

# **Democracy in Action: Decentralisation in Post-conflict Cambodia**



# **Democracy in Action: Decentralisation in Post-conflict Cambodia**

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**UNIVERSITY OF GOTHENBURG  
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# **Democracy in Action: Decentralisation in Post-conflict Cambodia**

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## ABSTRACT

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**Keywords:** Democratic decentralisation, responsiveness, accountability, devolution of power, reconstruction, post-conflict Cambodia.

The process of democratisation in post-conflict Cambodia has been problematic. Almost two decades after the UN-led intervention in 1993, democracy in Cambodia remains shallow, as evidenced by various studies. Three main factors are hindering democratisation: the country's recent violent history, the Khmer political order and the unfinished tasks of the UN-led intervention.

Experiences of other countries illustrate that it is very difficult to consolidate democracy in post-conflict societies due to internal strife, weak state institutions, historical political transitions and lack of political legitimacy. Hence, this dissertation argues that *decentralisation* may make the consolidation of democracy in post-conflict society possible. If carefully implemented, decentralisation could consolidate democracy in Cambodia, especially at the local level.

The aim of this dissertation is to investigate the quality of democratic decentralisation reform in Cambodia. The focus is ultimately justified by the frequent arguments that democratic decentralisation is vital in deepening democracy in a post-conflict context. The main research problem is: *what is the quality of democratic decentralisation reform in post-conflict Cambodia?* Democratic decentralisation in Cambodia is analysed through the empirical investigation of three concepts: *responsiveness*, *accountability* and *devolution of power* of the elected commune councils.

Findings suggest that there has been an improvement in the quality of local governance with the democratic decentralisation reform. Democratic decentralisation reform has influenced democratisation and reconstruction of post-conflict Cambodia, including creating political space and reinventing local democratic institutions, reconnecting the central and local government, building political legitimacy, serving as democratic education for local leaders, changing political culture and leading to other reforms.



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## ACRONYMS

|           |                                                                                              |
|-----------|----------------------------------------------------------------------------------------------|
| CARERE    | Cambodia Resettlement and Rehabilitation Project                                             |
| CAS       | Centre for Advanced Study                                                                    |
| CBO       | Community-based organisation                                                                 |
| CC        | Commune council                                                                              |
| CDRI      | Cambodia Development Resource Institute                                                      |
| COMFREL   | Committee for Free and Fair Elections in Cambodia                                            |
| CPP       | Cambodian People's Party                                                                     |
| CSF       | Commune/ <i>Sangkat</i> Fund                                                                 |
| D&D       | Decentralisation and Deconcentration                                                         |
| EIC       | Economic Institute of Cambodia                                                               |
| FUNCINPEC | National United Front for an Independent, Neutral, Peaceful<br>and Cooperative Cambodia      |
| KDP       | Cambodian Democratic Party                                                                   |
| KPNLF     | Cambodian People's National Liberation Front                                                 |
| KR        | Khmer Rouge                                                                                  |
| NCDD      | National Committee for the Management of<br>the Decentralisation and Deconcentration Reforms |
| NGO       | Non-government organisation                                                                  |
| PRC       | People's Revolutionary Committee                                                             |
| PRK       | People's Republic of Kampuchea                                                               |
| RGC       | Royal Government of Cambodia                                                                 |
| SIDA      | Swedish International Development Cooperation Agency                                         |
| SOC       | State of Cambodia                                                                            |
| SRP       | Sam Rainsy Party                                                                             |
| TAF       | The Asia Foundation                                                                          |
| UNDP      | United Nations Development Programme                                                         |
| UNTAC     | United Nations Transitional Authority in Cambodia                                            |
| USAID     | United States Agency for International Development                                           |

## GLOSSARY OF CAMBODIAN TERMS AND PHRASES

|                                         |                                                                                                                                    |
|-----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| <i>Achar</i>                            | Laymen working in pagodas                                                                                                          |
| <i>Agnar Thor</i>                       | Authority                                                                                                                          |
| <i>Agnar Thor Moulthhan</i>             | Local authority                                                                                                                    |
| <i>Anarchak</i>                         | Legal rational domain                                                                                                              |
| <i>Angkar</i>                           | Organisation of the Khmer Rouge                                                                                                    |
| <i>Arch Ponyul Bann</i>                 | Explainable or able to be explained                                                                                                |
| <i>Arng Om Narch</i>                    | Abuse of power; rely on power or with backup power.                                                                                |
| <i>Chau Vay, Me, Pro Thean, Machhas</i> | Chief or boss                                                                                                                      |
| <i>Deuk Noum</i>                        | To lead somebody to do something                                                                                                   |
| <i>Devaraja</i>                         | God-king                                                                                                                           |
| <i>K-5</i>                              | A national campaign in 1984 under the PRK regime to clear forest in order to prevent an attack from the Khmer Rouge.               |
| <i>Kanak Neiyakpheap</i>                | Accountable/accountability                                                                                                         |
| <i>Karma</i>                            | The sum of a soul's good and bad actions in all past lives                                                                         |
| <i>Karuna</i>                           | Compassion, patience, and tolerance                                                                                                |
| <i>Kbal Neak Na Sak Neak</i>            | Your hair is always attached to your head                                                                                          |
| <i>Neung</i>                            |                                                                                                                                    |
| <i>Kdobe Om Narch</i>                   | Embracing/grabbing power                                                                                                           |
| <i>Khan</i>                             | District                                                                                                                           |
| <i>Khum</i>                             | Commune                                                                                                                            |
| <i>Krom Preuk Sa Khum</i>               | Commune council                                                                                                                    |
| <i>Ksea &amp; Knaong</i>                | Patronage politics & rent-seeking                                                                                                  |
| <i>Lok Me Khum or Me Phum</i>           | Mr. Commune Chief (The chief is referred to as mister because in Cambodia, traditionally, the majority of commune chiefs are male) |
| <i>Lok Me Phum or Me Phum</i>           | Mr. Village Chief                                                                                                                  |
| <i>Lok Pro Thean Krom Preuk Sa Khum</i> | Mr. Chief of a commune council                                                                                                     |
| <i>Mandala</i>                          | Circles of kings; a Sanskrit term used in Indian circular manuals of governments or kings.                                         |
| <i>Me Khum</i>                          | Commune Chief                                                                                                                      |
| <i>Meta</i>                             | Responsibility and accountability for your own role                                                                                |
| <i>Moulthhan</i>                        | Local/rural                                                                                                                        |
| <i>Mutita</i>                           | Humble, soft, gentle, and generous                                                                                                 |
| <i>Om Narch/Rot Om Narch</i>            | Power                                                                                                                              |
| <i>Phum</i>                             | Village                                                                                                                            |
| <i>Prakas</i>                           | Proclamation                                                                                                                       |

|                                   |                                                                                                                        |
|-----------------------------------|------------------------------------------------------------------------------------------------------------------------|
| <i>Pro Thean Phum</i>             | Leader of village                                                                                                      |
| <i>Sala Khum or Karyalai Khum</i> | Commune office ( <i>sala</i> is a Pali word meaning a large or meeting room); the institution or office of the commune |
| <i>Samak Thor</i>                 | Mutual tolerance or equality/fairness                                                                                  |
| <i>Sangkat</i>                    | Commune                                                                                                                |
| <i>Tortoul Khos Trov</i>          | Responsibility                                                                                                         |
| <i>Tum Lorb</i>                   | Norm                                                                                                                   |
| <i>Tum Neam or Chbarb</i>         | Rational state laws                                                                                                    |
| <i>Tum Neam Tum Lorb</i>          | Traditional norm                                                                                                       |
| <i>Upikha</i>                     | Fairness, justice, and balance                                                                                         |
| <i>Wat</i>                        | Pagoda                                                                                                                 |
| <i>Youl Ngneat Klead Chbarb</i>   | Intolerance with relatives or friends is against the rule of law.                                                      |

## PART 1

The aim of this thesis is to investigate the quality of democratic decentralisation reform in post-conflict Cambodia. The focus is ultimately justified by the frequent arguments that democratic decentralisation is vital in deepening local democracy in a post-conflict context. The main research problem is: *what is the quality of democratic decentralisation reform in post-conflict Cambodia?* It is moreover likely that there is an impact of democratic decentralisation on overall democracy (Lederach 1997; Manor 2011; Grindle 2007/2011; Öjendal 2005; Crook & Manor 1998; Cheema 2011; UN-DESA 2007; Öjendal & Lilja 2009). The thesis consists of two main parts. Part 1 covers chapters I, II and III.

Chapter I begins by defining the research problem and explaining the processes of democratic decentralisation in a post-conflict society. Secondly, the historical and political context, the political orders, the process of the UN-led intervention and the assumed contemporary “democratic deficit” are explained. Thirdly, the justification of democratic decentralisation is elaborated theoretically. Fourthly, the research methods and methodology are described.

