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Transnational Networks, International Organizations and Political Participation in Cambodia: Human Rights, Labour Rights and Common Rights

CAROLINE HUGHES

Much international attention has been focused upon the promotion of a civil society in Cambodia, able to demand transparency and accountability from the Cambodian government. This article argues that international agencies, although apparently supportive of civil society, have in fact undermined the representation of collective interests in Cambodia through insistence on highly regulated and atomizing modes of participation, aimed at demobilizing and depoliticizing contentious groups in Cambodian society, and routing contentious politics through internationally sanctioned sites of participation. This trend in international engagement is traced across three issue areas – human rights, labour rights, and common rights in the forestry sector. In each case, it is argued, international agencies promoting neo-liberal agendas have taken the lead, at the expense of potentially radical transnational networks. The international backing awarded to local organizations has been highly conditional, and these organizations have consequently found it difficult to find political space to develop as autonomous actors. Because of this, an increasingly authoritarian state has been able to isolate and repress radical individual leaders. The result has been a dramatic shrinking of space for public participation in politics over the past ten years.

Key words: Cambodia; labour rights; human rights; environmental politics; political participation; authoritarian

Introduction

Modes of political participation in contemporary Cambodia are explicable only with reference to the entanglement of national and international political processes, structures and, consequently, arenas for contention since the 1990s. The transformation of Cambodian politics from 1989 to 1999 not only saw changes in the nature of domestic sites for participation and contention, but also penetration of these sites by international actors, with implications for the modes of participation able to be enacted within them. Over the same period, access to international arenas became available to a new range of Cambodian political actors, permitting local struggles to be projected onto an international stage in unprecedented ways. For local actors, responding to these changes has been a key challenge of ‘transition’, and distributions of power in

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Cambodian politics today reflect in part the various speeds with which different actors recognized new opportunities and mobilized resources to capitalize upon them.

Analysis of these transformations of the repertoire of contention in Cambodia has been largely framed by the concept of 'democratic transition'. Early public relations surrounding the United Nations intervention in Cambodia from 1991 to 1993 portrayed this intervention as an exercise not merely in peacekeeping but in peacebuilding via international democracy promotion. Subsequent consolidation of power in the hands of the party that dominated politics from 1979 to 1991, and the continued exhibition of 'authoritarian tendencies' by that party led to the placing of Cambodia firmly in the category of hybrid democracy, with terms such as 'electoral authoritarianism' invented to apply.¹

Such analyses have taken insufficient account of ongoing effects of international intervention in structuring opportunities for contention and relations of accountability within the heavily internationalized polity. In an aid-dependent context, where political actors have long been in the habit of forging alliances with external actors, repertoires of contention between society and state are heavily affected by various forms of technical, moral, and material international support, and the sites and modes of participation these imply.

This study examines the impact of international actors in structuring modes of participation in the context of three political movements in Cambodia – the human-rights movement, the labour movement, and the common rights movement in the forestry sector. The article makes three related claims. First, it argues that within the 'international community' of actors intervening in various ways in Cambodian politics, it is international organizations promoting neo-liberal approaches to governance, rather than any potentially radical transnational 'civil society' networks, that have determined the new sites and modes of political participation in post-United Nations Transitional Authority (UNTAC) Cambodia. Second, it argues that in doing so they have channelled participation into atomizing and problem-solving, rather than *representative* modes of participation in the sense understood by the special collection of which this article is a part. Third, this approach has assisted, rather than limited, the ascendant faction within the ruling Cambodian People's Party (CPP) in consolidating power through a strategy of neo-patrimonialism. Internationally sanctioned modes of participation have been inadequate to prevent or address the emergence of rampant corruption and the widening of income inequalities in post-conflict Cambodia.

The 'International Community' in Cambodia

Since the arrival of UNTAC in 1992, the donors, international organizations and international non-governmental organizations (INGOs) collectively known as the *sammakum qanteraciet* (international community) have had a major impact upon Cambodian politics. Flows of funding from international agencies empower different sectors within society and the state, while international promulgation of the norms and procedures of 'democratic governance' inserts new terms into political discourse. International pressure can be credited for the emergence of several weak but

nevertheless plural political spaces such as multi-party elections, contested election campaigns, a multi-party national legislature, and elected multi-party local government councils; and also a threatened but pluralist public sphere within which an emergent civil society can tentatively organize.

International action has also influenced modes of participation enacted within these political sites. Varying degrees of international scrutiny and pressure have preserved a varying degree of security for individuals and groups wishing to engage in contentious politics, while international funding and training have significantly influenced the modes of participation that local actors perceive as possible or desirable. However, the central tenet of this article is that consistently, since 1991, the focus of international actors has been upon eliciting forms of political participation that are atomizing and heavily policed, rather than spontaneous and mass-based, and that the promotion of stability rather than empowered representation of the collective interests of the poor, has been the overriding concern.

This focus emerges from neo-liberal approaches favoured by dominant actors in the international system, such as the World Bank and International Monetary Fund (IMF). These actors espouse an agenda of poverty reduction and economic progress, tied *a priori* to a model that regards economic growth as the key to development, and privatization and liberalization as the *sine qua non* of economic growth. This formulation relies upon a standard liberal account of the rational, profit-pursuing individual in a society comprised of similar individuals. In this model, a minimalist state guarantees stability for capital, by monopolizing the means to commit violence, stabilizing the macro-economy, and enforcing contracts. Such an approach downplays the utility of collective acts of contention by subordinate groups against dominant interests in pursuit of redistributive agendas.

