

Conferences, Lectures, and Workshops
Cornell Law School Berger International
Speaker Papers

Cornell Law Library

Year 2005

The Power of Law and Women's
Presence in the Thaksin Era

Virada Somswasdi
Chiangmai University, Thailand, virada@chiangmai.ac.th

"The Power of Law and Women's Presence in the Thaksin Era"

An address given at Cornell Law School on 30th March 2005

By
Virada Somswasdi
Chiangmai University
virada@chiangmai.ac.th

The term 'law' as used here depicts consistency in ideology, intent, presumption and the imposition of definitions on day-to-day human relations, including male-female relations. The power of law is the process of definition, which takes precedence over experiences, and also takes precedence over the meaning that women give to their own lives.

This paper refutes a rigid division of issues within law and adopts a feminist perspective, rather than that of the mainstream structure. Issues identified as significant by the women's movement are thus emphasized. I do not refer to law as the only tool feminists need to resort to in bringing about gender equality and respect for women's human rights.

Yet, law as a symbol of justice and truth will be challenged. The intention of this paper is to welcome other non-legal strategies for women's emancipation. The intention is to stimulate debate on contemporary feminist theorizing on law and to challenge the way in which law has been understood. The focus is on the power of law as a discourse that disqualifies other forms of knowledge, rather than a consideration of the material consequences of law, which implicitly, or explicitly, operates in the interests of patriarchy.

1. Breaking ground with the elite women's movement¹

In Thailand in the late 1960's, a group of educated upper class women in legal and business professions actively took up the call for reform in family law. This was a continuation of the mid 1950's activism. The focal issues in this movement included the right of a wife to matrimonial property management and prevention of double

¹ I choose herein not to use plural noun for women's movement, perceiving that it is one for the same goal - gender equality and women's human rights albeit different focus and strategies held by various groups.

marital registration.

The strategy adopted by the women was to lobby juridical members and officials at high policy levels. The campaign was conducted at academic institutions and professional associations rather than in a wide range of public institutions. The issues were thus not clear to most people, be they men or women. The issues were not extensively publicized since they only found expression in the form of a few debates and speeches, and very few documents.

The campaign was looked at as an outcry of wealthy elite women whose concerns were vested in personal economic interests and the widespread problem of infidelity, as their husbands were taking on minor wives. The campaign did not touch on the problem of the patriarchal structure of society, nor did it link up with lower income, rural women or academics. Nonetheless, it broke the ground for campaigns on a broader range of issues. At the very least, the women's efforts bore fruit as they eventually won the right to marital property management.

All in all, tackling family law means tackling the constructions of fatherhood, masculine authority, and economic power.

The issues since the 1960's elite women's movement have expanded from property ownership and management to variety different directions under the leadership of broader groups of women. The women's movement has brought forth many issues to be debated with new perspectives.

Dynamic issues that have emerged in the past few decade center around e.g., women's human rights, male sexuality and violence against women including trafficking in women and prostitution, domestic violence, marital rape, sexual harassment, reproductive rights, abortion, and sexual orientation. They also include cultural and civil rights, such as the right of women to be ordained as Bhikhunis, married women to keep their last names, the prefixes to women's names, and indigenous, tribal, female labor and migrant women's rights. Recently, the tsunami aftermath has brought up issues on gender sensitive measures and policy for affected women. In other words, the political, economic and cultural rights of a cross-section of women in society have all been taken up.

While debates revolving around legal paradigms have contributed to the women's movement and feminist scholarship, one can see how law regulates and controls women's bodies through some issues which I would like to touch here:

Trafficking in women and prostitution: Some arguments by groups advocating for the legalization of prostitution revolve around the right of women to 'work'. These groups argue that to protect women in prostitution, entertainment establishments should be registered. Some groups have gone as far as to say that women in prostitution will be better off if prostitution is legalized and measures are adopted for the zoning of red-light districts. They assert that if the sex trade is regulated and prostitution becomes legitimate work, then prostituted women will be free from abuse and health hazards.