Chapter II discusses the process of democratic decentralisation in a post-conflict society like Cambodia. I begin by explaining the conceptualisation of Cambodian democracy in the realm of political orders in South-east Asia. The chapter discusses the importance of democratic decentralisation and reviews the general context of the role of decentralisation in deepening democracy.

Chapter III gives a broad background of Cambodian dynamics in political orders and reform processes. This chapter seeks to understand the political context between Cambodian political orders and contemporary democratic consolidation. This chapter attempts to uncover the role of decentralisation in the on going democratisation efforts in Cambodia by relying on the contextual evolution of Cambodian society.



## CHAPTER I

### INTRODUCTION TO THE STUDY

The post-conflict era in Cambodia has been marked by more or less substantial attempts at democratisation (Öjendal & Lilja 2009; Peou 2007; Lizée 2000; Doyle 1998). After twenty years of the UN-led intervention, democracy in Cambodia has generally been seen to be deviating towards some kind of hybrid regime, which contains a number of democratic institutions but nevertheless largely operates outside democratic norms, values and procedures (Öjendal & Lilja 2009; Un 2004; Hughes 2003). Literature on decentralisation has indicated that if decentralisation is well crafted, it will consolidate democracy (Ribot 2011; Manor 2011; UN DESA 2007; Grindle 2011; Öjendal & Lilja 2009). The aim of this thesis is to investigate the quality of democratic decentralisation reform in post-conflict Cambodia. The focus is ultimately justified by the frequent arguments that democratic decentralisation is vital in deepening local democracy in a post-conflict context. Thus, the main research problem is: *what is the quality of democratic decentralisation reform in post-conflict Cambodia?* To operationalise, based on available theoretical literature, this thesis will empirically investigate the quality of responsiveness, accountability and devolution of power of the democratic decentralisation in post-conflict Cambodia.

After the end of the Cold War in the early 1990s, Cambodia, like other war-torn countries in the “Third World”, initiated a period of so-called reconstruction (Öjendal & Lilja 2009). Scholars often treat these Third World regimes as incomplete or transitional forms of democracy, and the international community has put a great deal of effort into attempts to reconstruct so-called “failed, collapsed, and weak states” (Levitsky & Way 2002; Rotberg 2004; Menocal & Kilpatrick 2005; Ottaway 2002; Lyons 2004). However, those newly emerging societies often find themselves pulled disconcertingly into what has been called “a maelstrom of anomie” (Rotberg 2004: 1) made up of continuing civil wars or internal conflicts; rampant poverty and corruption (Ottaway 2002; Rotberg 2004); lack of confidence and trust by citizens in their rulers; inability of rulers to achieve consensus; and continuing polarisation of social and political institutions and structures (Levitsky & Way 2002; Diamond 2002; Yannis 2002).

In 44 percent of all post-conflict situations, it is said war resumes in the first five years after the violence has stopped (World Bank 2004: 8) and about 50 percent of post-conflict countries revert to war in the first decade of peace (Collier *et al.* 2003: 7; Junne & Verkoren 2005). Some authors emphasise that democracy in post-conflict societies has survived but still faces considerable uncertainty and is unconsolidated, stuck in transition or being “defective”. They have also been described as “collapsed states” (Croissant 2004: 157; Ottaway 2002; Rotberg 2004; Menocal & Kilpatrick 2005; Yannis 2002). It is also typically claimed that those societies are still suffering from the lack of an administrative culture based on the principles of the rule of law, lack of power sharing and of civil control of the military and lack of stable political institutions, as well as from corruption, weak

law enforcement, serious deficits in horizontal and downward accountability and in settling political conflicts by peaceful means. In addition, weak states are unable to provide adequate amounts of political goods and have weak functioning of state institutions, deteriorated physical infrastructure, poor functioning of services such as health care and education, fallen or falling economic indicators and sometimes high levels of corruption (Yannis 2002; Croissant 2004). Hence, weak states usually “honour rule of law precepts in the breach and are ruled by despots, elected or not” (Rotberg: 2004: 4).

In general, external intervention has met with only partial success—“the patients have been kept alive but not necessarily been dismissed from the hospital” (Ottaway 2002: 1002). Rebuilding institutions in collapsed states means organising government departments and public agencies to discharge their functions both efficiently and democratically. States that have just emerged from conflict are constructed on the basis of power and force (Ottaway 2002) and do not nurture democracy successfully without difficulty (Carothers 2002). It is an uphill battle to establish democracy in post-conflict societies because of weak state institutions, deep distrust in politics and leadership (Öjendal & Lilja 2009).

The question is how democratisation can be consolidated in transitional countries. Some suggest that before any deep reconstruction can commence in war-torn or post-war societies, a viable political system needs to be crafted via establishing democratic political institutions in order to create political stability, legitimacy, accountability and responsiveness (Braathen & Hellevik 2006; Luckham *et al.* 2000; Öjendal 2003; Öjendal & Lilja 2009). The political and institutional choices made during periods of transition can be as crucial as elections. Decisions about institutional structures have in many cases been central elements of democratic enhancement (Luckham *et al.* 2000) while wrong decisions by political elites may easily spur conflict. According to Cousens & Kumar (2001), the most central and pressing need in the context of post-conflict reconstruction is to re-establish a legitimate political system that includes a legitimate government.

Hence, in a post-conflict context, elections are meant to defuse conflicts and allow the establishment of a legitimate popularly supported and unifying government. Elections naturally form an important part of such an endeavour. However, the consequences of elections conducted during the rapid insertion of democratisation in post-conflict societies are sometimes contradictory. Authoritarian leaders may for example use illegal means such as intimidation, fraud and vote buying to win the elections, and elections are sometimes used by the previous power holders to regain power, and such leaders have only limited political legitimacy. As Robert Rotberg describes:

*Elections are always essential to the launching of post-conflict democracies, but they can also exacerbate competition, polarize already fractured societies, institutionalize existing imbalances of power, and retard as well as advance the transition from war and failure to resuscitation and good governance (Rotberg 2004: 39-40).*

While elections are a double-edged tool, there is a consensus that one of the credible catalysts for democratisation is to strengthen local institutions, for example via decentralisation reforms (Manor 1999; Öjendal 2005; Antlov & Wetterberg 2011). If implemented properly, decentralisation would enable the government to provide political goods, political education and policy response to its citizens, as well as to provide an avenue for the citizens to make public opinions heard (Cheema 2011; Manor 2011; cf. Smith 1985). Various theoretical and empirical works discuss the importance of democratic decentralisation and its effects on local democracy, for example its ability to improve government responsiveness, accountability and transparency, increase people's participation and devolve power from central government to elected local governments (e.g. Manor 2011; Ribot 2011; Grindle 2011; Lederach 1997; Crook & Sverrisson 2001; Crook & Manor 1998; Kulipossa 2004; Johnson 2001; Manor 2007). However, the correlation between decentralisation and democracy is not given and depends on the cultural, social, historical, economic and political context (Antlov & Wetterberg 2011). We will have reason to return to this issue below. In general, the consolidation of democracy via decentralisation reform, including local elections and participatory methods, would have a positive impact on political legitimacy and bring political power down to regular people and out to local arenas (cf. Öjendal & Lilja 2009; Manor 2008; Cheema 2011; Öjendal 2005).

While decentralisation has its merits, there are researchers who identify more profound obstacles to democratisation. The pessimism could be boiled down to Cambodia's context, political orders and historical interruptions making it almost impossible to nurture and introduce democracy. Firstly, some have suggested that the country *lacks full-fledged intermediary and professional institutions* connecting citizens with higher authorities, and that this has left the way open for the unfettered exercise of dictatorial power (Thion 1994; Bit 1991; Hughes 2003; Peou 2000; Roberts 2008; Un 2004). Democracy in contemporary Cambodia has generally been seen to be deviating towards some kind of hybrid regime, which contains a number of democratic institutions (e.g. regular elections) but nevertheless largely operates outside democratic norms, values and procedures (Öjendal & Lilja 2009; Kim & Öjendal 2009; Lilja & Öjendal 2009; Un 2004; CDRI 2006; Hughes 2003).

Secondly, in the pessimistic view (Blunt & Turner 2005; cf. Turner 2002) it is not possible to enhance democracy in Cambodia by decentralisation reform because of *complex political orders*, which make the government unwilling to respond to citizens' needs, lead to weak leadership capacity and enable the elite to capture the reform. These diverse positions reflect an aspect in which this thesis operates: on one hand, the efforts to democratise through means of decentralisation and on the other hand the Cambodian political context and other factors hampering such efforts. I am sceptical toward this view and find it premature and one, which needs to be assessed by empirical investigation, which is the subject of this thesis.