The status of international non-governmental organizations, in terms of their relationship to local contentious politics, is more ambiguous. In formulations of liberal internationalism, revived at the end of the Cold War, such organizations – and the partnerships they established with local activist groups – were regarded as a key representative link between the local and the global, breathing a liberating spirit into an international sphere hitherto the jealously guarded preserve of states. Actors within ‘global civil society’ have consequently been theorized as existing in tension with either networks of globalizing capital or alliances of states. Thus Sidney Tarrow characterizes transnational linking between various types of INGO and social movement as ‘globalization from below’. This is a Polanyian (after the economic historian Karl Polanyi) countermovement to ‘globalization from above’, where that is regarded as the proliferation of transnational flows of material resources, ideas, and people in the interests of capital in an increasingly integrated global economy. Transnational activism is portrayed as seeking to tame globalizing capital and to prompt states to invent new forms of social safety nets to protect the poor.²

Mary Kaldor, by contrast, sees ‘global civil society’ in contradistinction from the state or state-based international agencies. Global civil society, she argues, addresses the democratic deficit left by ‘the weakening of classical democracy in an era of globalization’,³ creating a civic milieu within which multilateral agencies can be lobbied,

challenged, and, ultimately, co-opted in the service of a global society of peoples. Thus she conceptualizes non-state transnational actors as 'the mechanism through which individuals negotiate and renegotiate social contracts or political bargains at a global level'.⁴ Similarly, Keck and Sikkink's 'boomerang effect' sees transnational alliances between peoples' movements as potentially coopting international actors in promoting the democratization of recalcitrant states.⁵ All these accounts concur in regarding transnational activism as infusing a traditionally Machiavellian or ruthlessly capitalist international sphere with what Kaldor describes as 'normative content'.

These claims are challenged by, among others, Mark Duffield who regards INGOs as the handmaidens of multilateral institutions, hollowing out the role of the state and occluding a social justice, as opposed to welfare-ist, agenda. Rather than civic activism, these networks promote global governance, empowering the industrialized North at the expense of the South. For Duffield, global governance represents a 'strategic complex', within which 'innovative networks' promote cooperation and interconnection between state and non-state actors – NGOs, private companies, militaries, and governments. Increased coordination between agencies, Duffield contends, reflects an emerging consensus around a notion of liberal peace, which incorporates the promotion by force of globalized market democracy at the expense of genuinely redistributive agendas.⁶

The analysis presented below suggests that, in the Cambodian case, the potential for INGOs or transnational civil society networks to urge a redistributive agenda has been limited. Radical action has been subordinated to a cautious, atomizing, problem-solving approach to reform, promoted by international organizations. This has achieved little in the way of promoting the empowered representation of collective interests: indeed, it has permitted a rapid retreat, since 2001, from the high point of collective contention in Cambodia in the late 1990s. There has been clear reluctance to encourage mobilization of the Cambodian people, except in heavily policed contexts such as elections – a reluctance emerging less from objective appraisals of state – society relations and the prospects for political stability than from much-repeated claims that Cambodians are 'traumatized' and 'brutalized' from years of warfare, making empowered contentious action extremely risky.⁷

In the case studies examined below, which address contention over policy areas at the heart of the political economy of the post-war Cambodian order, modes of participation promoted by international organizations and INGOs in Cambodia have had an atomizing and demobilizing impact. This, it is argued, has had a major influence on the nature of politics as it has emerged in post-conflict Cambodia, exacerbating inequalities of power between the recalcitrant Cambodian state on the one hand and, on the other, the ostensible beneficiaries of international action, the long-suffering Cambodian poor, estimated to be 36 per cent of the country's total population of 14 million.⁸

The Cambodian State Since 1989

Internationally promoted changes in the nature of participation in Cambodian politics occurred alongside the transformation of the Cambodian state since 1989. In 1989,

the State of Cambodia (SoC), which controlled 80 per cent of Cambodian territory and 90 per cent of the population, was in disarray. Policed by Vietnamese advisors, protected by the Vietnamese army, and staffed by a mixture of former Khmer Rouge and the few educated survivors of their regime, the state built in the 1980s restored a rudimentary level of services and production after the chaos of Pol Pot's rule (1976–1979), but was heavily dependent upon external assistance from the communist bloc, isolated from the capitalist world, and bogged down in a military stalemate against the border resistance. Key policies of conscription, collectivisation, and state rice procurement failed repeatedly to mobilize the population in defence of the state or in the cause of its socialist ideology, and the centre had limited control over provincial affairs.

Changes in international alignments in the late 1980s prompted the withdrawal of Vietnamese troops from Cambodia in 1989 and the rapid decline in Soviet bloc aid as the Cold War wound down, throwing the SoC into a crisis. Negotiation of an end to the war was crucial to permitting normalization of trade and aid relations with the Western world, and a new flow of international funding for the regime. However, maintaining power in this context entailed formulating a winning strategy to cope with internationally mandated elections and democratization initiatives, in which former adversaries would take part.

To deal with this situation the SoC and its political organ, the Cambodian People's Party (CPP), adopted a successful three-pronged strategy, which would assure the CPP's ascendancy in post-war Cambodia, despite the replacement of the SoC itself by a new pluralist constitutional regime from 1993. In 1989, the SoC launched a rapid liberalization of the economy, privatizing land, natural resources and state enterprises and deregulating markets. This process operated to the advantage of regime insiders, who snapped up the most valuable assets and concentrated landholdings and wealth in their own hands. In the process, elaborate networks of patronage and corruption were generated which tied insiders more tightly to the regime than socialist ideology had ever managed to do. It also placed huge political 'slush funds' at the disposal of the CPP. These were used to fund highly politicized and heavily publicized school, road, and hospital-building programmes, whose outputs were invariably named after CPP leader Hun Sen. The same funds also paid for vast 'gift-giving' exercises in the lead-up to elections. By these means the profile of the party as an 'economic party' dedicated to helping the rural poor was raised.