However, being dominated by the patriarchal social structure, male and female members of society fail to understand that prostitution is about the flesh trade, and involves a high risk of exposure to violence characterized by bodily harm, health hazards and mental trauma. It is about the violation of women's human rights.

Feminists'² debate against the voracity for cash, arguing that prostitution, although legalized, can never be a legitimate business because it will always be associated with crime, corruption, class, mass sexual exploitation and human trafficking. The implicit assumption of free choice in prostitution by the use of words such as "the private affairs of individuals", "personal freedom", "the right to privacy" and "the consent of two adults" are nothing but the formation of an illusion perpetuating a lack of social awareness of sexual slavery.

Prostitution is not about women enjoying rights over their own bodies and having rights to 'employment' or 'work'. On the contrary, it is an expression of men's control over women's sexuality. It is the hiring out of one's body for the purposes of sexual intercourse, abuse and manifestations of undifferentiated male lust. It is about gendered, ethnic, age, racial and class power relations. By no means is prostitution "the consent of two adults" despite the fact that prostituted women are grown-ups. When one party is the buyer and the other the seller, especially when the buying party happens to be socially constructed as "the better sex", "the better class", "the more mature", "representing the powers that be", "the more culturally polished" or "the fairer skinned."

Feminist scholarship around prostitution demonstrates

² Virada Somswasdi, ed. Prostitution: Which Direction is Thailand Going to Take?, Foundation for women, Law and Rural Development and Women's Studies Center, Faculty of Social Sciences, Chiang Mai University, 2004

that under patriarchal capitalism, market values can intrude into even the most private aspects of human existence. Moreover, it is almost impossible to draw a line between prostitution and trafficking in women when misinformation plays a critical factor. Women are lured, forced and, under male hegemony, misinformed and thus trafficked into prostitution.

Feminists argue that prostituted women are used, abused and stripped of their human dignity in one form or another. Their role relieves men of responsibility for their sexual behavior. Consequently, there is not one single justification to criminalize prostituted women. Prostituted women are not criminals but plaintiffs, while those who make them enter the vicious circle, including the state, should be adjudicated, held legally responsible, and politically and socially liable. It is hence out of the question that prostituted women should be stigmatized, registered and categorized as "legal prostitutes" or by the mischievous term of "employees" of brothels or establishments under dubious names.

Andrea Dworkin³ argues that, "Prostitution is a paradigm, not only of women's sexual vulnerability but also vulnerability of sexual conditioning and economic discrimination. Economic reductionism of gender issues such as prostitution is one of the most pernicious forms of androcentric thinking."

Domestic Violence: Inch by inch, step-by-step, feminists in Thailand have brought new perspectives on the issue of domestic violence to the public. They argue that it is an issue of gendered power relations. It is by no means a 'private' or 'personal' matter of family members in which no one else, even the state, should intervene. Thai feminists have adopted a "Personal is Political" approach in mobilizing against domestic violence.

Feminists point out that domestic violence is pervasive and that there is no basis to condone it. They call for dispelling popular myths that point fingers at battered wives as the ones who ask for it or aggravate the violence. Often, wives are the ones who are blamed for 'looking for trouble' or '*ha rueng aing*'.

³ Dworkin, Andrea. 1981. *Pornography: men Possessing Women*, G.P. Putnam: New York.

Maggie Humm⁴ explains the paradigm of women's subordination and violence against women as a product of patriarchal culture in which men control both social institutions and women's bodies. Patriarchy depends upon institutionalized violence, which is inherent in legal systems.

I argue that the faults, loopholes, and biases surrounding gender, class, and ethnicity in legal institutions and processes hamper human rights protection and ignore women's hardship, thus causing more violence against women.

2. The 1997 constitution: from hope to regret

One striking aspect of the 1997 Constitution of Thailand is its recognition of 'human dignity' as a civil liberty. The constitution is designed for fundamental political reform and encompasses more rights and freedoms than any other previous constitution. It emphasizes the accountability of elected politicians and public officials, transparent political process and wider public participation as a means of empowering people. It is often referred to as the 'people's constitution', and aims to establish new processes and structures to monitor and curb the power of state. The 1997 Constitution is seen by some as a radical change to Thai polity and administration. It has been set up to reaffirm the political stability of civilian government.