Thus far, we can conclude that consolidating democracy in post-conflict societies is challenging, especially due to internal strife, lack of regime legitimacy, inadequate amounts of political goods and the weak functioning of state institutions

in delivering services to the most needy. In fact, efforts to insert democracy by the UN-led intervention in 1993 faced many political crises emerging in 1994, 1997, 1998 and 2003. Below, I will elucidate the three primary factors that are making the introduction of democratic decentralisation controversial and complicated, as well as central for “local democratisation” in post-conflict reconstruction of Cambodia. The three factors are: Cambodia’s historical political transitions, Cambodian political orders and the nature of the UN-led intervention.

## **Cambodia’s historical political transitions**

*As David Chandler put it, “history does not repeat itself, but sometimes it can be said to rhyme. There are some interesting, incomplete parallels between Cambodian society in the late 1960s and early 1970s on the one hand and Cambodian society today” (Chandler 2006: 6).*

This section will provide the historical background to the difficulties inherent in promoting democratic decentralisation in Cambodia. Obviously, the historical account of Cambodia is complex and needs to be divided into different political phases. The following briefly illustrates the patterns of contemporary Cambodian history by providing an account of each political regime, examining socio-political and economic factors. The intent is neither to reveal the chronology of Cambodian history nor to probe in-depth historical material derived from archival research; rather it is to discuss the key dynamics of political transitions in each political regime.

Cambodia came under French colonial control in 1863 and began to gradually break away from it during the Second World War. After various difficulties, the country was granted complete independence in 1953 and was then under the leadership of the ex-king Norodom Sihanouk, a respected figure in both national and international political spheres (Ebihara 1968: 49). Under the leadership of King Sihanouk, there were some infrastructure, social and economic achievements for the country, which were largely dependent on Sihanouk and his energy and capacity to “put in motion” (Osborne 1994). After gaining independence from France, the country earned a reputation of neutrality (maintaining a balance between the East and the West during the Cold War). The advantage of this peaceful policy of independence was that it allowed the regime to put greater effort into promoting political stability (Chandler 2000).

By the late 1960s, Cambodia was affected by the expansion of the Vietnam War. After the *coup d’état* by General Lon Nol in March 1970, many parts of the country were destroyed by US bombing, and the civil war with the communist Khmer Rouge (Red Cambodians) began. On 17 April 1975, Cambodia had just emerged from five years of invasion, bombardment and civil war, when its capital, Phnom Penh, fell to the Khmer Rouge. The entire population of Phnom Penh and other cities was immediately forced to evacuate to rural areas. Socio-economic and administrative structures were taken over by Khmer Rouge cadres or *Angkar* (“the organisation”). Approximately 1.7 to 2 million intellectuals, urban people, ethnic

minority people, monks and peasants died through execution, starvation, disease and forced labour between April 1975 and January 1979 (Chandler 1996).

On 25 December 1978, Vietnamese troops invaded Cambodia and ousted the Khmer Rouge regime, a new government was established and the state renamed the People's Republic of Kampuchea (PRK). Although the country was extricated from Khmer Rouge control, Cambodia's economic and social situation remained in a deplorable condition (Gottesman 2004). Fighting between the PRK regime and the Khmer Rouge continued in the north-west of the country. People—especially the majority of those who had been relocated—had to start their lives again literally from scratch. Development was slow because of the economic sanctions imposed by the West to protest against the Soviet-backed Vietnamese invasion and because of the continuing civil war between the government and resistance groups along the Thai border.

The government rebuilt schools in most provinces throughout the 1980s, and by the end of the decade some universities were reopened. Roads and hospitals were constructed in the non-fighting areas in the southern part of the country (Gottesman 2004; Mysliwiec 1988: 2-40; Thion 1993). In September 1989, as a result of the decline of the Soviet Union and the end of its financial support to Vietnam, Vietnamese troops were withdrawn and the name of the country was changed to the State of Cambodia (SOC). A free-market economic system was adopted, Buddhism was reinstated as the official religion, international organisations were permitted to work in the country, and people were allowed to own private property (see Mabbett & Chandler 1995; Gottesman 2004).

In 1991, a peace agreement signed in Paris ended the civil war between the SOC, the remnants of the Khmer Rouge and two other small non-communist groups allied with them. A United Nations peacekeeping mission—called the United Nations Transitional Authority in Cambodia (UNTAC)—was deployed to organise elections and oversee the transition to democracy. After the “UNTAC elections” in 1993, a coalition government was formed and the country was renamed the Kingdom of Cambodia. Since 1993, Cambodia has experienced the early stages of economic recovery, renewed foreign investment, and accelerated international assistance.

This historical context reveals that Cambodia has been affected by two primary features: firstly, the country has experienced many different political regimes and parties (with differing and competitive theories and ideology) over a short period of time. Secondly, each political regime has not been transformed by democratic power but has instead been overthrown quickly and violently, leaving the new regime without a legacy of legitimacy. Hence, the regime's position has remained in question and loyalties to the old regime have remained alive. In fact, in the pre-1993 era, Cambodia lacked experience of competitive politics; hence the transformation from authoritarian rule to democracy is likely to remain a slow process. The following section will briefly describe the nature of Cambodian political orders.

## Cambodian political orders

“Cambodian” political order as a concept is criticised for its tendency to reify present-day culture and imbue it with primordial gravitas. In fact, Cambodian political order has been dramatically changing over the last thirty years. For instance, Martin (1994) has argued that Cambodian society was irreparably shattered by the civil war, has slowly returned to something resembling the pre-war patterns or is being gradually recreated, though in new forms as a result of people’s everyday actions (Ebihara 1993; Ann 2008; Ledgerwood 1998; Ledgerwood & Vijghen 2002). Scholars have been sceptical about the potential outcomes of democratic reforms, given the conservative and apparently reform-resistant context (Un 2004; Turner 2002; Blunt & Turner 2005; Un & Ledgerwood 2003; Turner 2002). This section aims to understand the Cambodian political order (assessing forces of change and continuity) in relation to the introduction of democratic decentralisation reform since 2002.

The political systems of South-east Asia are typically influenced by individual performances intertwined with traditional and cultural norms, values, beliefs and attitudes (see Hanks 1962; Scott 1972). Furthermore, the political order of South-east Asia is typically shaped by pre-modern institutions and patron-client relations, nepotism and cronyism, including multi-level relations between and among family, clan and village social structures. Meanwhile, for many, the nation-state is a psychologically distant unit, which for much of the citizenry symbolises exploitation, alien rule and oppression (Scott 1977; Neher 1981; Pye 1985). Another relevant aspect of the political order of South-east Asia concerns legitimacy. According to Alagappa (1995), one of the critical concerns of South-east Asia’s leaders is to achieve political legitimacy or the “right to rule”.

In Cambodian society, the idea of power, from ancient times till now, is related to the divine or supernatural status of *Devaraja* (God-king), which the leaders use to establish legitimacy by divine loyalty, emphasising form over substance and ritual over accountability. According to Mehmet, this cultural context places a huge social distance between the ruled and ruler, elevates the patron-client relationship to the divine order and ends up sheltering injustice and exploitation (Mehmet 1997: 676). Personal status can be improved by virtuous actions such as sponsoring temples and community development. The relationship between leaders and followers is based on patronage connections. This relationship shapes the perceptions of people about power, politics and economics.

Some historical patterns from ancient times also endure in the social and political systems of contemporary Cambodia. Vickery has described the pre-Angkorian (5<sup>th</sup>-9<sup>th</sup> centuries) polity as divided into rulers with ritual functions who also controlled the economy, and the ordinary population, who were ruled and organised as labourers. Society was organised in three strata—chiefs/kings, aristocracy/officials and commoners. Cambodian society did not have a social caste system like India’s, but was socially divided into senior and junior classes, with the senior in control of prestige goods and the junior obliged to supply products of consumption and utility to the seniors, who redistributed a portion to the juniors

(Vickery 1998: 272; Mehmet 1997; Chandler 2000). In ancient Cambodia, senior and junior classes were linked by political, economic and social life and may have been based on distinct lineages. In this political-economic relationship, the junior was the client and the senior was the patron, and they were mutually dependent.

Some writers on Cambodian socio-political transitions (e.g. Martin 1994; Chandler 1996; Ovesen *et al.* 1996; Collins 1998; Roberts 2006; Ebihara 1968) have observed that the exertion of Cambodian power is embedded in hierarchies, patriarchal dominance, state versus people disparity and a general absence of trust. This remains the case in the political leadership style in contemporary Cambodia. A study by Sorpong Peou asserts that "...[the] current government has consolidated its power by seeking to institutionalise its political control" (Peou 2001: 40). Cambodia may thus emerge as and remain an illiberal democracy in the future, with elections held on a regular basis mainly to legitimise the ruling parties (Peou 2001: 40). These political issues and subsequent scepticism have led to widespread pessimism regarding the future of Cambodian democracy (Hughes 2003; Curtis 1998; Peou 1997; Blunt & Turner 2005).