Third, and crucial to the success of the other two strategies, was the continued willingness of the CPP and its allies in the police and military to use violence against opponents. The nature of this violence has varied, from selective assassinations of activists and the sponsorship of street thugs to public police brutality, spectacular grenade attacks, and a full-scale military battle in Phnom Penh in 1997. The *modus operandi* of state institutions, political parties, and other indigenous actors in Cambodia, and responses to their initiatives by the public at large, cannot be understood without reference to the ease with which the CPP has been able to mobilize an almost palpable sense of menace in support of its strategies over the past 15 years. It is in this context that initiatives by local and international actors to promote democratization through the opening up of new modes and sites of participation in Cambodian

politics should be analyzed. The remainder of this article focuses on three areas in which such initiatives have taken place – the human-rights movement, the labour movement, and the common rights movement in relation to forestry.

Human Rights

The Cambodian human-rights movement emerged in the early 1990s under the auspices of the United Nations peacekeeping operation, which specified the creation and support of indigenous human-rights organizations as part of its mandate. As such the movement was formed largely in response to international encouragement and sponsorship. The movement took the form of human-rights NGOs, some of which began their lives working out of offices inside the UNTAC compound, led by charismatic figures drawn either from wealthy returnees of the Cambodian diaspora or dissenters among the tiny Phnom Penh elite that developed in the 1980s. The formal agenda of the human-rights movement in its earliest years conformed closely to UNTAC's mandate and comprised a three-fold mission – the monitoring of human-rights abuses, advocacy with the Cambodian government on human-rights issues, and training the population in human-rights concepts. Achieving these goals required the formation of a 'network' of informants in the districts and subdistricts, and the establishment of ambitious training roadshows, which introduced the Universal Declaration of Human Rights to thousands of villagers in rolling programmes of concentrated two-day sessions, conducted across the country.

As such, the movement offered rather a limited repertoire of modes of participation and this was explained with reference to perceived limits to Cambodian state tolerance. Public advocacy, in the form of protests or demonstrations, were (and still are) regarded with hesitancy by these organizations, which feared acquiring a reputation as being 'political' or 'opponents' of the government. Training, on the other hand, required energy, organization and funding, but entailed little risk. The importance of training was conceptualized by human-rights NGOs as a long-term strategy, by which adherence to human-rights norms would gradually seep into the Cambodian polity, rendering habits of violence, abuse of power, and protectionism increasingly unacceptable to the very individuals who practiced these violations. Confrontations over episodes of abuse in the short term were avoided, in favour of continued behind-the-scenes efforts to alter Cambodian political culture through low-key but widespread dissemination tactics.

In this case, as in the other cases discussed below, fear of coercion by the Cambodian government went hand in hand with reluctance, on the part of both international actors and local human-rights activists, to mobilize ordinary Cambodians for fear of what might result. Fear of the state offered a convenient justification for promoting individualized and compartmentalized forms of participation via a technocratic, rights-based, and training-focused approach to social and political grievance, which entailed that the latter was much more easily controlled. Arguably, the human-rights movement's emphasis on training reflected an implicit consensus of opinion between international donors, state officials, and human-rights leaders themselves – a consensus which regarded the greatest potential threat as emerging not

primarily from the abusive military or the overbearing state apparatus but from the volatile rural poor.

Although state officials were highly antagonistic towards human-rights organizations, and human-rights organizations were critical of the state, in fact elite returnees populating the 1990s human-rights movement and the officials who had built the 1980s state apparatus shared a common formative experience of flight from the ravages of Pol Pot's revolutionary mobilization of the poor. In the 1990s, arguably, the main difference in perspective between the two groups was over how exactly the poor were to be kept in check and the potential for violence in an unstable post-conflict setting dissipated. For state officials, the abuses of the neo-patrimonial state were regarded as a necessary evil. The networks of corruption that held the state together were at least effective in 'controlling the country' and thus in staving off the much-feared and often-threatened scare of the 'return of the Khmer Rouge'.

The generally conservative human-rights movement concurred with the view that descent into chaos was a real possibility if the poor were imbued with 'rights without responsibilities'. However, whereas state officials saw the use of coercion and patronage as pragmatic means to maintain stability and order, the human-rights movement sought a renewed moral compass by which to steer the Khmer nation. Thus human-rights training focused less on asserting rights and demanding recompense than on issues of community conflict management. Human-rights trainers emphasized the tempering of rights with responsibility, in the interests of social harmony promoting tolerance of one's neighbours, respect for one's elders, and the importance of avoiding strong drink.⁹

In promoting this idiosyncratic view of human rights, the human-rights movement was also in accord with Cambodia's foreign donors. While international intervention sought to promote democracy and good governance, the empowerment of the poor was conceptualized as emerging through highly regulated and individualized, rather than collective, engagement with institutions. This reflected the concern, among international intervenors, to use human-rights promotion not only to restrain the state but also to reform a society presumed to be brutalized and traumatized from warfare. UNTAC's Human Rights Component, for example, stated that Cambodia, on UNTAC's arrival, was one of those nations in which '[v]acuum in political authority, the immediacy of humanitarian needs, and the absence of viable local partners would compel the United Nations . . . to undertake an even more intrusive and far-reaching role'.¹⁰ It observed that human-rights work entailed promotion of 'a psychological and attitudinal change in officials and the population at large through investigations, training and education'.¹¹

This view of human-rights promotion as a form of internationally led social engineering required not only reform of the state but also the re-education and reorganization of a psychologically damaged population and the administrative incorporation of political contention into channels policed by the UN and its 'children',¹² – the internationally funded and trained human-rights NGOs. This view fitted with the human-rights movement's promotion of a culturally specific form of human rights, emphasizing moral behaviour in society rather than offering any radical critique of the political order. For donors and international human-rights workers, funding and

supporting a human-rights promotion programme that envisaged an essentially passive role for the poor as the recipients of human-rights lectures from middle-class rights workers was a comfortable option.