Much hope for political reform is placed in the independent bodies established under the constitution, e.g. the Election Commission, the National Counter Corruption Commission, the Constitutional Court, the Administrative Courts, the Auditor's General Office, Ombudsman, and a 'non partisan' Senate to represent people in their efforts to address political and economic irregularities. These independent bodies are seen also as a fourth branch of the state mechanism in addition to the existing three i.e. the judiciary, executive and legislative branches. The National Human Rights Commission, despite its 'toothless' status, gives hope to civil society by affirming what it should expect of the state in the area of human rights protection.

⁴ Maggie Humm (1990), *The Dictionary of Feminist Theory*, Ohio State University Press, p.231

Soon after its promulgation, 'the people's constitution' came under political threat. It has been exploited to instrument a reversal democracy along the course of supporting the strongest ever civilian government. Concerns over absolute power prone leader of the government have been escalated.

There has been criticism from a number of academics and civil society groups that the constitutional spirit has been dampened and undermined by the appointment of government-linked members to independent constitutional bodies whose political and legal stances have led to questions around ethics, conflicts of interest, and transparency. The recent issue of an executive decree has given the prime minister unprecedented power in cases of "emergencies". Under the decree, the backing of just one other member of the cabinet is necessary rather than on calling on the full executive branch. In addition, the decree includes a provision allowing a cabinet meeting with only one third of the members present.⁵ This has reinforced the fear of democratic souls of a run away of joint responsibility and a green light for franchising 'convenient stores' by the leader of the government. The press will not be able to voice out civil society's concerns as the "outlook for press freedom in Thailand is grim, and the possibility of stricter state control looms under the one-man rule of Prime Minister Thaksin Shinawatra."⁶ Members of the press have been intimidated by court cases involving hefty compensation claims of millions dollars by business enterprises owned by the Prime Minister's family.

Human rights abuses and diminishing press freedom has been widely noted by professional bodies of journalists, civic groups, the 2004 US State Department Report, and the 2003 Report of the UN Special Rapporteur on Human Rights Defenders. The most disturbing cases for human rights groups have been the disappearances of lawyers representing Muslims, and the murders and death threats against human rights defenders and environmentalists, some of whom are women. The brutal handling of protesters and political dissidents in which hundreds have been killed and arrested is still vivid in the memories of many people. These cases have never been brought to court. The National Human Rights Commission has been repeatedly bombarded for finding fault

⁵ The Nation, Saturday, March 5, 2005, p.1-2.

⁶ Ibid, p. 2 A.

with the government. Consequently, a scheme to set up a governmental body to monitor human rights abuses is underway. Evidently, it is but another imposition of power from the state to ignore the constitutional spirit and set up a redundant body.

3. Constitutional prerequisites and legal paradigms of gender equality

"All persons are equal before the law and shall enjoy equal protection under the law.

Men and women shall enjoy equal rights...

Unjust discrimination against a person on the grounds of the difference in origin, race, language, sex, age, physical or health condition, personal status, economic or social standing, religious belief, education or constitutionally political view, shall not be permitted.

Measures determined by the State in order to eliminate obstacles to or to promote persons' ability to exercise their rights and liberties as other persons shall not be deemed as unjust discrimination" (1997 Constitution of Thailand Section 30)

Children, youth and family members shall have the right to be protected by the State against violence and unfair treatment. (Section 53)"

The State shall protect and develop children and youth, promote equality between women and men, and create, reinforce and develop family integrity and the strength of communities. (Section 80)⁷

⁷ Official translation by the Office of the Council of State
Published in the Government Gazette, Vol. 114, Part 55a, dated 11th October B.E. 2540
(1997)

The above-mentioned sections in the 1997 Constitution did not come into existence merely by chance or through the gracious kindness of the members of the Constitutional Drafting Committee and Parliament. They were the product of hard work and efforts by women's groups, with the Women and Constitution Network at the helm.