The patron-client relationship is central to understanding the Cambodian political order. The patron-client relationship is historically a significant phenomenon common not only in Cambodia, but also in most parts of Asia (Ledgerwood 2002). In a patron-client relationship, the exchanges between patron and client are imbalanced, and it is the patron who is in a relatively better position in terms of power, wealth and status (Scott 1972). Personalised power has been present throughout history and remains manifest in contemporary Cambodia. During the *Sangkum Reastr Niyum*, the political scene was dominated by Prince Sihanouk himself, whose popular support and respect were derived from the concept of "royal authority" (Ledgerwood 1994: 10). This "royal authority" allowed him to enjoy personalised and absolute power to rule and to eliminate his rivals (Chandler 1991; 1996). General Lon Nol, as Chandler recalls, "saw himself at the pinnacle of Cambodian society" during the Cambodian Republic era (Chandler 1991: 5). Later, the country was flipped upside down for almost four years during the Khmer Rouge regime, and common patterns of social hierarchy and interpersonal relationships, including patronage, were changing or enduring according to the political regime (Ann 2008). After the Khmer Rouge period, the governing system and centralised political control gradually emerged again under the tight control of the Vietnamese government. The personalised power of commune and village leaders was strengthened when these leaders were instilled with two important responsibilities: to fight the Khmer Rouge and to be loyal to the communist party (Slocumb 2004/2006). So far, the patron-client relationship has persisted in Cambodian society throughout many political regimes. It was crushed by the KR but re-emerged during the PRK in the 1980s (Gottesman 2004).

Power relations between state officials and citizens are generally characterised by "steep power differential, which prohibits the ability of citizens to claim rights and freedom in the face of official highhandedness" (Hughes 2003: 30). Most Cambodians view contact with representatives of the state (at any level) as threatening (i.e. they should be avoided if possible). Power is not shared; it is

accumulated and protected. Cambodian rulers build their political systems based on long familiar aspects of traditional political order and personal patronage networks (John 2005; Marston 1997). The central symbolism of Cambodian political order revolves around the idea of power, which is understood as a zero-sum game, or the securing of compliance. Power is accumulated by force or strength (*komlaing*). Power in Cambodian society rests with the high officials, not with its offices or institutions, so that power is personalised and serves the purpose of the leaders rather than the public (Roberts 2006). Cambodian political life imitates a hierarchical, absolutist and patronage form, which creates weak state institutions where the channel of power has to go through and be instructed by political parties.

As outlined in this section, the socio-cultural conditions in Cambodia, like those of most countries in mainland South-east Asia, are conducive to the formation of patronage networks, based on hierarchical and personalised power. Thus far, we have seen two factors (historical transitions and political orders) that have provided obstacles to the development of democracy in Cambodia. The final factor is described in the following section and runs counter to the previous two: the inception of democracy through the UN-led intervention in the early 1990s (transitional phase of democratisation).

### **Inception of democracy: the UN-led intervention and its unfinished tasks**

The path of transforming Cambodia's civil war to peace and a process of democratisation began in the early 1990s as a result of the ending of the Cold War and the United Nations intervention, headed by the United Nations Transitional Authority in Cambodia (UNTAC). It was one of the first and by far most extensive examples of a post-Cold War mission by the UN (Lizee 2003; Roberts 2002). The major purposes of UNTAC were to maintain, preserve and defend the sovereignty, independence, territorial integrity, inviolability and national unity of Cambodia; and to restore and maintain peace, promote national reconciliation and ensure the exercise of the right to self-determination of the Cambodian people through free and fair elections (Heder & Ledgerwood 1996; Peou 2000). With two billion US dollars spent on the mission, UNTAC deployed 480 unarmed military observers and 16,000 armed infantry and engineering troops from dozens of countries, with a total of 22,000 UN personnel. The purposes were very ambitious, particularly to organise the elections.

As noted above, Cambodia is a nation with no power-sharing traditions. Hence, attempts to establish a ceasefire, disarmament and demobilisation and power sharing were difficult for UNTAC. Four main groups were fighting during the civil war from the 1980s until the early 1990s, and they all acted with full ambition. They were: (a) the Cambodian People's Party (CPP, the ruling party, which was backed by the Vietnamese government and had military strength), (b) the Party of Democratic Kampuchea, known as the Khmer Rouge (militarily strong), (c) FUNCINPEC (the royalist party) and (d) KPNLF or Son Sann's party (headed by the former prime minister from the early 1970s). This was the main

confrontation in the Cambodian political arena, where each of the factions justified its pursuit of power less with the needs of its followers or its plans for the future than with its past claims to legitimacy and the past crimes of others (Ashley 1998).

After the 1991 peace agreement was signed, it was still difficult for UNTAC to implement its mission because the two strongest military factions (CPP and KR) remained in conflict with each other. Both parties agreed to the UN accord under strong international pressure and in the hope that they would be able to twist the ambiguities to their advantage (Ashley 1998; Peou 2000). With the deep underlying conflict between the Khmer Rouge and the CPP, six months before the elections scheduled for May 1993 the KR grew increasingly sceptical of the process of peace with the other three parties, especially the CPP. Hence, the KR broke the agreement to take part in the elections and to follow the ceasefire. It refused to disarm, ceased cooperation with UNTAC and eventually threatened to launch an attack on UNTAC and the CPP to disrupt the electoral process. The Khmer Rouge's withdrawal from the peace process and the implied threat to national security weakened UNTAC to the extent that it was unable to disarm and demobilise troops from the CPP, which controlled the largest military force among the four factions. The CPP controlled the bureaucracy in most parts of the country, including the police, judiciary and other state institutions. With all of these institutions in its control, the CPP systematically used them to support its electoral campaign, which implied unfairness and led to violence against the opposition parties (Findlay 1995; Heder & Ledgerwood 1996).

Despite UNTAC's inability to disarm the parties and to enforce a ceasefire, and despite the threat of military attack from the KR, elections were held as scheduled on 23 May 1993. In spite of the absence of electoral democracy for many decades, more than 20 political parties ran in the election and, surprisingly, more than 90 percent of the eligible voters turned out for the election (4.6 million people). Seats in parliament were divided between four main political parties: FUNCINPEC received 58 seats (45.47 percent) in the assembly; CPP 51 seats (38.23 percent); Buddhist Liberal Democratic Party 10 seats (3.81 percent); a little known party, Molinaka, 1 seat (1.37 percent), and other parties, which received insufficient votes to win seats, 11.12 percent. Although the election was recognised as free and fair, UNTAC was unable to bring peace to the country. The success of the election was immediately overshadowed by the dangerous politicking and manoeuvring that ensued between the various political factions (Findlay 1995). Indeed, the political situation deteriorated. In the wake of elections, many problems occurred, including complicated power sharing arrangements between the two major parties, inability to establish legitimate state institutions and the country's poverty and desperate economic situation.

The transition of power to the winner, FUNCINPEC, based on the election results, was fiercely rejected by the CPP, which had the most troops and control over state institutions. The CPP accused UNTAC of bias and fraud, which they said had deprived the party of victory. As part of the refusal to accept the results of the elections, some leaders in the CPP threatened to launch a military coup and form a territorial secession east of the Mekong River. The country was divided

between many factional groups: the KR, which still possessed military strength, the CPP, which still controlled most of the country, and FUNCINPEC, which expected to obtain electoral power. To solve this stalemate, the formation of a grand coalition government, with 50:50 power-sharing between FUNCINPEC and the CPP, was necessary according to UNTAC. The head of FUNCINPEC, Prince Norodom Ranariddh, and the head of the CPP, Hun Sen, were co-prime-ministers, and three other important ministries shared co-ministers: the Ministry of Defence, the Ministry of the Interior and the Council of Ministers.

The marriage of the two parties in a coalition government did not last long. From 1995, the relationship between them increasingly soured. State institutions became weaker while the two political parties became stronger. Instead of establishing a united state power, the power sharing of the CPP and FUNCINPEC resulted in two separate party-states with two parallel structures of authority. Money was channelled through the patronage-clientelism of the political party system to enrich each party. As a result of the political and economic competition between the CPP and FUNCINPEC, in July 1997 the CPP used its strong military and grassroots networks to reactivate its power, launching a *coup d'état* and expelling FUNCINPEC from the coalition government. In short, the UNTAC mission failed to establish a mechanism for achieving democracy and economic development (Heder & Ledgerwood 1996).

Although subsequent elections were held in 1998, 2003 and 2008, democratic development in Cambodia has faced various problems related to the post-conflict situation, such as lack of regime legitimacy and of political stability. As outlined above, Cambodia has had major impediments to overcome in terms of its violent recent history, the Cambodian political orders and the unfinished tasks of the UN-led intervention.<sup>1</sup> Cambodia is still searching for the means to promote democracy. Sustainable or successful democratisation is likely to take decades and needs to be accompanied by, *inter alia*, a strengthening of state capacity, institutional development, participatory and civic engagement with the state, local democratisation and promotion of power from below (Öjendal & Kim 2011; Lederach 1997; Ledgerwood 2002; Ottaway 2002; Öjendal 2005; Paris 2004). In the following, the thesis will discuss the background of democratic decentralisation in Cambodia and the justification of research.