In particular, this approach allowed a division of responsibility between human-rights organizations and international organizations, permitting the latter to remain in the driving seat regarding prescriptions for the appropriate nature and pace of envisaged institutional reforms. While local NGOs were encouraged to offer inputs on issues of judicial reform, electoral organization, and institution building, this was and remains an area in which government and donors are the primary interlocutors. Opposition political parties have occasionally mobilized the poor in mass protests on issues of corruption or electoral fraud, but local NGOs have been encouraged to work through written submissions to technical working groups established by donors and government officials. Equally, on the question of raising incidents of human-rights abuse with the government, the United Nations' Cambodia Office of the High Commission for Human Rights has taken a leading role, particularly regarding killings in times of high political tension. This allows the initiative for monitoring the human-rights abuses engendered by political struggles to remain in international hands.

As a result, Cambodian participation in human-rights struggles remains largely restricted to a limited role for the educated middle class, operating in a subordinate relationship with international organizations. Human-rights workers have, with much difficulty, established some lines of communication with government and they do use these to represent victims of human-rights abuse. They network extensively internationally, delivering reports and statements regularly to donors and attending international human-rights forums. Yet, they have generally not sought the active participation of ordinary villagers in public campaigns, preferring small-scale 'symbolic' protests enacted largely for an international audience, and a 'professional' approach that privileges them in the eyes of their international partners but isolates them at home. As a result, the human-rights organizations in the mid-2000s appear rather marginal to Cambodian political life – acting as information providers and victim support services, rather than political players in their own right. They have been unable to mobilize a significant response to successive waves of repression targeted at journalists, trade unionists, and the political opposition, let alone tackle the skyrocketing corruption of the Cambodian state, nor the widening gap between rich and poor.

Labour Rights

The origins of the human-rights movement in Cambodia contrast with those of the labour-rights movement. The labour movement emerged from a surge of activism by workers within Phnom Penh's newly established garment industry in the mid-1990s. The opportunity for militancy in the garment industry arose both from the political environment of the 1990s and the social and political characteristics of garment factory workers themselves. The reorganization of state power from 1989 permitted the exercise of surveillance and control over large sections of the population, either

through inclusion in patronage or through close surveillance and the mobilization of a significant and effective degree of menace. This was successful in preventing outbreaks of dissent in rural Cambodia, at a time when the regime was struggling to find a new basis for legitimacy, in the face of ongoing insurgency and collapse of longstanding ideological orientations, and in which all the signs pointed to political restiveness amongst the population.

In the cities, the story was different. Although certain sections of the population – particularly public servants – could be tied into the CPP's political networks in a similar fashion, keeping tabs on individuals who were not dependent upon the state apparatus for employment and perquisites was more difficult. International pressure upon the government to pass a liberal constitution entailed that in theory public space was available in which protest could take place. The very limited growth of the formal private sector, however, entailed few mass constituencies for large-scale protest.

Garment workers comprised one such constituency. The workers were overwhelmingly single young women, living away from home and earning wages which, although miserable, have formed the basis of an independent lifestyle unusual for a single person in Cambodia and frowned upon by conservative urbanites. Socially and politically marginalized, these workers by and large viewed their sojourn in the factories as a temporary measure, before returning to the village to marry and work the land.

As such, garment workers were relatively free of either political scrutiny or the obligations of the patronage system. Like market traders – another politically contentious group in the mid-1990s – garment workers represented one of a few groups who had the opportunity to respond both to a climate of greater political openness in the cities and to a widespread feeling that the regime was struggling to legitimize itself. Garment workers also faced a set of circumstances in which grievances could easily be articulated in ways that conformed to the prevailing political rhetoric. The prevalence in garment factories of non-Khmer speaking Chinese managers prompted a nationalist streak to the workers' movement that resonated with wider currents in Cambodian politics. In making claims for an end to humiliating or oppressive treatment, the workers frequently couched their demands in the language of national pride and the rights of Khmers to be treated respectfully in their own land.

Thus, the spark for demonstrations and strikes in the late 1990s was frequently not issues of pay, but of treatment by managers. Interviews with workers in 2000 and 2001 suggested that the immediate causes of most demonstrations and walk-outs were to do with violence or threats of violence against individuals, forced overtime, or, most commonly, racist slurs uttered by foreign managers. The transformation of such spontaneous and locally orchestrated walkouts and protests at individual factories into an industry-wide trade union structure, which achieved a significant increase in minimum wages, was attained through the input of three sets of actors: the opposition Sam Rainsy Party (SRP); INGOs, such as foreign trade union federations that offered support to Cambodian unions and consumer organizations focused upon sweatshop labour such as the Sweatshop Watch and the Clean Clothes Campaign; and the International Labour Organisation (ILO). However, of these actors,

only the first promised to transform inchoate and militant grassroots contention into an organized collective movement calling for redistribution of wealth and power. International actors, by contrast, pursued two strategies vis-à-vis labour activism – first, they sought to de-link union issues from party politics; and second, they sought to replace public collective action with demobilizing and regimenting forms of participation by isolated representatives of the movement in negotiations with powerful political actors behind closed doors.

