Violence and the Civilising Process in Cambodia

In 1939, the German sociologist Norbert Elias published his groundbreaking work *The Civilizing Process*, which has come to be regarded as one of the most influential works of sociology today. In this insightful new study tracing the history of violence in Cambodia, the authors evaluate the extent to which Elias's theories can be applied in a non-Western context. Drawing from historical and contemporary archival sources, constabulary statistics, victim surveys, and newspaper reports, Broadhurst, Bouhours, and Bouhours chart trends and forms of violence throughout Cambodia from the mid nineteenth century to the present day. Analysing periods of colonisation, anticolonial wars, independence, civil war, the revolutionary terror of the 1970s, and postconflict development, the authors assess whether violence has decreased and whether such a decline can be attributed to Elias's civilising process, which identifies a series of universal factors that have historically reduced violence.

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Preface

This book examines how key transitions in Cambodia's 150 years of modern history have impacted the prevalence and forms of violence in this country. A substantial and mostly unanticipated decline in crime and violence has occurred in Cambodia since the 1991 peace agreement. In the last 20 years, the homicide rate has been reduced by about 90 per cent – an impressive achievement. Our analysis of this contemporary decline in violence does not overrely on the immediate past but is based on a long-term historical review of criminological evidence, and we hope it yields insights into the general characteristics of violence as well as the factors that drive increases and decreases in lethal violence.

The processes of social change unfold gradually, and unevenly, over generations, and inquiries limited to a decade or two cannot grasp their complexities and implications. It is in historical contexts that change in both social institutions and individual behaviours may be discerned. Observing the ebb and flow of the scale and forms of crime and violence over 150 years revealed a gradual shift from collective violence to private acts driven by interpersonal conflicts and pathologies. The overall trend of violence in Cambodia follows sympathetically the general pattern of long-term declines and individualisation of violence in Western Europe as that area underwent the processes of civilisation observed by Norbert Elias (1939/1994) and Steven Pinker (2011). In both cases this trend was subject to aperiodical surges of violence that disturbed the otherwise cascade-like decline in interpersonal violence and homicide.

One of the authors was in Cambodia in 1998 as an election monitor and became associated with the Cambodian Criminal Justice Assistance Project (CCJAP) funded by Australia's overseas aid organisation (AusAid). The need for criminological expertise in crime prevention as well as the need for better forensic science services were evident. The genesis for our book was a simple question about the number of homicides that had occurred in Cambodia in 1998–9 – and what the likely trends in homicide might be in the future. The question arose because CCJAP wanted to estimate the resources needed to better equip and help the judicial police investigation of suspicious deaths. The team assembled by CCJAP included Australian and Cambodian police and other experts in various fields such as law, health, organisational management,

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anthropology, linguistics, and corrections. They had started tackling the many problems confronting the delivery of effective postconflict national policing, justice, and correction. Studying the rates of homicide was tied to the broader questions of whether the formation of the Kingdom of Cambodia in 1993 had affected crime and violence and what policies might help reduce serious crime. A pressing priority was the need for effective investigation of homicide and armed robbery – the key to improving the standing of a state and policing service tarnished by a brutal past and the lack of transparency and fidelity to human rights.

Homicide cases are the police 'shop-front' and crucial to the reputation of police and crime prevention. So, the failure to preempt and to solve homicides was indicative of underperformance and low trust among Cambodians of their police and courts. At this time there was a large number of unsolved yet often brutally and boldly performed homicides and armed robberies. There were also frequent incidences of vigilante-like or mob executions of alleged offenders sometimes abetted by police and the shooting of alleged offenders by police in the course of an investigation. It was assumed that improved death investigations and police procedures coupled with reforms to the system of justice would help create a climate of security and certainty and reduce the incidence and fear of crime. It should also help improve the legitimacy of the state and register the emergence of the rule of law over the rule of the gun. The investigation and prosecution of everyday abuses of human rights whether by state or nonstate actors (homicide being one example) would help reassure Cambodians and deter offenders. This improved sense of safety would in turn allow for the return of everyday life and stimulate commerce and social cohesion, creating an ever-evolving virtuous circle. In short – attend to the smaller problems and the bigger problems become easier to resolve. However, Cambodia was not yet pacified, and the eventual monopolisers of the means of violence had not been tamed.

However, as with many apparently simple questions, estimating the number of homicides and other serious crimes was, in fact, difficult. The absence of many of the tools of criminological inquiry, such as a standardised and consistent reporting and recording of crime, made the task challenging. To triangulate problematic official police statistics and obtain more reliable data, we turned to large-scale household surveys that helped measure the prevalence and responses to crime, including the extent of theft, robbery, nonlethal assault, and corruption. We implemented two sweeps of the United Nations International Crime Victims Survey (UNICVS) in several provinces: the first in 2001–2 and the second in 2007–8. The methods and findings are described in the chapters of this book.