## **Decentralisation: the Cambodian context**

The historical backdrop that has brought Cambodian decentralisation into existence has been linked to both external coercion and internal factors. External support, which can be traced back to the UN-organised national elections in 1993, has given rise to the current decentralisation reform. The notion of decentralisation was developed via the CARERE2/Seila initiatives, which had been in operation since 1996 (Rudengren & Öjendal 2002; Biddulph 2003), working with technical and

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<sup>1</sup> Öjendal and Kim (2010) have argued that the process of democratisation in Cambodia faces structural limitations to sustainability (such as lack of institutions, low education level and deep poverty).

financial support from the donor community with a focus on the local level. As for the internal factors, the political decentralisation initiative emerged from the initial reform strategy set by the government in 1999. The process was propelled by several historical circumstances. The Cambodian government has been exposed to decades of communism and political despotism. The most significant social issue is poverty, which harms a majority of its citizens. The patronage political factor has been embedded among the most trusted cronies of the leading political party, and power-holders continue to dominate state resources and ruin the state social and economic system. Having identified these issues, both the Cambodian government and the donor agencies, based on experiences of decentralisation from other countries, saw decentralisation as a viable solution.

More precisely, the Law on Commune/*Sangkat* Administrative Management and the Commune Election Law were promulgated in March 2001. The election of commune/*Sangkat* councils in February 2002 formalised the start of decentralisation. There are at least four major intentions in the Cambodian government's launching of decentralisation: i) to strengthen the degree of local participation in local affairs; ii) to increase local ownership of local development, iii) to change the attitudes between the local state and the people and iv) to strengthen democracy (Prum 2005; cf. Öjendal 2005). However, the implementation of decentralisation faces a number of challenges in Cambodia that need to be explored. For instance, local governments are known to be ignored or bypassed (by NGOs and line agencies of the government); donor support is usually channelled through the central government apparatus and is not certain to reach the poor in their localities; political, administrative and fiscal decentralisation are not yet integrated components of local governance; and elected local governments are not yet fully able to access local resources through taxation (Prum 2005).

Different studies on the implementation of decentralisation reform in Cambodia have anticipated that responsiveness, accountability and devolution of power are the prevailing factors (Manor 2008; Chheat *et al.* 2011; Öjendal & Kim 2011; Rusten *et al.* 2004; USAID/Pact 2008; COMFREL 2007; Tariq & Lamont 2010; Kim & Öjendal 2009). Studying the on going process of decentralisation in Cambodia, it is vital to understand elected commune councils' and voters' perceptions of the role of decentralisation (i.e. responsiveness, accountability and devolution of power). Let us further explain how they are understood in the decentralised governance system.

### **Introduction to decentralisation concepts: responsiveness, accountability and devolution of power**

As mentioned above, the aim of this thesis is to investigate the quality of democratic decentralisation reform in post-conflict Cambodia. The focus is ultimately justified by the frequent arguments that democratic decentralisation is vital in deepening local democracy in a post-conflict context. The main research problem is: *what is the quality of democratic decentralisation reform in post-conflict Cambodia?*

Consolidation of democracy in societies emerging from decades of widespread violence, totalitarianism, civil war, rampant poverty and weak state institutions, and with no historical experience of liberal politics, is not a simple process (Hughes 2009). The gap and relation between state and society are marked by corruption, rent seeking and vote buying (Un 2004). Serge Thion observes that Cambodian society lacks fully-fledged intermediary structures or institutions between peasants and the higher authorities, which leaves the way open to the exercise of centralised power (Thion 1994). Hence it requires considerable effort and time to re-invent political institutions, in particular at the local level, to mediate the gap between central and local levels, legitimate new leadership, change the attitude of leaders and deliver political and economic goods to citizens (Öjendal & Lilja 2009; Öjendal 2005). Ledgerwood & Vijghen (2002) argue that patronage and kinship ties are still at the core of Cambodian social institutions in rural communities. In short, scholars seem to agree that there is an exploitative, top-down and patron-client between state and society in Cambodia, which makes democratic decentralisation through the elected commune councils so interesting. They may be the first ever attempt to build intermediary structures in Cambodian society, hence bridging the gap between state and society, and doing this in a democratic manner.

Democratic decentralisation seems to fit the situation of post-conflict Cambodia after a “big bang” insertion of democracy in 1993 and would help overcome all the obstacles discussed above (Öjendal 2005; Kim & Öjendal 2009). The democratic decentralisation reform in Cambodia, including local elections and participatory methods, may have appeared irrelevant in “high politics”, but its progressive political values impact on the majority of people. Democratic decentralisation reform has already contributed to a certain degree of enhanced political legitimacy and brought politics down to regular people and out to the local arena (cf. Öjendal & Kim 2006; Prum 2005; COMFREL 2007; Öjendal & Kim 2011; Mansfield & MacLeod 2004). It is assumed in this work that formal democratic decentralisation is defined through its ability to deal with the local political and social order and by the extent to which it is locally understood. Hence, a basic understanding of local perceptions is paramount.

Experiences from other countries have indicated that decentralisation became one of the most widespread, yet comprehensive, political reforms pursued globally in the 1990s (Crook & Manor 1998; Öjendal 2005; Manor 2011). The international community and a number of scholars have identified decentralisation as *the* tool to consolidate democracy or to make the democratic process more sustainable (Lederach 1997; UNDP 2007; UN DESA 2007; Ribot 2003; Crook & Manor 1998; Grindle 2007; Manor 2011; Devas & Grant 2003; Heller 2001; Crook & Sverrisson 2001; Oxhorn *et al.* 2004; Manor 2007; Khushna 2003; Kothari 1996). Decentralisation is typically used by the state in post-conflict societies as a strategy to restructure the centre-periphery or central-local relations, and to introduce democratic (legitimate) institutions in peace making and conflict management processes (Öjendal 2005; Braathen & Hellevik 2006; cf. Öjendal & Lilja 2009). The objectives of decentralisation generally include transferring decision making

power, allocating the power and implementation functions of the central or provincial states to local government and using limited resources more effectively. One of the reasons for endorsing decentralisation is that policy makers found it difficult to formulate and implement strategies from the centre, so they sought new ways to elicit greater participation, self-reliance, democratic decision making, responsive government and accountability of public officials to citizens (Manor 2008; Johnson 2001; Rondinelli *et al.* 1983; Smith 1985; Manor 2011; Cheema 2011). Decentralisation has become part of the current development discourse with the basic argument that it brings political decision making closer to the people, which in turn enhances the power of ordinary people over their own fate (Ribot 2011; cf. Öjendal 2005; Kothari 1996).

Democratic decentralisation is a comprehensive process, and there are many core concepts to take into consideration, such as accountability, political representation, transparency, participation, responsiveness, devolution of power or shifting power to local governments, civic engagement, central and local relations (Manor 2011; Grindle 2011; Eaton 2001; Heller 2001; Kulipossa 2004; Johnson 2001; Smith 1985). Obviously we need to focus on some aspects in order to acquire some in-depth knowledge. Smith's seminal work on decentralisation illustrated that there are three interrelated values that decentralisation can contribute for strengthening democracy, namely "political education, training in leadership, and political stability" (Smith 1985: 20).

James Manor is probably one of the most influential scholars in this field of research, providing analytical frameworks and identifying key issues in democratic decentralisation. After assessing the development of democratic decentralisation in Cambodia, Manor found that three things are essential for democratic decentralisation to work well: i) substantial resources (especially financial and human) must be provided to elected bodies at lower levels to make them able to be more *responsive* to voters; ii) strong *accountability* mechanisms must exist to ensure both the accountability of bureaucrats to elected representatives and accountability to voters; and iii) the elected representatives must be invested with substantial *powers* (Manor 2008; cf. Manor 2011).

Accountability is a critical factor for democratic decentralisation because it would enhance opportunities for citizens to demand public attention, use the vote effectively to reward and punish officials who do or do not deliver on promises (Grindle 2011). Merilee Grindle also suggests that accountability refers to being answerable for actions (Grindle 2011). Jesse Ribot argues that for building effective local democracy, elected local authorities need to have sufficient and meaningful discretionary powers to enable them to represent their populations. Without discretionary power in the hands of representative local authorities, there is no representation and there is no local democracy (Ribot 2011: 1).

In order to answer the research question through analysing the quality of democratic decentralisation reform in post-conflict Cambodia and given the common understanding and empirical data of democratic decentralisation (as discussed by Manor 2008/2011; Öjendal & Kim 2011; Grindle 2011; Ribot 2011,

Smith 1985), this thesis uses these three core concepts of decentralisation for the empirical analysis. *Responsiveness*: how has responsiveness been established under democratic decentralisation? *Accountability*: what are the perceptions of accountability mechanisms under the democratic decentralisation reform? *Devolution of power*: how has devolution of power been working under democratic decentralisation reform? A detailed operationalisation of the key concepts is discussed in chapter II.