The opposition SRP was first to take advantage of the wave of protest in 1996. Seeking an urban support base, the party's leader, Sam Rainsy, began to visit picket lines and provide support to striking workers. The party was instrumental in building a permanent union organization – the Free Trade Union of Workers of the Kingdom of Cambodia (FTUWKC), launched in December 1996 – out of the sporadic protests. Until 2000, relations between the SRP and the FTUWKC were close: workers were regularly mobilized for SRP demonstrations and the SRP provided logistical backing for the union's organization. In return for the opportunity to build electoral support, the SRP injected a representational and redistributive agenda into its policies on labour and industry. It is significant that FTUWKC leaders, rather than feeling indebted to the SRP, saw the SRP's sympathetic policy stance as crucial to retaining FTUWKC support for the party. Chea Vichea, a former SRP activist who was elected leader of the union in 1999, made clear the contingent basis of the FTUWKC–SRP relationship in an interview in 2000:

Sam Rainsy made a promise to the workers ... he said, if he becomes prime minister he will increase the minimum wage ... I think he spoke the truth. But if he becomes prime minister and doesn't increase the minimum wage, then we will strike again.¹³

Nevertheless, international officials were concerned by the close relationship between the FTUWKC and the SRP, and continually asked the union to loosen its connection with the party, arguing that the FTUWKC was attempting to serve two masters in accepting the party's assistance.

Meanwhile, the CPP and individual employers began to sponsor their own unions in response. The Cambodian Trade Union Federation (CTUF), sponsored by the CPP, was one such organization: it eschewed militancy in favour of offering workers the opportunity to raise grievances informally and, its officials argued, with greater safety and more chance of success, through the sanctioned channels of the CPP's patronage system.

Increasing interest from international organizations problematized the relationship between Cambodian trade unions and political parties and altered the dynamics of the trade union movement, in a manner that favoured an individualizing and problem-solving orientation rather similar to the CPP's patrimonial approach. In 2001, the ILO launched its Garment Sector Project, now renamed 'Better Factories Cambodia', which made two innovations: first, a standing negotiating structure to incorporate trade union representatives and employers; and second, an international inspection regime to monitor compliance by both garment factories and trade unions with the Cambodian Labour Law. The first of these innovations replaced

public collective action as the primary mode of participation for labour militants, with the isolation of these militants in individualizing and disempowering administrative structures. The second replaced the political framing of grievances with a technocratic 'benchmarking' approach in which local power relations were framed out, in favour of international administrative standards.

The impact of this project was threefold. A strong focus on professionalizing trade unionists, discouraging politicians from supporting workers' militancy, and creating an official structure for negotiations had a delegitimizing effect on spontaneous mobilizations of workers on the ground. Grievances that had previously been swiftly transformed into public protests were now fed upwards through an increasingly professional and self-consciously technical, rather than political, trade union structure. The nature of this structure made it increasingly difficult for ordinary workers to follow their complaints – from the shop floor to the factory-level union, complaints proceeded to industry-wide union federations, whose leaders met with leaders of the Cambodia Garment Manufacturers Association and ministry representatives under ILO auspices at a negotiation committee. Interviews with workers in 2000 and 2001 suggested most were unaware of any feature of the trade union structure beyond the identity of their own shop steward. Shop stewards were likewise only familiar with the layer immediately above them. Transposing grievances away from the shop floor into high-level negotiations defused militancy on the ground and reconfigured the trade union movement to resemble the kinds of hierarchical structures familiar in the human-rights movement. Workers were encouraged to wait passively for professional negotiators to resolve their grievances in a removed site of participation, to which workers themselves had no access.

Furthermore, the mode of representation operated to weaken the most militant unions vis-à-vis government and employer-sponsored rivals. In the militant environment of street protest in the late 1990s and 2000, unions that could mobilize the greatest numbers of workers to demonstrate and strike were recognized as the most powerful. In the de-politicized environment of the post-ILO phase of trade unionism, any union that could maintain an organizational structure was rewarded with a single seat on the negotiating committee. This greatly increased the leverage of CPP- and employer-supported patronage-based unions, while putting militant, opposition-affiliated unions into a numerical minority and limiting their ability to compete for membership with the patronage-based unions offering benefits to members. The result was a shift in the overall focus of labour activism, away from a collective and redistributive agenda focused on raising wages: indeed, in contrast to the period of militancy between 1996 and 2001 when large wage rises were achieved, a recent study shows that real wages in the garment sector are now declining – by 8 per cent in 2005 alone, a year in which the volume of garment exports increased by 20 per cent. Short-term contracts and piece rates are becoming increasingly common in the sector.¹⁴ The power of this unequal negotiating committee will be enhanced from 2009, when it will take over control of the monitoring project from the ILO.

Third, ILO factory monitoring pre-empted the formation of transnational alliances between trade union federations in Cambodia, global networks campaigning over

issues of labour rights or sweatshop labour, and brands promoting themselves via ethical sourcing policies. The factory-monitoring project issues reports that purport to give a clear and non-partisan picture of conditions in Cambodian factories on the basis of standards set out in international and Cambodian law. In its synthesis reports on working conditions in the garment sector, the Better Factories campaign sets out to present itself as the authoritative source of information on Cambodian factories, beginning the text with assertions of its superior 'world-first', 'totally computerized', and 'user-friendly' data collection and management systems, which, it claims, 'enable the generation of reports tailored to user needs, and provide enhanced security, easy access to information, and greater transparency'.¹⁵ As such, it aims explicitly to rationalize the flow of information from Cambodia to the outside world and to standardize the demands made by external buyers on Cambodian producers in terms of labour conditions.