Among the many unsolved homicides in the 1990s there was a plethora of 'cold cases', including numerous massacre burial sites across Cambodia. Often,

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victims' families and survivors lived near suspected or known offenders, and faith in legal remedies had been exhausted. A few of the most egregious mass homicides involved surviving leaders of the former Democratic Kampuchea (DK). The cases were eventually prosecuted. Most of these cold cases remain unprosecuted, but many have been documented by the remarkable efforts of the Sluek Rith Institute (Cambodian Documentation Centre) and its chair Youk Chhang.

A quarter of a century ago, in 1979, the newly formed People's Republic of Kampuchea (PRK) placed on trial two of the senior leaders of the DK Khmer Rouge regime - Prime Minister and Brother Number One Pol Pot (deceased in 1998), and Foreign Secretary and Deputy Prime Minister Ieng Sary (deceased in 2013) - and, using the 1948 United Nations Convention on the Prevention and Punishment of the Crime of Genocide, in absentia convicted them of genocide. In 1991, except for the PRK's successor (the renamed State of Cambodia), the parties to the Paris Peace Accord had rejected all references to genocide or crimes against humanity. It was only in April 1997 that the United Nations agreed in principle to a trial of the Khmer Rouge leadership. The first trial in 2010 was conducted by a hybrid Cambodian and United Nations mandated international court known as the Extraordinary Chambers in the Courts of Cambodia (ECCC). It sentenced former S-21 prison chief Kaing Guek Eav, alias Duch, to life imprisonment for supervising the murder of over 15,000 men, women, and children. At the time of writing, the ECCC had found Nuon Chea (aged 88), Brother Number Two, and Khieu Samphan (aged 83), the former head of state, guilty of crimes against humanity committed during the DK regime. Twenty-five years after the events and the first trial in absentia of Pol Pot and Ieng Sary by the PRK, charges of genocide against Chea and Samphan are still pending before the ECCC for the mass murder of Cham (Cambodian Muslims), ethnic Vietnamese Cambodians, and other minorities. The legal maxim 'justice delayed is justice denied' is apt.

Our world is confronted by frequent 'small wars' and crimes against humanity by states, warlords, and sectarian groups of all stripes. At the time of writing, several brutal wars – in Syria, Iraq, Mali, South Sudan, Gaza, and Ukraine – are under way with the attendant atrocities and cruelties in blatant defiance of international norms and laws about the treatment of combatants and noncombatants. In the wake of the occupation of towns and cities, the inhabitants evacuate, fearing that they will be massacred because of their religion or ethnicity, and the invaders operate with impunity, subject to neither self-restraint nor law. In such conflicts the territorial struggle to monopolise the means of violence manifests in summary massacres of captured troops and others classified as enemies because of religion or ethnicity or service with the vanquished state. It reminds us of the fragility of peace and the ever-present risk of mass bloodletting. In short, humanity has a long prior record of violent conduct, and

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it is generally accepted evidence in criminology that prior behaviour is often the best predictor of future behaviour (recidivism). Thus, it may seem deeply counterintuitive in this book to expound the notion of a long and steady decline in the risks of lethal violence. We see some cause for optimism in the promise that under certain conditions the likelihood of lethal violence will recede and that, as in everyday life, the 'bloodbaths' of war will, too, diminish over time. Increasingly, mass murders and other crimes of collective violence will be regarded as outliers rather than the norm. They will be subject to the process of law enforcement and investigation as crimes against humanity in much the same way capable states now prosecute perpetrators of homicide who are routinely investigated by competent teams of detectives and scientists.

We anticipate that some readers will find our position about the civilising prospects of our species contentious, overoptimistic, and perhaps overgeneralised from the 'facts' offered by the Cambodian example. To start with, the very term 'civilisation' is so loaded with the myths and atrocities of colonisation that its use is as apt to offend as enlighten. We alternatively use the expressions 'civilising processes' or 'processes of civilisation' in the specific way suggested by Norbert Elias to refer to growing sensitivity towards violence, its monopolisation by tamed states, and the extent of interdependence among individuals and groups in society. We have endeavoured to avoid factual historical errors but also noticed that historians of Cambodia do not always agree on the facts and on their interpretation. We are not historians and had to rely on their accounts, and when they diverged it was not a straightforward matter for us to settle - in the instances where this mattered, we relied on our discipline's investigative traditions that make explicit uncertainty and speculation. Disputes and related controversies among historians of Cambodia are also not free from explicit or implicit ideological and philosophical opinions and differences. In this sense history shares the same challenges as the other human sciences, including sociology, psychology, and criminology.

We therefore do not claim to be unbiased by ideological and philosophical opinions and free from value judgements. To sum them up, ours include and come from pacifism, or the idea that nonviolent ways of solving conflicts are the best ways, which is consistent with our universalistic and humanist worldview but also founded on realism. Like many, we agree that '*la civilisation n'est pas terminée*' and that there is a long way to go before humanity arrives at some truly 'civilised' state of grace, in which by necessity it uses only nonviolent ways of managing conflicts. We are also wary of 'just' causes that justify 'just' wars in great part because their prosecution often has unintended consequences and too easily kills and maims the innocent. We can be seen as hopeless utopian dreamers but, then, of the pacifist and realist kind, not to be confounded with the many past and current murderous utopias that animate history.