### ***Responsiveness***

The cornerstone of responsiveness is the authorities' ability to fulfil their own promises (rather than inflating expectations of constituents) (Smith 1985). Local government responsiveness requires initiative and responsibility for the policy implementation to be conducive to the needs of citizens. The idea is that elected local councils respond quickly to implement projects according to what they have promised during the election campaign and that voters more easily can check on their performance (Manor 1999: 57; cf. Manor 2008).

Concerning responsiveness, the aim of this thesis is to explore the role of elected commune councils in responding to voters' needs. The thesis will gauge the *output* of responsiveness in terms of *speed, quantity and quality* performance of commune councils (CCs) in response to the demands of electorates.

### ***Accountability***

Accountability is one of the most important elements of democratic decentralisation (Blair 2000; Grindle 2011; Ribot 2011; Manor 2011). Accountability refers to being answerable for policies and actions or answering for the use of authority (cf. Moncrieffe 2001; Grindle 2011). Accountability mechanisms work within government to set limits on the arbitrary exercise of power, to check and balance the separation of powers and to constrain the activities of politicians (Grindle 2011). In short, it is important to know to what extent local institutions and individuals to whom power is allocated are accountable to the rest of the administration and to local communities. Accountability can be enhanced if local representatives are more accessible to citizens, but policies must be followed and local representatives must also be accountable to regulations (Kulipossa 2004).

### ***Devolution of power***

Within decentralisation, the devolution of power is one of the most critical aspects (Manor 1999/2008). Power in a reform of democratic decentralisation resides in the electoral accountability of local institutions such as elected councils, and is thought to be equally distributed within the representative political institution. Therefore, decentralisation is seen as a process in which power is delegated to elected bodies and, most importantly, in the manner in which elected councils are allowed to exercise power within their mandate.

One of the critical roles of decentralisation is building effective local democracy by furnishing elected local authorities with sufficient and meaningful

discretionary powers to enable them to represent their populations, but local authorities do not necessarily hold the powers that would enable them to respond to local needs and aspirations (Ribot 2011). The devolution of power within the decentralisation process will be used for the empirical analysis of the elected commune councils.

## **Research methods**

This thesis explores an ethnological understanding of the democratic institutional reform of democratic decentralisation in Cambodia. Rather than studying decentralisation in general, as justified above, the thesis focuses on three particular aspects: responsiveness, accountability and devolution of power. This study employs both qualitative and quantitative methods. Theoretical concepts are used as tools in analysis. Because democratic decentralisation in Cambodia is a relatively new process, and the amount of previous research is limited, the key focus of this research is an exploratory and descriptive picture based on an in-depth interview and understanding about the role of commune councils in Cambodia and, hence, in the local society's democratisation. However, the qualitative approach will be accompanied by quantitative questionnaires, aiming to pinpoint response frequencies of the three concepts. The division of labour between qualitative and quantitative research is that the quantitative survey—based on previous experience and on an early round of exploratory field research in line with the abductive approach (the combination between inductive and deductive approach) (Lesson & Solberg 2000)—serves to frame the overall issues, whereas the qualitative field research aims to problematize and deepen the understanding of the linkages of the three concepts of democratic decentralisation as pinpointed in the quantitative dimension.

When conducting research in Cambodia, there is a lack of systematic survey data in particular on decentralisation reform. This constraint is unavoidable given that the country was in a state of civil war for almost thirty years, and academic research, particularly by Cambodian researchers, has been very limited. Therefore, most studies—also this one—have somewhat of an “exploratory” character. Typically studies are conducted based on demands from donors or NGOs in order to influence policy and operational activities. I was initially engaged in anthropological work and have been working for many years with applied research. Hence the data that this thesis is based on are mostly qualitative and were accumulated during several lengthy stays in some communes (in Battambang, Kampong Cham, Kampong Speu, Kratie, Siem Reap, Takeo, and other provinces). Moreover, much contextual data was also generated in the course of my previous work over many years as a senior research fellow in Cambodia Development Resource Institute (CDRI), especially on commune councils since 2002.

## ***Quantitative dimension***

There was no baseline prior to the introduction of decentralisation reform in 2002 (cf. Öjendal & Kim 2011). Therefore, this thesis is a point of departure for research on democratic decentralisation in Cambodia. In addition to presenting quantitative data from my own surveys and informal interviews, I have also drawn on survey data from other sources. Throughout the four empirical chapters, the data are analysed and compared in order to crosscheck response frequency and to pinpoint the arguments for the qualitative study.

The survey questions were formulated based on lengthy reviews of policy documents, research publications and NGO reports related to the reform in Cambodia (Rusten *et al.* 2004; cf. Blunt & Turner 2005; cf. Luco 2003; Slocomb 2004; Öjendal & Kim 2006; cf. Vickery 1998), field observations (in my work with CDRI on the reform) and pretesting. The survey questions were pre-formulated to elicit the perceptions of CCs and voters on the reform.

The questionnaire-based survey is a significant tool in this thesis. The selection is based on a sampling frame and takes account of possible sampling errors. Generally speaking, the greater the bias inherent in the sampled population distribution, the larger the sample size must be before the normal distribution is an adequate approximation of the sampling distribution. According to the sampling distribution formula, for data to be adequately representative, the sample size should be at least 30 in each category (McClave & Sincich 2003: 225). In each commune, 7 percent of the total households were chosen for the survey. Research assistants were needed for the questionnaire survey. The respondents were villagers (men and women), commune councillors, government bureaucrats and political activists (because decentralisation is a politically controversial issue). Two important aspects of conducting the quantitative survey are that the questionnaire was pretested in pilot studies, and research assistants were thoroughly trained. The survey was conducted in close cooperation with CDRI, which is well accustomed to surveys of this kind.

My own survey was conducted in 2006 (the final year of the first mandate of commune councils). This survey covered five provinces in different geographical zones of the country. Seventy-four CCs from ten communes and 583 citizens of voting age from five communes were interviewed. The survey covered a randomly selected 7 percent of the total household heads in each commune. Respondents were categorised in age groups, with almost equal numbers of male and female respondents.

In order to check and compare the accuracy of my survey, another larger survey (from a different study) will also be used, which was pursued one year before and with a much larger sample of respondents. The survey aimed at capturing both the views of the citizens and the opinions of the commune councillors themselves. There were a total of 1416 voter-age citizens and 708 commune councillors surveyed through a nationally representative proportionate sampling (Kim & Henke/CAS 2005).

Respondents were primarily given pre-formulated answers but on occasion given the opportunity to elaborate their own words which sometimes been picked up and coded into the pre-formulated alternatives or at the time have been used as qualitative assessment in the particular questions. The questions for CCs in my survey were typically: how is the current democratic decentralisation different from the previous system of commune authority? What are the factors that make CCs able to respond to the demands of electorates? Do you have enough knowledge to understand the feelings of people in your commune in order to be able to respond to their demands? What is the most effective mechanism to disseminate information to the villagers? How do you rate the level of the CC's responsiveness to people's demands in terms of speed, quality and quantity? Have you ever heard the word "accountability", and if so, what does it mean? For what type of activities do you think you can mobilise most villagers to participate? How is one accountable to people? From your own perspective, currently who is the direct boss of CCs? From your personal view, what does the word "power" mean? Do CCs have enough power according to what is stated in the laws?

The questions for the quantitative surveys for CCs and voters were categorised based on the three concepts of responsiveness, accountability and devolution of power. The questions for voters in my survey were typically: After the commune election, has commune leadership changed? Do you think that the CC primarily represents your village? Do you think the CC would assist you if you went to it? Do the commune councillors ever come to your village? Do you think that the CC is knowledgeable about the situation in your village? Who benefits most from development activities of the CC? How much of the commune development plan is made into reality? Have you been invited to attend the meeting at the commune? Have you ever voiced a demand to the CC? How do you rate the responsiveness of the CC in terms of speed, quality and quantity? Have you ever heard the word "accountability"? Are villagers encouraged to have opinions on the activities of the CC? What measure would you take to influence decisions of the CC? Are people afraid to voice their opinions? How do you receive information from the CC? Do you know the amount of funding in the commune for development this year? From your observation, who in this village has power? What does the word "power" mean?

### ***Qualitative dimension***

Research methods that produce qualitative data are scattered among diverse disciplines, such as historical, anthropological, political science and development approaches. Part 2 (chapter IV-VII) empirically elicits the perceptions of local leaders and voters. The in-depth interviews were carried out in the five communes with commune councillors, village chiefs, older educated people, civil society actors, small business owners and villagers.

The qualitative parts of the research consist of both unstructured observations and semi-structured interviews. Research assistants were not required for unstructured and semi-structured interviews, but I noted as much of the

surrounding details as possible, which would be subsequently rearranged into analytical notes. The informants were commune councillors, district officials, villagers (with different social status, wealth, education, age and gender), government bureaucrats and staff of NGOs, political activists and others who could provide background information. Social factors are as important as the analytical tools in understanding the nature of CCs' responsiveness, accountability and devolution of power. One commune out of the five was selected in which an in-depth interview was carried out by staying in the commune for a period of time in order to gain better understanding of the process of decentralisation and the political orders of commune leadership (see the description in the introduction to the field below).