The outcome of their efforts was not only a significant clause on gender equality, which has commanded the attention of a majority of women's groups, but also the acknowledgement of affirmative action, and expressions of concern over domestic violence. The last two issues are no less significant milestones of gender equality and women's human rights. Nonetheless, when issues of concern to women take the stage, if at all, they tend to be overshadowed by the gender equality clause and all else seems to be disregarded.

It remains to be seen whether there will be provisions on gender inequality and those which deprive women of their dignity among some hundreds of outdated legislations the Prime Minister has recently announced to be revised as either unconstitutional or unwanted. I could see that focus will still be put instead on legal instruments to accommodate business empires rather than anything else.

I would be surprised yet welcome the anti discrimination and other relevant bills on women's human rights which the civic and women's groups have long been calling for.

The Battle of Fathers: Without a timeline to revise laws contradictory to the Constitution, the Constitutional Drafting Committee continues to allow men certain privileges and legal protections in clear violation of the constitutional spirit. In nearly eight years, the only prominent case in favor of women's rights was when the Constitutional Court ruled in 2003 that the law requiring a married woman to take her husband's last name was unconstitutional and that women can choose to retain their maiden names. Alas! It is indeed the victory of a woman's father over her husband's father. Trust me; my perspective is not necessarily popular or even acceptable among the women's groups.

A Case of the Clean Cut Superiority of Class and Gender: The 2003 trial of Dr. Pipat Lueprasitkul, a professor of National Institute of Development Administration who beat his wife to death with a golf club and umbrella, is a classic case that drives feminists and lawyers alike to work harder to reform legal institutions.

The case aroused public attention when the Court of First Instance sentenced Pipat to 2-years' imprisonment, then reduced the sentence to a 3-year suspended term and fifty hours of community service lecturing in an educational institution. The court reasoned that the decrease in punishment was justified due to the defendant's confession and remorse, and his kind support of the family of the deceased. The Court cited the defendant's record of good conduct, high educational background, and his ability to contribute to society; having committed a crime out of love and jealousy rage, without any other prison record, leniency was thus duly granted.

Inevitably, women's groups were highly critical of the court's decision to show leniency towards Dr.Pipat, and they voiced their dissenting views by protesting against gender bias in the justice system.⁸

The prosecutor did not plan to submit an appeal. The women's movement demanded justice by staging protests and putting pressure on the Prosecutors' Office to appeal.

The women's movement was successful in forcing the prosecutor to submit an appeal, but literally lost the case when the Court of Appeals upheld the Court of First Instance's decision resorting to the same rationale. The public was outraged, as was the women's movement. The case, which has been appealed to the Supreme Court for a lift of suspension, is handled by senior public prosecutors whose legal view and political standpoints are not necessarily in agreement with feminists. The Supreme Court has yet to make a decision, and feminists and the public continue to wait anxiously.

Feminists suggest that the case showed the public the violent face of educated and well to do males, something that has long been overlooked. While the outcome of the Pipat Lueprasitkul case was a bitter disappointment, it provided a rallying point for Thailand's many women's groups, who are now advocating for the country's first anti-domestic violence bill.⁹

The bill is now awaiting the Thai Rak Thai government's resubmission to the Parliament after the party failed to pass it before the end of its first term in

⁸ The Nation, Pipat Punishment: Senator Slams Sentence, July 24, 2002

⁹ Virada Somsasdi and Kathleen Corrigan, eds., 2004, **A Collection of Articles on Domestic violence in Thailand**, Foundation for Women, Law and Rural Development and the Women's Studies Center, Faculty of Social Sciences, Chiangmai University, Wanida Karnpim.

office.