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We have also encountered problems with our attempt to realise a genuine multidisciplinary approach to our subject. First among these problems has been finding a common language that bridges the conceptual and methodological differences between historians and social scientists. 'Civilisation', 'civilising', and 'civilised' may mean very different things to historians (particularly historians of colonialism and empires) and social scientists (particularly those interested in historical or process sociology and Norbert Elias's perspective). Perhaps a different nomenclature would lessen translation problems? Would it be preferable to call these processes that lead to less-violent human interactions 'the civility process' or the 'processes of civility'? It is better to go into and explore the substance intended by these terms as we do in this book.

We have strived to do no more than look at the evidence in Cambodian history for the presence, levels, development, or regression of three *processes* (state formation and *monopolisation of violence* by the state; the extent of chains of *interdependency*; and *sensitisation* to violence) theoretically associated with varying levels of violence in human societies. We could not and did not intend to present a detailed account of the last 150 years of Cambodian history, and our focus on violence steered our account. We operationalised these three processes so that we would be able to collect concrete information on them, and we measured as best we could the levels and types of violence across the 150 years from the French Protectorate to the present (to grossly summarise, in terms of violent human interactions, 'we counted the dead'). With these data we analysed the patterns between these three independent variables and our dependent variable – violence – and reached the conclusion fully developed in this book that indeed violence has declined and that this decline can be attributed to these processes of civilisation.

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Abbreviations

ANOM	Archives Nationales d'Outre-Mer (French colonial
	archives located in Aix-en-Provence, France)
BNF	Bibliothèque Nationale de France (France National
	Library)
BPC	Bulletins de Police Criminelle
CCJAP	Cambodia Criminal Justice Assistance Project
CDC	Cambodian Documentation Centre
CDHS	Cambodian Demographic and Health Survey
CEDAW	Convention on the Elimination of Discrimination Against
	Women
CGDK	Coalition Government of Democratic Kampuchea
CMAC	Cambodian Mine Action Centre
CMVIS	Cambodia Mine Victims Information System
CNRP	Cambodian National Rescue Party
CPI	Corruption Perception Index
СРК	Communist Party of Kampuchea
CPP	Cambodian People's Party
CSES	Cambodian Socio-Economic Survey
CWCC	Cambodian Women's Crisis Center
DK	Democratic Kampuchea
DV	Domestic violence
ECCC	Extraordinary Chambers in the Court of Cambodia
ERW	Explosive remnants of war
FUNCINPEC	Front Uni National pour un Cambodge Indépendant,
	Neutre, Pacifique, et Coopératif (National United Front for
	an Independent, Neutral, Peaceful, and Cooperative
	Cambodia) (Sihanoukist)
GGI	Gouverneur Général de l'Indochine (Indochina General
	Governor)
GRUNK	Gouvernement Royal d'Union Nationale de Kampuchea
	(Royal Government of National Union of Kampuchea)
HSDVC	Household Survey on Domestic Violence in Cambodia
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List of abbreviations

IAT	Institutional anomie theory
IUF	Issarak United Front
KPNLF	Khmer People's National Liberation Front
KPRC	Kampuchea People's Revolutionary Council
KPRP	Kampuchean People's Revolutionary Party
KR	Khmer Rouge
KUFNS	Kampuchean United Front for National Salvation
LICADHO	Cambodian League for the Promotion and Defense of
	Human Rights
MoI	Ministry of Interior (Cambodia)
NAC	National Archives of Cambodia (Phnom Penh)
NADK	National Army of Democratic Kampuchea
NGO	Nongovernmental organisation
NIS	National Institute of Statistics
PAVN	People's Army of Vietnam
PDK	Party of Democratic Kampuchea
PG	Provincial governors
PPA	Paris Peace Agreement
PPP	Phnom Penh Post
PRK	People's Republic of Kampuchea
PTSD	Posttraumatic stress disorder
RC	Résident of circumscription
RAK	Revolutionary Army of Kampuchea
RCAF	Royal Cambodian Armed Forces
RGC	Royal Government of Cambodia
RSC	Résident Supérieur du Cambodge (responsible for the
	colonial administration of Cambodia)
SOC	State of Cambodia
SRP	Sam Rainsy Party
UNCAC	United Nations Convention Against Corruption
UNDP	United Nations Development Program
UNHCR	United Nations High Commissioner for Refugees
UNICVS	United Nations International Crime Victims Survey
UNTAC	United Nations Transitional Authority in Cambodia

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Map of Cambodia



Map of Cambodia

Source: Composite of http://d-maps.com/carte.php?num_car=5448&lang=fr (map of provinces) and http://d-maps.com/carte.php?&num_car=26192& lang=fr (rivers, roads & towns)

