

Breaking the Taboo: A Fight for Fair Treatment in Thailand's Media Industry

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Longtime journalist Sumeth Somkanae runs an organisation whose mission is so controversial in the industry that the list of its members has to be kept secret, to protect them from intimidation or even being fired from their jobs.

The organisation is not some extremist group, secret society or a cult, but a labour union for journalists, known as the National Union of Journalists Thailand.

"There are so many violations of labour laws in the media industry, but very few people pay attention to it. Especially in this tough economy, the silence is even more prevalent, because people are afraid of losing their jobs," Sumeth, who currently works at Thairath newspaper, said in an interview. "That's why we formed a central union for journalists but keep the membership confidential."

Although the rights to form or belong to unions are protected by Thai laws, including the constitution, the practice is virtually a taboo in the Thai media. Many media workers are discouraged from forming or joining a union by the management, who often view the movement as a rebellion to the companies, according to a dozen people interviewed for this story. Some journalists were also sacked in the past for their union activism, in spite of the ostensible legal protection.

The media industry's hostility to unions is even more stark when considering the ubiquity of labour unions in other professions, from manufacturing to banking. A survey by HaRDstories found that out of the scores of news agencies in Thailand, only four of them are represented by a union or its equivalent.

One of those few exceptions is The Nation, whose union is headed by journalist Niphawan Kaewrakmuk.

"I'd say that 90 percent of Thai media don't have a union," she said. "And since they don't have their own union, they can't always rely on their organisations to look out for their interest."

The near-nonexistent culture of collective bargaining has led to routine abuse of labour rights in the industry that supposedly serves as a key champion of human rights, media professionals interviewed for this story say.

Field reporters and photographers were routinely sent to potentially dangerous assignments, like street protests, without protective gear, forcing many to pay out of their own pockets. Paid holidays are rare, and overtime or hazard pay even rarer. Many news teams are also under constant pressure

from their executives to churn out content and meet traffic goals, at the cost of quality journalism.

“We journalists like to fight for the rights of other people, yet we neglect to fight for our own rights,” Sumeth summed up the situation.

A Secret Taboo

Organising a union is relatively a simple affair, at least on paper. As few as ten people can form a labour union by filing a registration with the Ministry of Labor. Once the paperwork is completed, they'll be entitled to the rights to negotiate and bargain with the employers on behalf of the union members.

But in practice, executives can easily scuttle attempts to unionise, said Narong Petprasert, the dean of economics at Rangsit University, who studies the history of the labour movement.

“If just one of those ten leaders is fired first, then the union can't be formed,” Narong said. “That's why some employers who caught wind of a plan to organise a union would bribe the registration staff at the Ministry of Labor to get the names of the union leaders, and then fire those people. That's why being part of a union in Thailand comes with a risk.”

There's also resistance against the act of joining a union, let alone forming one, said Sadej Bunnag, who currently works as an editor at Thai Public Broadcasting Service, or ThaiPBS.

Supervisors dissuade members of the newsrooms from participating in a union or outright ban them from doing so in private conversations. The result is a climate of fear in which journalists are afraid of finding themselves as pariahs in their own offices. They even risk losing their jobs, if they defy the informal ban, according to Sadej and others interviewed for this story.

“They get away with it because they don't directly ban the unions,” Sadej said. “When they ban their staff [from unionising], they don't say it directly, because that'd be illegal.”

Sadej spoke from direct experience. He's a former journalist at The Nation, where he and Niphawan worked together to found a union after previous bids had ended in the leaders being forced to leave, presumably because the management learned of their plans.

“I've seen so many cases of people trying to form a union meeting their demise,” Niphawan said. “I've seen people taking up a microphone and talking to us junior employees about what unions and what we should demand. Then, one day, they just disappeared from the company. We figured that they were pressured into quitting their jobs.”

Sadej and Niphawan said they only succeeded by resorting to utter secrecy; their bosses were informed only after a union was already formed and legally registered with the authorities. Although some supervisors objected upon finding out, the union reps stood their ground, the pair recalled.

Once the union was established, they were there to stay. Newer executives at The Nation also came to accept the union as a necessary mediator that benefits both the company and the workers, Niphawan said.

“The employees never abandoned the attempt. We didn't give up. Even after some people had left, others were willing to take up the cause,” she said. “We stuck together and succeeded.”

Fear and Disinterest

Sadej recognised that the success story at The Nation may play out differently at other companies. To get around similar opposition at other news agencies, Sadej and several other reporters also founded an entity known in Thai labour law as an industry union – a union for journalists with a mandate to represent all of its members regardless of where they work.

And thus the NUJT was born in 2010. The group is currently run by Sumeth, the Thairath reporter, who attributed part of its origin to the military crackdown on anti-government protesters in that same year, which left at least 90 people dead, including two foreign journalists. A number of Thai news workers were also wounded.

Sumeth and his colleagues weren't only incensed by the use of force against the media, but also by the failure of news organisations to adequately equip and compensate their frontline workers.

"So we thought, what could we do for media workers in the field so they could get better protection, instead of leaving them to their fate?" Sumeth recalled the conversation at the time.