In so doing, the ILO pre-empts attempts by garment workers in Cambodia to set out their own agenda of interest and grievance, based upon local inequalities of power, and attract support by transnational alliances for this. A variety of transnational campaign groups, including the Workers' Rights Consortium, the Clean Clothes Campaign, and Sweatshop Watch, which took a keen interest in Cambodia in the 1990s, cite the ILO's reports on their websites, alongside reports that concur with the view that this represents a model for transnational support for labour rights. Similarly, a number of brands seeking to improve their corporate image, including Gap, H&M, Nike, Reebok, and Disney, announced in 2005 that they would begin supporting the ILO's scheme financially from 2006.¹⁶

However, the format of the Better Factories Cambodia reports arguably distracts attention from issues of workers' empowerment rather than highlighting them. The reports begin with a summary of key points, which reflect the worst abuses of labour rights worldwide, such as child labour, forced labour, and sexual harassment at work – issues which are not particularly problematic in Cambodia. These issues are introduced on the first page of the report, while issues pertaining to empowerment and participation – the recognition of unions and discrimination against union activists – are buried in pages of detail on a variety of health and safety issues ranging from sanitation to machine guards. By organizing their report in this way, the ILO highlights a comparative framework that plays well internationally, but which fails to foreground the concerns of Cambodian labour activists themselves and reduces labour rights to lowest common denominator issues. This is profoundly disempowering in terms of generating transnational alliances in support of workers' struggles – indeed, Cambodian government ministers and ILO officials have publicly discussed the possibility of branding Cambodian garments as 'ethically produced', in order to achieve greater market share. This has been advocated as a potential model for other poor countries in various news releases and reports appearing on the websites of transnational campaigns such as Sweatshop Watch.¹⁷

Arguably, the adoption of this dual administrative and technocratic approach has served to delegitimize the original manifestation of the movement as a mode of participation that was spontaneous, public, and collective. Promoting administrative

solutions to grievance and a technocratic approach to monitoring, which has branded the Cambodian garment industry as 'ethical', discourages a view of militant workers as champions of the oppressed; rather, it frames them as an irresponsible drag on the flourishing Cambodian economy. This has allowed the state to use violent attacks against militant workers with increasing impunity in terms of its international image. Since 2002, press reports of violence against strikers on picket lines have been increasingly common, reflecting declining state tolerance in a polity in which police brutality against demonstrators is becoming more frequent and public space for criticism of government policies is closing down.

In 2004, two leaders of the FTUWKC, including its president, Chea Vichea, were assassinated in daylight in Phnom Penh streets. The murders attracted condemnation from trade unions around the world and prompted large local demonstrations on the occasion of Vichea's funeral. Significantly, the ILO's Garment Sector Monitoring Project – the most directly engaged and most internationally influential monitoring group involved in labour rights in Cambodia – issued a synthesis report on working conditions in the Cambodian garment sector just a month after Vichea's murder that failed to mention the assassination at all. This is despite the fact that Vichea's union claimed 40,000 members in the garment sector and had been largely responsible for mobilizing workers in support of raising minimum wages from a meagre US\$27 a month in 1996 to \$45 a month in 2000. Rather, the report concluded that 'there has been some improvement in ensuring freedom of association and protection against anti-union discrimination, though this remains a problem in a small number of factories'.¹⁸

Equally, in 2005, following the imprisonment of two trade unionists, along with journalists and an opposition MP, on charges of 'defamation' over criticisms made of government policy on the Cambodia–Vietnam border issue, a synthesis report released by the same campaign, now renamed Better Factories Cambodia, again discussed the possibility of 'branding' Cambodian garments as 'ethically produced' in order to maintain market share following the expiry of export quotas guaranteed under the Multi-Fibre Agreement:

Cambodia has set itself apart to some extent by continuously improving working conditions, and by facilitating access to reliable information regarding factory compliance with international and national labour standards.¹⁹

The recent imprisonment of trade unionists in Cambodia was not mentioned.

By focusing on outcomes in factories, rather than upon opportunities to represent collective interests in the context of a wider public space, the ILO project undercuts any agenda of collective representation of the poor that could have emerged within the garment sector and potentially spread into wider public life in Cambodia. As such it has operated to divorce the issues of pay and conditions from wider questions regarding power relations between workers, their employers, and the state. Although the inspection regime undoubtedly prevents some serious abuses, it does not offer workers themselves a political role in determining their own future, and as such has little wider impact on the broader trend of the last five years, which has seen a

dramatic constriction of public space in the face of increasing government intolerance and police brutality. As Chea Vichea commented in an interview before his death:

The ILO project is very good – it provides a model for Cambodia. But not all its ideas are good for Cambodia. The idea from the ILO is that it doesn't like the workers to strike. It likes them to negotiate. But in Cambodia, employers look down on the workers, they cannot negotiate with the workers. If they don't see the workers are strong they don't negotiate. If we are afraid, every day, they will pay us a small salary and use us very hard. If we start to fight, we will have better conditions. The workers support me because they understand that the employers and the government have a strong alliance – one has money and the other has power, so they cooperate to abuse the poor people. It is the same everywhere, those who have guns and those who have money abuse the poor. So we must break the alliance, by paying dues to the union and organising a strike.²⁰

This agenda has been steamrolled by the activities of the ILO, on the one hand, in restricting the idea of labour rights to a narrow set of practices within factory walls, and by the Cambodian government, on the other, which has savagely repressed any public show of strength by workers and has threatened, imprisoned, and murdered militant labour leaders. The workers' movement has thus been headed off from a wider confrontation with the corrupt and exploitative Cambodian state and from promotion of a more empowered interaction with employers from a position of militancy and strength in pursuit of a more radically redistributive agenda. International activist organizations and international brands have largely fallen into line with the ILO's line that Cambodia is a success story with respect to workers' rights.