For the qualitative interviews, more than 50 informants (commune councillors and voters) were interviewed. The main topics of the discussion were the overall implementation of decentralisation compared to previous local leadership systems, the engagement between CCs and villagers, performances of CCs, service delivery, decision making, the role of political parties, voices and choices.

While the quantitative survey was being conducted, I was able to be with the team observing and eliciting information that emerged from the quantitative face-to-face interviews. Accompanying the survey team allowed me to gain a specific understanding of certain aspects that the quantitative survey could not illustrate. My observations provided in-depth information from which the qualitative interviews could depart. After the quantitative survey and data entry were completed, I started to analyse the data. The preliminary survey findings have helped my generic understanding of the decentralisation process. However, the quantitative results needed further in-depth explanation, which led me to conduct in-depth case studies in all five communes, trying to crosscheck information with the quantitative data. The quotations in the ensuing chapters are taken from the qualitative information and are not an exact replication of what the informants said—the sentences have been slightly edited for readability.

### ***Introduction to the field***

Given time and resource constraints, but with the desire to gain insight into the communities, in addition to numerous briefer stays, I decided to stay in a commune in Battambang province for six weeks. The purpose of my stay was to conduct short-term observations of participation to gain insights or 'ethnographic understanding'. Of the numerous data collection methods available, this participatory observation enabled me to gain a deeper understanding of CC leadership style and the interaction between voters and CCs, and provided other information which a short visit or direct interviews could not do. I was not a stranger to the commune. In fact, I had been back and forth to the commune since early 2001 for various local government research projects on behalf of CDRI. Since my primary purpose in participatory observation was to gain a deep understanding of the leadership activities of CCs, I decided to stay at the commune

chief's house in order to observe closely the way that the commune chief worked. This aspect of the fieldwork was done from early May till mid-June 2007.

Every day at 6.00 am, with a rented motorbike from a villager, I would head off to a wax market (flea market) in the commune to have breakfast—a distance of about 1km from the commune chief's house where I was staying. Normally, the table I sat at was shared by a few village chiefs, the head of the water user association (a community-based organisation managing water use in the commune), *achar* (old, respected laypersons), commune councillors and other villagers. Breakfast of Chinese noodle soup and a cup of black coffee cost less than USD1. It was early in the rainy season, when farmers start to prepare their land and plough their fields. Over breakfast people talked about their farmland, problems in their villages, water and political news. By 7.15 am, breakfast was over, and people left for their own destinations. I normally headed to the commune office, to talk to different councillors and observe the activities of the CC during the day. Almost every morning, there were a few people waiting to meet the commune chief to inform him about issues of domestic violence, security, schooling situations and irrigation, or to require him to sign, authorise and process various administrative paperwork. By 8.00 am, the daily administrative work in the commune office was sorted out, and the commune chief, deputies, CC members and the clerk met briefly to share information and discuss the issues to be resolved that day. After this morning briefing, some councillors might just sit and chat, but some might head out to do their assigned tasks such as attending village meetings or meeting government officials and NGOs in different villages. By 9.00 or 9.30 am, the commune office became quieter as people returned home, except for those who might need to attend a meeting or had other business to deal with. I usually left the commune office at around 9.00 am to go to the houses of CC members, village chiefs or key informants such as school teachers, old respected people and heads of CBOs. I returned to the commune chief's house at around 10.30 am. It was usually quiet, except for a few women cooking, but I took the opportunity to jot down notes and sometimes transcribe my tapes. Over lunch, I talked a great deal with the commune chief, discussing various issues that he was involved in. At about 1.30 pm I would go to meet different key informants just to chat and observe. After dinner at around 7.00 pm, with electricity supplied by a generator running till 10.00 pm, I was able to type notes into my laptop computer.

### ***Unit of analysis***

There are many administrative levels in Cambodia—central, provincial, district and commune. This study focuses on the commune and the elected commune councils. The justification for this is quite straightforward, since the decentralisation reform concentrates on the commune councils, which are elected directly by citizens. Among local authorities in the commune councils and villages, 85 percent of the leaders are men, which is clearly gender biased. However, among the voters who are the respondents for this study, I try to balance between female and male (since most of the household heads are men, we tried to balance by interviewing female members in the families).

## ***Timeframe***

The time period focused on in this study is the five years from 2002 to 2007, the first mandate of commune councils. The study is exploratory because it covers the same five communes and the same informants since early 2002. In order to obtain a good understanding of the implementation of decentralisation, the study occasionally uses some of the empirical data after 2007, during the second mandate of the commune councils.

## ***Site selection***

Before describing data collection, I would like to explain in a few words the rationale of site selection. Out of 1,621 communes, why are these five communes analysed? In general, the selection aims at obtaining a wide range of political situations and circumstances. There are several reasons for this selection: different geographical spread; social and economic situations; exposure to NGOs and development experiences; political representation in commune councils with multiparty and monolithic party systems; and demography. However, in selecting five communes in five provinces, the attempt is not to produce comparative case studies, but rather to conduct a thematic study of the relative impacts of localised decentralisation processes. And based on the choice of communes, I try to gain as experiences as varied as possible to reflect the diverse aspects of decentralisation. All the selection criteria above aim at understanding the context, the complexity and process of decentralisation in terms of responsiveness, accountability and devolution of power.

Rapport with villagers and local government officials was well established, since I have worked in those provinces for more than 10 years. The five communes were selected as the focus for the 2002 CDRI studies on decentralisation Rusten *et al.* (2004) Kim & Öjendal (2007), Öjendal & Kim (2006), Pak *et al.* (2007). Previous data from the five communes have been used for various publications on decentralisation in Cambodia, including: *The Challenge of Decentralisation in Cambodia* (Rusten *et al.* 2004), *In Search of Agency in Rural Cambodia* (Öjendal & Kim 2006), and *Where Decentralisation Meets Democracy: Can Civil Society Enhance Accountability from Local Governments in Cambodia?* (Kim & Öjendal 2007). The cumulative experience of decentralisation research in these five communes inspired me to consider them as appropriate fieldwork sites for this thesis where I can build a good rapport via interviewing the same informants to observe changes over time, particularly the role of decentralisation in promoting democracy in Cambodia.

The communes selected are abbreviated anonymously as follows:

*KD*, Ch district, Kompong Speu province, which is located about 50 km southwest of Phnom Penh, has almost no trading activities, is arid land with limited natural resources and has limited exposure to NGOs and development activities. The province is one of the poorest in the country.

*PT*, KT district, Kampot province, which is located along the coastal fishing area and Bokor National Park. The commune is rich in natural resources, maritime

fishing and forest products. There is busy trade with Vietnam across the province border. This is the only commune in the country that has four political parties represented on its council. It is therefore important for research on mono versus multiparty communes.

*DA*, KT district, Kratie province, which is situated in the north-east of the country, surrounded by both forest and water resources such as streams from the Mekong, which have potential for fishing. There are some minority ethnic groups within this commune as well, and some trading activities. The commune was made accessible only a few years ago and has, therefore, little economic development and few NGO programmes.

*WT*, SK district, Battambang province, which is in the north-west of the country and was for many years the frontline of the civil war. The province, however, is located on a trade route from Thailand and has potential in natural resources such as fertile land. Many NGOs have concentrated their development efforts in the area, so it is familiar with development aid and NGOs (it is an old Seila province).

*PB*, BK district, Siem Reap province, which is semi-urban, located just 10 km east of Siem Reap town, near the famous tourist destination of Angkor. This commune is special because it is a mono-party commune. It has many problems of land conflicts and has experienced rapid urbanisation and encroachment by the growing city.

### ***Analysis***

Here, the data are derived from both primary and secondary sources; the primary data coming from direct field interviews, and the secondary data being based upon a systematic review of materials on decentralisation and democratisation in Cambodia, as well as experiences from other regions. The available data consist of government legal framework texts and reports by different NGOs. The field notes are analysed using inductive ethnographic interview information to explore the nature of decentralisation in promoting democracy in the country. Unstructured interview information is used to formulate questionnaires and establish guides for the semi-structured interviews. Triangulation is used to test the validity of data.

The interview data were compared with relevant documents. If doubts arose, the researcher revisited interviewees in order to verify information. The researcher had already conducted interviews in the five communes on several occasions, so it was critical to cross-check with previous field information. Relevant theories of decentralisation and democratisation from Cambodia and other regions served as the guiding principles for analysis in this research. For quantitative data analysis, it is appropriate to use the Statistical Package for the Social Sciences to check frequencies to back up the qualitative interview information.

