic freedom, routine public reporting of violations, and discussions on academic freedom conditions.

112WATCH: How do you compare the situation in Thailand with others in the Southeast Asian region? And what are the differences in the policy (of Scholars at Risk) toward different cases?

Daniel: The situation in Thailand raises especially serious concerns, considering the relatively high volume of attacks on higher education registered in SAR's Monitoring Project. And Thailand is rated third lowest in terms of respect for academic freedom in Southeast Asia (following Myanmar and Laos), according to the Academic Freedom Index. At the same time, we should recognise that each country in the region exhibits its own concerning threats to academic freedom, from scholars and students facing arrest in Myanmar for protesting the 2021 military coup, to Indonesia's restrictive Electronic Information and Transaction Law (ITE Law). For Scholars at Risk, our country-by-country approach depends in part on the input from and partnerships with members of the local academe. In Myanmar, our approach has centred around the urgent need to call attention to the military's repression of the higher education community and responding to requests for assistance from at-risk scholars seeking temporary relocation. With Indonesia, we recently collaborated with the Indonesian Caucus for Academic Freedom (KIKA) on a submission to the UN's Universal Periodic Review (UPR) of Indonesia to raise awareness of the ITE Law, among other local academic freedom concerns. While the primary issues and the response approaches may differ, academic communities in Southeast Asia can exchange their experiences and practices in responding to pressures and develop a collective voice that seeks increased protections for academic freedom in the region.

112WATCH: In your opinion, has the United States done enough in working with Thailand to resolve the problem caused by the excessive use of lèse-majesté law?

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Daniel: While I cannot provide a full overview of the US government's response, we would encourage the US and any other country that values academic freedom and higher education to keep the lèse-majesté law high on their agendas when in communication with the Thai government. The UPR process is one such place where governments can and should raise this issue routinely, but they should also discuss lèse-majesté and academic freedom more generally in other appropriate bilateral settings, especially when human rights, higher education relations and development, and scientific collaboration are on the table. All states should stand ready and willing to press on this issue with Thailand, just as they should also look inward to improve academic freedom at home



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