Common Rights in the Forestry Sector

The movement emerging around the issue of common rights to forest products runs counter to the demobilizing and atomizing trends noted in the human-rights and labour-rights movements. In this sector, a more activist and radical stance on the part of certain INGOs promoted the emergence of more genuine collective representation of the poor. It is significant, however, that international organizations with vested interests in the sector permitted the repression of this movement by the Cambodian government and privately criticized the international activists who had been involved.

During the 1990s, Cambodia's forests were rapidly depleted as rival parties and armies used profits from the logging industry to fund illicit patronage activities designed to improve their political position in the post-war environment. Of ten million rural Cambodians, more than 8.5 million rely on natural resources, especially fish and forest products, to support their livelihood in a context of increasing landlessness and a continuing lack of off-farm employment.²¹ For these forest communities, the militarization of the forest economy was devastating. The award of chunks of forest to logging companies without regard for common rights; illegal logging outside these concessions by companies and the military; the use of military personnel

as security guards to exclude villagers from the forests; and occasional armed clashes between rival loggers rendered the forests a no-go area and an economic, environmental, and human-rights disaster zone. Local and provincial authorities, military commanders, ministry officials, and both prime ministers of the 1993–1997 coalition government were implicated in the trade.

Local protests in the mid-1990s by forestry communities took place and often prompted violent reprisals.²² A study in 2002 found that almost two-thirds of agricultural concessions had faced either protests or encroachments by local people into the concession. It found that conflicts were caused by denial of access by local people to forest resources and reported a climate of intimidation associated with the security operations of concessionaires.²³ Conflicts and protests at this stage were local in scale and rarely registered nationally or internationally. However, in the early 1990s, an activist INGO named Global Witness began to take an independent interest in logging in Cambodia as an environmental issue.

Global Witness initially attempted to enlist international organizations in its environmental agenda with little reference to communities on the ground. In 1999, a Global Witness representative commented:

Given that the political leaders in Cambodia were signing illegal deals, it was apparent that this pressure would not come from within, so Global Witness began what was to become an extremely successful lobby of the international donor community.²⁴

This resulted in pressure by the World Bank and IMF on the Cambodian government, as the issue of illegal logging was represented as a revenue collection problem, robbing the Cambodian Ministry of Economics and Finance of tens of millions of dollars that could be used to repay loans and reduce aid dependence. In November 1996, the IMF failed to renew Cambodia's Enhanced Structural Adjustment Facility in the light of continued unrestrained logging.²⁵

Following the end of the war in 1998, the new CPP-led government took a new tack on forestry. Under pressure from the World Bank and seeking international legitimacy, the new government set up a Forest Crimes Monitoring and Reporting Project, which included appointing an Independent Monitor with wide powers to monitor forest crimes and publish reports on the issue, and the establishment of a Forest Crimes Monitoring Unit within the Ministry of Agriculture, Forestry and Fisheries' Department of Forestry and Wildlife (DFW). Global Witness was appointed to the job of Independent Forest Monitor. The prime minister made positive speeches on the forestry issue and twelve concession contracts were cancelled because of illegal activities. A sub-decree was issued on concession management, which required concessionaires to draw up sustainable forest management plans and environmental impact assessments by November 2002.

From 1999 to 2001, Global Witness enjoyed a key position in international monitoring of Cambodian forestry, in a climate where the Cambodian government appeared to be embracing reform on the issue. However, relations between Global Witness and the Cambodian government, as well as between the INGO and international organizations, began to decline, as Global Witness linked its own concerns with those of

local activists whose livelihoods were affected by forest degradation. Global Witness established a network of local informants who could assist its work of monitoring the government's activity on forest crimes; in so doing, Global Witness shifted the focus of forest monitoring from a technical to a contentious political issue.

The Forest Network comprised a network of small grassroots NGOs based in forestry areas, which began a programme of patrolling and monitoring forest crime in an effort to stop illegal logging. Through bringing these small NGOs together in initially clandestine meetings and facilitating the formation of solidarity relationships, the Network was able to give villagers the resources to confront illegal loggers and resist pressure from loggers to accept meagre 'compensation' in return for illegal logging. These activities not only permitted more effective activism on the part of forest communities, but also brought these protests to light at a national level and linked them with an international audience that had expressed an interest in Cambodian forestry.²⁶

Contemporaneously, it became clear that government reforms were largely cosmetic. Rents from logging were crucial for funding patronage activities and the supposed 'crackdown' on logging in 1999 soon revealed itself as a consolidation of forestry interests in the hands of the prime minister's family. A crisis point was reached on 5 December 2002, when Forest Network delegates attending a workshop in Phnom Penh decided to march to the DFW to request information about forest monitoring; they gathered outside on the pavement but were refused access. Four truckloads of police arrived and began beating the crowd with electric batons – several people were injured and one reportedly died during the incident.²⁷

Following 5 December, the Forest Network came under increasing pressure, along with Global Witness, which was sacked as the Independent Monitor in early 2003. Eva Galabru, Global Witness director in Cambodia, received death threats, was attacked and beaten, threatened with charges of incitement and defamation and with expulsion from Cambodia, and forced into hiding. A new official Independent Forest Monitor was appointed – a Swiss company, SGS, operating under a narrower mandate. Global Witness has criticized SGS for being 'toothless';²⁸ meanwhile, Global Witness activists have been denied visas to enter Cambodia. Harassment of grassroots forestry activists has continued, alongside illegal logging, and reports of violence between activists and loggers have increased.²⁹

The sacking of Global Witness represented the collapse of a potentially radical transnational 'boomerang' emerging around the issue of deforestation in Cambodia. Significantly, Global Witness's ejection from the sector appears to have been greeted with relief by international organizations – international donor officials privately criticized Global Witness for bringing trouble upon themselves.