Androcentric Legal Idea: Rape is not just a sexual offence but also a political and social imposition of male domination over women's bodies. This notion needs to be more widely addressed to the public. Marital rape is not acknowledged under the Criminal Code of Thailand issued in 1957. The law stipulates that a man can be criminalized only when rape is committed against another woman who is not his wife. Feminists have begun calling for a revision of the provision to make it more extensive to explicitly protect wives. It is the worst fear of feminists that the law will be reproduced in court decisions. The Juridical Council of State defends the current law, arguing that penalizing a husband for marital rape will affect 'family security,' and the council sees no solid argument in interfering with 'personal matters'. The farthest they have gone is to acknowledge that rape was committed if done during marital separation or by a husband who has contracted a dangerous contagious disease.

To me, another serious point of contention between the legal system and feminists occurs when the court establishes precedent defining rape as the penetration of the male sexual organ into that of a woman. All other acts are considered merely attempted rape or obscene behavior in which the wrong doer gets lesser punishment. In addition, the perception of rape stipulated in the Criminal Code as a private wrong unless done in public or leading to serious injury or death leads to further contention. The victim's sexual history with the accused is irrelevant information made relevant by moral judgment and political bias, which further underscores the oppression of women. It is another reflection of male domination in the legal institution.

Use of the courts to pursue rights and enforce responsibility is sometimes assumed to be a part of the empowerment of women. An important question is, to what extent the legal process can empower women as individuals, given the fact that social pressure makes it easier for them to step back and drop the charges.

Most often, rape victims are pressed by social constraints and thus yield to circumstances. Without appropriate legal protection, they cover themselves and carry the stigma with them to the very end.

Feminists, while calling for a more effective criminal justice system, must familiarize personnel in the judicial process with rape trauma syndrome and accompanying psychological reactions to rape when victims seem to be giving conflicting testimony. Some women's groups believe

that calling for harsher punishment is not always effective. They thus endorse the state scheme to place abusers on probation. Under this scheme, rather than taking abusers to trial, they are sent for psychiatric therapy with their wife's consent. The police are authorized to mediate and put abusive husbands into a program unless they choose to go to trial, well aware of the court system's patriarchal approach.

However, feminists argue that when an abusive husband is protected by being defined as 'ill' then issue of gendered power relations is rendered irrelevant, further perpetuating violence against women. Questions also arise on how the police and therapy program can operate with gender sensitivity under the patriarchal structure of legal institutions and society.

Feminists are continuing to vigorously campaign the Legal Reform Committee, who have yet to work through the entire Criminal Code to revise number of subjects, including rape.

4. The Presence of Women: Pressing issues

As we have witnessed, women are featured on the newspaper, radio and television only when they are involved in crimes as the accused or claimants; or are posing for pornography. Violence against women, gender inequality, and the violation of women's basic human rights are all equally pressing issues.

There are several tools established by international organizations to ensure gender equality, the advancement of women and the protection of women's human rights. Despite being criticized as doomed from the start because of its myopic view on the problems of women, and its failed agenda for women's empowerment¹⁰, the Convention on the Elimination of All Discrimination against Women is still one of the best legal documents on women's rights. Beijing +10's reaffirmation of the Platform for Action shows strong support for its twelve issues on women's concerns from the global women's movement.

Even so, women remain marginalized and disempowered by various forms of poverty and violence. Facing a lack of access to documents and insufficient introduction from the State, feminists in Thailand have still to learn about the substance, scope and significance of the documents in order to fully make use of them to move towards gender equality and the protection of women's human rights.

¹⁰ Gabriella Statement on Beijing +10

Given the long and difficult process of filing complaints with the Commission on the Elimination of All Discrimination against Women, most grassroots and women's organizations in Thailand, if informed of the Commission at all, give it a cold reception. Feminists have hence no other option but to utilize the Optional Protocol to the Convention on the Elimination of All Discrimination against Women to join hands with the international women's movement in an effort to standardize women's rights protection.

Calls for the revision of the Family Law in regards to engagement and marital relations provisions which endorse men's control over women's sexuality and marital rape in the Criminal Code, disparities on divorce grounds, favoring the father's last name over the mother's, etc. must still be strengthened and pursued. There is still a long road to be traveled.

