

Thailand: The Thongbai Thongpao Experience

THONGBAI THONGPAO FOUNDATION

The Thongbai Thongpao Foundation, established in 1990, is the main vehicle for public service by a well-known Thai human rights lawyer—Thongbai Thongpao. It continues the legal assistance and education programs of the Thongbai Thongpao Law Office, which was established in 1966.

Thongbai Thongpao started as a lawyer-journalist. He was imprisoned by the military government of Marshal Sarit Thanarat in 1958 after returning from a visit to China. He was accused of being a communist. Thailand at that time had no diplomatic relations with the People's Republic of China. He spent eight years in jail without trial. A military court acquitted him in 1966. During his imprisonment, he realized that the prisoners were unaware of their rights. He then started an education program for the prisoners on their legal rights. He also found the time to study many laws that were not only obsolete but were used against the poor.

When he was finally released from jail, he decided to establish a legal aid program to help those in need, especially prisoners. His clients ranged from poor farmers to activists who were arrested on false charges of ties with the Communist Party of Thailand. Since then, he has handled many cases of importance to the development of democracy in Thailand.

Immensely popular in his country, Thongbai Thongpao continues to work as a journalist for several newspapers and magazines on law and societal issues, relaying knowledge about the law and human rights.

He received a Ramon Magsaysay Award in 1984 for his “effective and fair use of his legal skills and pen to defend those who have ‘less in life and thus need more in law.’”¹

The foundation has the following objectives:

- Provide legal literacy to people.
- Participate in social development activities to support people's self-reliance.
- Encourage people to create a peaceful society.
- Coordinate its development activities with government agencies and social action groups.

The foundation is governed by the following principles:

- Every person has equal rights, and people who are in distress must be able to take part in solving their own problems.
- Human rights, peace, and fraternity must be upheld.
- People must learn about human rights issues, the law, and ethics; they must also help victims of injustice.

The foundation thus has a number of legal education activities that try to reach various sectors of society through different mediums.

¹ This paper is based on the report *Making Thai People Use the Law: Non-formal Legal Education in Thailand* by Jefferson R. Plantilla submitted to the National Research Council of Thailand (December 1998).

They target people in the villages, as well as children and workers.

A team led by Thongbai Thongpao himself regularly visits rural areas where law is taught to farmers and other local residents. Classes are held on Saturdays and Sundays from 8:00 a.m. to 5:00 p.m. with short breaks. They teach the Thai constitution, human rights, laws on marriage, loans and mortgages, labor, and everyday situations. The lectures include dramatizations of court cases. The people are encouraged to ask questions after the class.

So that people will not be bored, presentations use simple language or even the local dialect such as waw laos. Lecturers are informal and tell jokes to prevent people from falling asleep.²

The foundation also has a legal aid course, which trains people at the village level on how to use the legal system in addressing their problems. Those who finish the course receive certificates that prove their qualification to provide legal aid whenever necessary. Participants receive identification cards with their photo, and the name and signature of their lawyer. At the back of the card is a list of the rights of suspects: the right to remain silent, to legal assistance, to know the charges against them, and the right to bail.³

The foundation produces a newsletter, videos (on child rights, family law, moot court), slides, and legal handbooks (on human rights, laws on guns, family, land, forest, sales, labor, slum areas). In order to maintain their links with each other, the foundation and rural communities establish centers for legal assistance and counseling as well as village, district, provincial, and the regional human rights committees. In northeast Thailand (the Isaan region), a human rights committee was formed, composed of 17 provincial committees. The committees have card-bearing members. (Each village has about 7-9 members.)

Training activities are held upon the request of village leaders, schoolteachers, and the Ministry of Education. They may last 1-2 days (Sat-

urday and Sunday). To support the formation of human rights committees, the foundation holds training activities attended by 500-1,000 people at once.

In cooperation with the Ministry of Interior, the foundation participates in human resource development activities for government personnel and in local community education activities for community leaders.

The foundation team visits around 30 villages and districts annually. In 1992, the foundation held 22 legal training sessions for students, youths, teachers, local leaders, women leaders, and people in general, reaching a total of 2,425 people. In 1993, it "conducted such [legal education] programs benefiting about 2,032 rural people in 212 districts, including places as widespread as Chiang Rai, Khon Kaen in the North, and Surin, near the Cambodian border. In 1994, 24 districts were served involving 5,325 people in villages including Suphan Buri, Chon Buri, Sai Khao, Samut Sakhon, Lop Buri, Pathun Thani, Chiang Khan, and Samut Songkhram."⁴

One foundation project (Law for Rural Areas—Use of the Media), held over two months in 1992, involved a series of training activities for teachers, and women and men local leaders in five provinces (Lopburi, Pattalong, Nakorn Sri Thammarat, Pichit, and Chiangrai). It was held in cooperation with the Ministries of Interior and Education, the General Education Department, and the Office of the National Primary Education Commission. Of the 484 participants, 70% were teachers.

In Amphur Buayai, the foundation and the local teachers' group set up a center providing free legal assistance and counseling, which saves the villagers a trip to Bangkok to solve their legal problems.⁵

An evaluation of the training activities shows the following data:

- 112 (65.5%) of the teachers said that they learned something about the law.
- 130 (76.0%) said that the training was useful but too short.

- All said they would like to get specific information about the laws.
- All suggested allotting more time for questions and discussions.⁶

The foundation currently has other activities that are also related to legal education:

- Protection of Child Rights project. It aims to provide legal assistance to children in need and launch a public campaign to raise awareness of the human and legal rights of children. It also aims to foster a network of cooperation between organizations providing legal assistance and advice to children.
- Labor Law for Children and Women in the Rural Areas project. It aims to promote the labor law regarding children, women, and the public in general in rural areas and to support people who migrate to cities as laborers by making them aware of their rights.
- Legal Literacy for Children project. It aims to coordinate with schools in Bangkok and also in rural areas to provide legal education to schoolchildren.
- Promotion of Child Rights to the General Public project. It aims to raise awareness about the rights of the child among the general public and to urge people to join the project's activities.

The foundation has another set of regular legal education activities that are aimed mainly at the general public. It has a weekly 15-minute radio program called "Law for Everyday Life." It also has magazine columns in several magazines:

- "Law for Women," in a women's magazine;
- "Law and Life," in a men's magazine; and
- "Law for Everyday Life" and "Law Close to You," in general readership magazines (*Moh Khao Ban* and *Taan Weekly*, respectively).

Thongbai Thongpao abides by his principles in performing his educational tasks to the public, including children in schools. It is said that his "prowess as a human rights lawyer stems not from his love of law, but from his determination to fight injustice: 'I know very little about law, I know only justice.'"⁷

May this principle be a guide to the students and teachers alike.

Notes

1. See "Thongbai Thongpao—Citation read by Dr. Dioscoro Umali, Trustee, Ramon Magsaysay Award Foundation," Ramon Magsaysay Award 1984 booklet on public service (Manila: Ramon Magsaysay Award Foundation) 8.

2. Supakana Sopittakamol, "Legal Literacy with the Thongbai Foundation," *Bangkok World Student Weekly* (2 March 1992): 10.

3. Richard Claude, *Educating for Human Rights — The Philippines and Beyond* (Quezon City: University of the Philippines Press, 1996) 158.

4. *Ibid.*, 157.

5. "'Law' Made Easy for the Rural People," Magsaysay Awardee, Manila, January-June 1994, 12.

6. Newsletter of Thongbai Foundation (April-June 1993) 3.

7. Magsaysay Award Citation, 21.