The NUJT is authorised by the labour law to negotiate on behalf of its members – as long as the members represent at least 20 percent of the workforce in that particular company – whether in putting forth demands for better pay and welfare, settling work-related disputes or challenging layoff orders.

Journalists who join the NUJT remain anonymous, to protect them against any repercussions or pressure, Sumeth said. The organisation also offers advice to media workers facing unfair treatment in the workplace or those who want to form their own in-house unions.

"We're like a hub for unions. If any newsroom doesn't have a union but wants one, we'll help them out," he said. "But it depends on whether they're ready to start a union. Mostly, they are not."

But Sumeth acknowledged that the NUJT also comes with many caveats that severely limit what they can do.

For instance, if a labour dispute does arise and the NUJT is requested to step in to mediate, the concerned members are required by the labour law to identify themselves in the petition or complaint, exposing them to potential blowback from their bosses. Committee members – those who run the NUJT – must also name themselves publicly once they take up the position.

Sadej, the former chairman of NUJT, said he ran into recruitment issues since the union was founded. He recalled an incident when NUJT reps handed out flyers and membership forms to reporters covering Government House, only to be met with a collective shrug.

"Some newspapers told us frankly that they consent to their employees joining us as members, but they won't let anyone sit on the executive committee," Sadej said. "Many people are even too fearful to join us as members, because they're afraid that their companies will find out somehow, and they'll be targeted."

Their concern is not unfounded. One reporter at a TV station told HaRDstories that someone was blocked from joining the news agency after its human resource department learned about the applicant's previous involvement with the NUJT.

Given the limitations, Sumeth said very few journalists and photographers are encouraged by their

employers to join the NUJT; he counts fewer than 50 members nationwide, and the organisation has yet to meet the 20 percent threshold at any news agency.

But fear is not the only factor. Sumeth also attributed the lack of participation to the climate of disinterest and unenthusiasm among journalists. Many simply accept their poor working conditions as necessary, or don't see labour unions as a solution. Others also associated unions with blue collar jobs like factory workers – a perception Sumeth deemed to be false.

“Even people working in banking sectors have unions, so why can't we?” he said.

A Cold War Mentality

Whatever the reason, it is incontrovertible that unions are extremely rare in the Thai media landscape, despite its diversity in political leanings, content, and platforms. Only two private media companies – The Nation and Bangkok Post – have their own unions. So does MCOT, a state-owned enterprise. ThaiPBS does not officially have a union, but its 'labour federation' functions as such.

For the rest of the media community, union remains elusive. That includes some of the largest publishers like the Matichon Group, Daily News, Manager, or Thairath – where Sumeth works.

“No, we don't have it. The pressure is too much,” one reporter replied to HaRDstories' inquiry about the presence of a union at her workplace. “If any of us is a member, we'll be closely watched, and we won't have a pleasant experience at work.”

With the exception of MCOT and ThaiPBS, none of the news channels in operation have a union, said News Broadcasting Council of Thailand president Supan Rakchuea. His assertion is confirmed by journalists at major TV newsrooms reached privately by HaRDstories.

Online news agencies like The Matter and The Standard fare somewhat better; journalists working there said their workplaces have a feedback mechanism where employees can anonymously inform the management about what they don't like, and what should be improved. But it's still not a union in any real sense, a fact lamented by Niphawan.

“I think the new generation media is even more suitable for a union than older media, because they are often small in size, and the staff are close to each other. They already communicate with each other,” she said. “So it's not that difficult to organise themselves into unions. It's not that big of an obstacle, and the benefits are many.”

The media's aversion is ironic because of its prominent place in the history of Thailand's labour movement, said Narong, the economist at Rangsit University. He pointed to a milestone moment in 1932, when a newspaper editor named Thawat Ritthidej helped tram workers in Bangkok form a trade association.

“The first labour union in Thailand was actually founded by a journalist,” Narong said.

The scholar also argued that suspicion toward unions in the media industry – and the society in general – is a leftover mentality from the Cold War, when Thai authorities, encouraged by their American allies, branded unions as selfish, disruptive workers or Communist agitators in disguise.

“Labour unions have a long history in our country, yet they aren't successful because they've been sabotaged again and again. Our society has very little understanding of what a union is. The word union has been stigmatised since the Cold War,” Narong said, adding, “People don't realise that

strong labour union culture is the feature of democratic societies, like the UK and Germany.”

Niphawan agreed that a change in attitude is long overdue.

“We are not troublemakers. We are the middlemen who uphold the interest of both the company and the employees. If the company can’t survive, then its workers won’t either ... I always told the executives that I’m not out to run their business into the ground,” she said. “Having a union is not a scary thing.”

Teeranai Charuvastra

P.S.

- Asian Labour Review. April 27, 2023 10:33 am:

- <https://labourreview.org/breaking-the-taboo/>

HaRDstories. 8 February 2023:

- <https://hardstories.org/stories/labour-rights/thai-journalists-push-labour-unions>

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- Photos by Matichai Teawna are not reproduced here.

- HaRDstories, an independent, nonprofit storytelling platform dedicated to highlighting the complex struggles of women/human rights defenders and community groups in Thailand and beyond.