Notably, there are some groups of women who have less support than others in struggling for their basic human rights. This happens because they are either marginalized, or in the course of their work, have left themselves opened to political and physical attacks. Some groups of women who face particular challenges include the following:

Hill tribe women: Among the nearly one million minority ethnic highlanders who were either born in Thailand or migrated to Thailand decades ago, a great number are women. Being considered a threat to the national security, or victimized by the corrupt bureaucracy, highland women have been deprived or robbed of citizenship. Their identification papers are sold to groups who can afford to pay in exchange for their illegal entry into the country. As non-citizens, they are non-existent and denied basic civil, political, economic, social and cultural rights. Without a legal basis to resort to, many have been dislocated from the land upon which they depend to make their living. A great number of girls and women have fallen prey to traffickers for prostitution and hard labor. At least half of the hill tribe population is still waiting to be granted the magic paper that will enable them to gain freedom of movement, access to education, and health care, political participation, voting rights, identity and human dignity.

Some have chosen to join the hill tribe women's movement and to voice their grievances, relying on the 'constitutional rights' of assembly. Often, though, intimidation by government officials and 'legal measures' forces them to remain silent.

Migrant workers and displaced women from Burma:

Concerns are publicly addressed on an influx of "illegal" migrant workers and displaced persons from Burma, a great number of whom are women. Yet, in Thailand, the plight of thousands of Burmese migrant workers, both documented and undocumented, is unknown and of little interest to most Thais. Prejudices and economic and political interests dominate and influence state policy. It is horrible to learn that a large number of Burmese migrant workers were concentrated in the Tsunami-affected areas of the country.

"Stranded Burmese migrant workers in Thailand have been left at bay by their "government", which has failed to even acknowledge the true damage from the disaster, and pushed aside, intimidated, and neglected by Thai officials who are more interested in cleaning up beaches for the arrival of new tourists than dealing with the devastation to the livelihoods and families of these group of workers.

Several thousands of them have died in the tsunami but two months after the disaster are still left lying in makeshift morgues as their relatives, who are migrant workers themselves do not dare to claim the bodies of their loved ones, as they fear arrest. Many of them had their work permits and documents swept away into the sea. Burmese migrants are ineligible for much of the official aid due to their tenuous legal standing."

This was a statement disseminated publicly by feminist groups in a campaign for the recognition of the human rights of female Burmese migrant workers and for legal protection from the populist government, which has neglected women in distress from a neighboring country¹¹.

Women human rights defenders¹²:

The campaign to defend women human rights defenders is gradually attracting public attention to the plight of women who organize for their rights as workers, farmers,

¹¹ <http://www.apwld.org>

and citizens demanding equal treatment, justice and dignity, and who face the armed might of the state and transnational corporations that frequently employ political violence in the pursuit of their goals of control and domination.

The campaign brings to light the fact that women are relegated by the forces of conservatism to their traditional roles of being biological and social reproducers. Women who refuse to be trapped by these obsolete and misogynist stereotypes are punished for their transgressions. Women face growing impoverishment and displacement due to globalization, and they are either lured or coerced into exploitative employment, which leads to vulnerability to abuse and violence.

The campaign underlines the risks and vulnerabilities of women as human rights defenders, in the form of sexual violence and the consequences facing women who advocate for gender-specific issues such as reproductive and sexual rights. Leaving their traditional roles, women human rights defenders take tremendous risks to challenge the status quo and to speak out for themselves and on behalf of others. They are put in a state of constant fear and terror, alienated from their families and communities because of their beliefs and subjected to humiliation and abuse as a consequence of their courage. In spite of their knowledge of the consequences, women activists have the courage to become human rights defenders. The campaign calls upon the international community and the human rights movement to recognize the courage and commitment of women human rights defenders and to speak out on their behalf in the true spirit of justice and rights.

These concerns have escalated with the current intensification of repression and abuses against human rights defenders, particularly women. Specific attention to the protection and security of woman human rights defenders in Thailand needs to be called for at the global level. Legal action and measures to ensure accountability for acts of violence against women will be effective only through the solidarity of social movements the world over.

