

**Left Behind:
The Impact of Legal Status on Educational Attainment among
'Hill Tribes' in Northern Thailand**

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With campaigns for universal access to education and universal birth registration gaining global momentum, governments around the world are expanding capacities to extend access to primary and secondary education to and to register their young generations. It is through the expansion of the state to meet these goals in registering people and providing services to its citizen-population that the question of national identity and belonging comes the fore. Additionally, when considering the expansion of state services within the context of the current era of unprecedented global human migration and increasing numbers of displaced and “stateless” people, the questions inevitably arise: who may claim rights to access public institutions and services? Who may participate in governance, and who may receive protection from the state? And, perhaps more importantly, who is excluded from the rights and benefits of citizenship, and at what cost?

In Thailand, legal status has become critically important for hundreds of thousands of people from highland ethnic minority groups – commonly referred to as ‘hill tribes’ – whose citizenship has never been recognized by the Thai government despite generations of residence within the country’s borders. In spite of rapid economic growth throughout the rest of the country, as a result of their marginalization from political participation as citizens, this population has become increasingly impoverished

and subject to economic and social exploitation. This study is an attempt to advance the body of research on inequality in educational attainment by investigating the impact of legal status—defined as birth registration status and citizenship status—on educational attainment among northern Thailand’s ethnically diverse highland ethnic minority population.

Using the recently released UNESCO Highland People’s Survey (2006), I assess recent progress in educational attainment within highland ethnic minority communities and the possible educational disadvantage associated with their legal status. Overall, my research addresses the following main questions that shed light on the extent, trends, and reasons for the educational disadvantage of highland minority communities. First, how much educational progress /mobility has there been across recent generations of highland peoples? And how does this compare with other groups? And third, to what extent does legal status affect educational outcomes, net of other individual, family and community characteristics?

This analysis of legal status is organized as follows: I first provide a brief socio-demographic introduction to the highland ethnic minorities represented in the study, a sketch of the issue of legal status in terms of birth registration and citizenship, and a brief history of education in the highlands. I then explore the extensive body of literature on education in Thailand and the various theories in which it is grounded. I then employ the theoretical framework developed by Bourdieu and Passeron (1977), which allows for a dynamic conception of determinants of educational outcome over time, to inform my subsequent analysis of the impact of legal status on educational attainment among highland minorities in Thailand.

I employ multinomial logistic regression analysis to understand the relative impact of legal status on the likelihood of progressing into subsequent higher levels of education at each major stage of transition in the Thai educational system: entering lower primary school, entering upper primary school, entering lower secondary school, entering upper secondary school, and entering higher education. Because birth registration and citizenship are distinct types of legal status in Thailand, I investigate the impacts of each separately. I compare the relative likelihood of those without birth registration status to enter each subsequent level of schooling to those who have official Thai birth registration. Likewise, I compare those with no legal/citizenship documentation and those with provisional citizenship status to Thai citizens.

I find that birth registration status and citizenship status are significant determinants of educational attainment outcomes for highlanders throughout the educational system of Thailand. While controlling for other individual, family, village, and province level concerns reduces the net impacts of both types of legal status, citizenship and birth registration nevertheless remain significant at almost every stage of educational transition. However, birth registration and citizenship statuses are found impact educational outcomes in different ways—a finding that indicates the importance of acquiring *both* official birth registration and Thai citizenship for children in Thailand.

In terms of entering school, non-registered people are significantly less likely (at $p < 0.01$) to enter lower primary school than their registered counterparts. Those with no citizenship status are 40 percent less likely than those with Thai citizenship to enter school at all, and those without birth registration are 25 percent less likely to enter school compared to those with Thai birth registration. However, among those who had acquired

some primary schooling, while those with no citizenship remain significantly disadvantaged in transitioning up, those with no birth registration are found to be 80 percent more likely to transition into upper primary school than those with official birth registration. Among those who attended a minimum of upper primary schooling, those without citizenship and those without birth registration are found to be significantly less likely than their registered counterparts to transition to upper secondary school. At upper secondary and higher levels of education, significant differences are detected only in the bivariate model.

While this study assesses the impact of legal status on educational attainment outcomes among a remote population in Southeast Asia, the implications for this study are potentially far-reaching. The experiences of highlanders with no legal status or with provisional legal status speak to the experiences of growing numbers of migrant populations and undocumented peoples world-wide—including in the United States. In other states, these populations are difficult to find and access, but highlanders in Thailand live in permanent, documented villages. Additionally, while many undocumented peoples may not agree to participate in government surveys, many incentives exist for highlanders to participate in census household surveys, including the opportunity to acquire proof of residence, which is a prerequisite to apply for birth registration and citizenship for oneself and for one's children.

Bourdieu, P. and J.-C. Passeron (1977). Reproduction in Education, Society and Culture. Beverly Hills, SAGE Publications, Ltd.