Meanwhile, Global Witness in 2004 facilitated the delivery of a request from forest communities to the World Bank for a review of Bank policy in the forestry sector. The comments of the Inspection Panel convened to undertake this review are significant, in that they advocate the kinds of administrative and technocratic approaches taken in the labour and human-rights sectors, described above. The Panel suggested that local forest NGOs should have been tied into a World Bank-sponsored framework for managing local forest management plans. Such an approach

would entail focus on technical issues, rather than on the contentious issue of forest crimes. It would concentrate attention on limited, designated areas for community management, rather than on wider issues of ownership and accountability, over which the Bank itself, the Panel recommended, should have retained control. In recommending the absorption of local political energies in training on technical issues, while appropriating contentious political debates for international organizations, the Inspection Panel's account of 'best practice' strongly conforms to the atomizing agenda evident in the human-rights and labour sectors.³⁰

Implications for Contentious Politics in Cambodia

These three cases indicate the extent to which international intervention in Cambodia has focused upon creating modes of participation which deflect confrontation between collective actors representing the poor and vested interests in the military and the state. This has been influential in determining the trajectory of Cambodian politics: Cambodian political space for domestic contention since UN intervention in 1991 has been dependent upon belief in international oversight and protection of demonstrators from state violence. In 1991, a surprised UN advance party arriving in Phnom Penh was greeted by mass anti-corruption demonstrations – demonstrations that grew rapidly but were quelled by force with the death of eight protestors. Following the 1993 elections, levels of public activism slowly increased, particularly following the growth of the garment industry and the launch of the opposition Sam Rainsy Party, which made the street protest a signature activity. In 1998, tens of thousands demonstrated in Phnom Penh against alleged electoral fraud. From 1996 to 2002, demonstrators appeared on the steps of the royal palace and the National Assembly, as well as in provincial towns, protesting over evictions, land expropriation, corruption, the border question, the dumping of toxic waste, and the state of Cambodian democracy. State responses to these demonstrations varied, depending upon the level of political tension and expected degree of international attention. Mostly, they were permitted, dispersed by force if they grew too big, ignored if they remained small.

Although uniformly unsuccessful in changing government policy, such public protests were a new phenomenon in Cambodian politics. From early 2002, however, there was a clear change in the government's willingness to tolerate such demonstrations and it quickly became clear that ten years of international engagement with a local 'civil society' had not assisted in empowering Cambodians to resist renewed assault by the Cambodian state upon their freedoms. As the analysis above suggests, the weakness of Cambodian social movements in the 2000s reflected the extent to which they had been moulded into the service of international agendas, which precluded rather than facilitating genuine representation and empowerment. The construction of human-rights organizations that operated primarily as conduits of information; the tying of opposition trade unions into negotiating structures that undercut their mobilizing power; and the withdrawal of support for potentially confrontational grassroots networks such as the Forest Network reflected the ways international organizations constrained rather than facilitated the empowerment of grassroots movements. International organizations cultivated interlocutors who

could assist in building institutions to defuse conflict, rather than supporting local people in public contention against abuses of power. As such, international organizations cut themselves off from a constituency that, potentially, could have assisted them in promoting reform.

In October 1991, the UN failed to intervene on behalf of anti-corruption demonstrators in Phnom Penh to the incomprehension of the demonstrators themselves, who had regarded UNTAC's arrival as heralding a new era of political freedom in Cambodia. Fifteen years later, on 27 November 2006, the largest of the human-rights organizations established under UNTAC attempted to hold a kite-flying rally in support of freedom of expression in Phnom Penh. The 150 would-be kite-flyers, whose kites bore the words 'freedom of expression', were intercepted by police; their kites were confiscated on the grounds that they posed a risk to air traffic and could be used to drop grenades onto the nearby National Assembly building.³¹ The scene represented a telling comment on the impact of 15 years of international intervention on the prospects for empowered political participation by Cambodian people.

NOTES

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4. *Ibid.*, p. 78.
5. Margaret Keck and Kathryn Sikkink, *Activists Beyond Borders: Advocacy Networks in International Politics* (Ithaca, NY: Cornell University Press, 1998).
6. Mark Duffield, *Global Governance and the New Wars, the Merging of Development and Security* (London: Zed, 2001), pp. 50–60.
7. For an overview, see Caroline Hughes and Vanessa Pupavac, 'Psychologising Post Conflict Societies, Cambodia and Bosnia Compared', *Third World Quarterly*, Vol. 26, No. 6 (2005), pp. 873–89.
8. The World Bank estimates that, in 2004, 36 per cent of the population was living below an absolute poverty line set at US\$0.46 a day. See World Bank, *Cambodia, Halving Poverty by 2015? Poverty Assessment 2006* (Phnom Penh: World Bank, 2006).
9. These views were expressed in the course of in-depth interviews undertaken with 42 Cambodian human rights activists in 1995–1996. See Caroline Hughes, 'Human Rights in Cambodia: International Intervention and the National Response', PhD dissertation, University of Hull, 1998.
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14. Chan Vuthy and Sok Hach, 'Cambodia's Garment Industry Post-ATC – Human Development Impact Assessment', Phnom Penh: Economic Institute of Cambodia and United Nations Development Programme Regional Centre in Colombo, 2007, p. 30, available at http://www.eicambodia.org/UNDP/download/UNDP_Cambodia_Garment_Post_ATC_table_content.pdf (accessed 19 February 2007).
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