Records have shown that women were attacked not only because they are women but because of the causes that they represent. In the face of serious atrocities committed by State and non-State actors, giving visibility and international recognition to woman human rights defenders is one fundamental form of protection for them.

Statistics still show a high figure of rape. There were 4,028 cases reported to the police in 2004 or 11+

cases per day. Among these, 9 women were fatally attacked and raped¹³. Apparently, the reported figure is much less than in reality. Sixty percent of Thailand's illiterate population is women¹⁴. On the political front, women's participation in public offices is still low at less than 10%. To no one's surprise, among the small representation of women in the parliament, only a minority of them are true advocates for gender equality and equity.

With the spread of HIV/AIDS, data collection and surveys were conducted to develop intervention strategies and to help reduce the spread of the virus. These studies have mostly been clinical undertakings rather than tackling the imbalanced/unequal gendered power relations, which is deep rooted and goes unrecognized.

A recent government figure places the number of HIV/AIDS patients in Thailand at 150,000 while a UN agency sets the number at over 400,000. The scary information from a physician, who has been engaging in AIDS prevention and care activism, is that new cases of patients are not being documented and that the majority of them are women.

The majority of mortalities among young women are caused by infection. A high number of women have died from infection and excessive bleeding due to unsafe abortions done outside of hospitals.

All of the above relates to reproductive health education, gender powered relations and the status of women.

The emergence of reproductive health education and research, which focuses on gender and sexuality, occurred in the 1990's after the Fourth World Conference on Women and Beijing Platform for Action. It was a significant transformation in health studies.

Women's groups and the women's movement have pushed for public education while campaigning around specific issues on reproductive health and rights. This demonstrates an action-oriented approach, which takes place whenever issues heat up.

5. In conclusion

The long-term strategy to embed women's human rights culture and related education into official structures and processes is the establishment of women's studies programs in state universities, namely, Chiangmai University (2000),

¹³ <http://www.police.go.th/dn-mai.htm>

¹⁴ http://www.nso.go.th/thai/stat/stat_23/toc_6.html

and Thammasat University (2001). Academics' roles in supporting women's human rights and gender equality in Thailand are numerous. Academics have been very vocal in upholding relevant trends. Grave concerns are now centered on the return of a conservative government and absolute power, or a dictatorial government disguised behind a populist platform.

The immediate need is to encourage the women's movement and other social movements to work jointly with civil society in forging a genuine democratic society in which the human rights of all are justly protected and defended. Regardless of diverse strategies and approaches, many campaigns can reach their long and short-term goals on women's concerns.

Integrative feminism has born a positive outcome. Most importantly, women's dignity must to be upheld through perceptions that are not clouded by misconception such as perceiving sexual exploitation and abuses of women's bodies as their free "choice" to earn a living.

I find, for instance, that framing arguments along economic lines can be effective and convincing to money-oriented policy makers¹⁵, citing the cost of gender inequality in a high-return investment. The explanation is that women are critical to economic development, active civil society, and good governance. It is emphasized that focusing on women is often the best way to reduce birth rates and child mortality; improve health, nutrition, and education; stem the spread of HIV/AIDS; build robust and self-sustaining community organizations; and encourage grassroots democracy. This is an economic case for women's rights, which may be more acceptable to traditionalists. This strategy has been identified as "Promoting women's rights because they spur development and economic growth". The payoff from women's rights is the key to economic development especially in developing countries.

Engagement with and disengagement of feminists from law can construct new legal concepts and perspectives and bring about an equitable distribution of power between men and women.

Yet, to bring these benefits to society, new conceptualizations and systematizations of the legal system have to be developed. It is not only in the book but also by activism that members of society have to challenge and bring down the power of inequitable laws.

¹⁵ <http://www.foreignaffairs.org/20040501faessay83308-p20/isobel-coleman/the-payoff-from-women-s-rights.html>

Discussions at public forums must not, thus, simply aim at intellectual rewards, but encourage action towards gender equality and give recognition to the importance of women's human rights.