The analysis of the three emerging concepts of decentralisation in Cambodia—responsiveness, accountability and devolution of power—sheds light on the research question and understanding of the experience of decentralisation

and its role in enhancing democracy in Cambodia. The information was gathered through a qualitative and quantitative baseline survey, conducted in 2006-2007, eliciting the CCs' and voters' perceptions of the democratic decentralisation reform that they had experienced.

### ***Research Ethics***

Most of the informants were aware that the researcher was working with a research institute in Cambodia and that most of the information was used by the government and donors. All possible measures were taken to ensure the confidentiality and integrity of respondents. Regarding sensitive information such as funding from political parties, internal party policies that commune councils are implementing and nepotism and corruption, it is very risky to disclose the names of informants and political parties. I, therefore, avoid specifying the names of individual informants and try to use the information without violating the principle of anonymity.

### ***Research aids***

I tried not to use a tape recorder because the research is politically sensitive. However, I needed a tape recorder in case I wanted to record interviews, where allowed, as a backup to field notes. A camera was needed to get a visual record of the performance and the participation of people in local politics. A laptop computer was needed for multiple purposes. For fieldwork, I need to be updated on the security situation because some places in rural Cambodia are still not safe due to banditry, malaria and other dangers.

### ***Limitations***

There are many crucial aspects in decentralisation, such as accountability, responsiveness, devolution of power, checks and balances, people's participation, civil society relations, empowerment, local elections etc. All of these concepts are very important, but some of them are beyond the scope of this study. This study focuses on only three aspects of the on going process of decentralisation in Cambodia: responsiveness, accountability and the devolution of power. Due to the possible overlap between the three concepts and their intertwined relationship, it is difficult to avoid occasional repetition. This study therefore considers the analysis of the three concepts interchangeably. The study focuses only on Cambodia, and at the local level, meaning at the elected commune councils and below.

As regards the data collection, there are advantages and disadvantages in conducting research in my own country (it is implicit that I am embedded in the culture). The advantages are that I have already established good rapport with all five communes. In particular, I have good relations with all key informants, speak the language and can in a flexible way accommodate security issues and other challenges that might occur. The disadvantage is that I might take many things for granted because assumptions might be difficult to avoid. By way of resolving this

disadvantage, I have consulted other researchers (non-Cambodians) who likewise are working on decentralisation, and I am keenly aware that I need to remain alert to these weak points. Let me describe myself. I am a middle-aged man, born and raised in a middle class family in the capital city, Phnom Penh. For my education, I spent most of my early school years in Phnom Penh. To a certain extent, I am acquainted with Western education because I spent many years under a scholarship for a graduate programme in the US and Europe. To a certain extent, the villagers may then perceive me as an outsider.

## **Organisation of the thesis**

Chapter I, “Introduction”, includes a brief historical background of Cambodia, research problems, study objectives and research methods.

Chapter II, “Theoretical and conceptual perspective”, discusses the overall literature and theories on decentralisation related to responsiveness, accountability and devolution of power. The focus is on the role of decentralisation in deepening democracy, and why responsiveness, accountability and power are key concepts of decentralisation.

Chapter III, “Context of Cambodian dynamics”, reviews historical backdrops of commune councils in Cambodian history from the 1960s to the 1980s. The contemporary democratic reform in Cambodia is included in this chapter; in particular Cambodia’s political economy and political orders are reviewed.

Chapter IV, “General emerging factors of decentralisation”, presents some key emerging aspects of decentralisation after the first local election mandate of 2002-2007. The primary focus of this chapter is the perceptions of commune councillors and voters on the decentralisation process in Cambodia.

Chapter V, “Findings of responsiveness”, examines the ability of commune councils to respond to the demands of people, the degree of response and the mechanisms that are being used in terms of quality, speed and quantity. It attempts to cross-check with villagers on the physical infrastructure built by commune councils over the previous four years and to elicit people’s perceptions of the performance of councils. It looks at councillors’ perceptions, at working procedures among different political party members and at the effectiveness of councils. The research focuses on the participation of both better-off and poor people, information dissemination/accessibility of information on resources and the expenditure of councils.

Chapter VI, “Findings of accountability”, discusses the mechanisms used by CCs to be accountable to the public, political parties and state bureaucrats, and the extent to which a commune council is able to be accountable to the public. This is based on observations of the performance of CCs on projects and analysis of how CCs could create mechanisms for managing budgets that would be perceived as transparent. The research also focuses on people’s views of the Cambodian term for accountability, *kanak neiyakpheap*.

Chapter VII, “Findings of devolution of power”, cross-checks the power of CCs to make decisions that existing laws allow. Secondly, it focuses on power relations within-commune councils, their political parties and citizens. Thirdly, the focus is the way CCs exercise power, CCs’ attitudes towards political orders and behaviour changes from top-down traditional authoritarian style towards the democratic way. In this chapter elite capture in both the political and development arenas is considered.

Chapter VIII, “Conclusion”, discusses the empirical findings and decentralisation’s impact on the deepening of democracy in post-conflict Cambodia.

## CHAPTER II

### THEORETICAL AND CONCEPTUAL PERSPECTIVES

This chapter outlines three key areas in the literature. Firstly, it *discusses the concept of democracy and political orders of South-east Asia*. In order to gain insights and understanding of democracy in a post-conflict setting, it is crucial to unveil factors within the political orders of South-east Asia that contradict or uphold the potential for deepening democracy. Secondly, the *contextualisation of democratic decentralisation* highlights different concepts of democratic decentralisation that are argued to be empirically relevant in Cambodian decentralisation. Finally, the *operationalisation of decentralisation* is reviewed by explaining how the three concepts of responsiveness, accountability and devolution of power will be made conducive to empirical study.

#### Democracy and political orders of South-east Asia

This section discusses various aspects of democracy and political orders of South-east Asia that are critical as a context to the current democratisation in the region (Vatikiotis 1996; Pye 1985). An understanding of the differences between democracy and the political orders of South-east Asia would facilitate an understanding of Cambodian democratisation in particular on local democracy, which is more entrenched with political orders (Ledgerwood 2002; Mabbett & Chandler 1995; Bit 1991).

The aim of this thesis is to investigate the quality of democratic decentralisation reform in post-conflict Cambodia; therefore the aim of this section is to review the theoretical contents of democracy. It will discuss and frame different definitions and concepts of democracy that could provide the analytical and operational means for understanding the development of democratic decentralisation in Cambodia. Democracy has been central to Western political theory since the time of ancient Greece. One of the problems of post-Cold War democratic development has been the fusion of authoritarianism and democracy. Some of these combinations are variously called: “hybrid regime”, “semi or pseudo-democracy”, “virtual democracy”, “electoral democracy”, “illiberal democracy”, “weak democracy”, “façade democracy” (Levitsky & Way 2002; Diamond 1999). The ranges of various forms of liberal democracy in authoritarian regimes are critical in analysing democratisation in Cambodia.

In a **consolidated democracy**, democracy is “the only game in town”. According to Huntington, the essence and quality of democratic government occur when decision makers are selected through fair, honest and periodic elections, when leaders do not exercise total power but share power with other groups in society, when stable and effective government institutions are present and when government is responsive and accountable to its citizens (Huntington: 1991). The quality of democracy depends on a range of factors, such as political consensus and legitimacy, popular participation and leaders sharing a vision of public interest in

the society, as well as political stability and effectiveness of political institutions (Huntington 1996). The absence of the above criteria leads to political instability and inability to curb the excesses of personal and parochial desires (Huntington 1996: 24). Democracy is not just about ballots and votes, but also about public deliberation and reasoning and could be called “government by discussion” (Sen 2006: 53). In the broader context, the universal values of democracy also depend on the levels of freedom, pluralism, justice, accountability and responsiveness of government (Diamond & Plattner 2001; Diamond 1999; Sen 2006). Larry Diamond defines democratic consolidation as “a behavioural and attitudinal embrace of democratic principles and methods by both elites and mass” (Diamond 1999: 20). He further details the meaning of consolidation of democracy:

*Consolidation of democracy depends on the legitimacy of the government which links to three key dimensions: firstly, democracy must be deepened and made more authentic. Democracy is significantly more likely to become consolidated if it is liberal. Secondly, the political institutions of democracy must become more coherent, capable, and autonomous, so that all major political players are willing to commit to and be bound by their rules and norms. Thirdly, institutionalisation: that democracy effectively addresses society’s most pressing problems and, perhaps more importantly, provides the liberty, accountability, and responsiveness that citizens uniquely expect from democracy and the order that they expect from any government (Diamond 1999: 20).*

The discussion related to post-conflict reconstruction seems to be focused on enforced democratisation, as argued by Diamond:

*At the bottom, I believe consolidation of democracy is most usefully construed as the process of achieving broad and deep legitimization, such that all significant political actors, at both elite and mass levels, believe that the democratic regime is the most right and appropriate for their society, better than any other realistic alternative they can imagine (Diamond 1999: 65).*

Liberal conceptions on democracy circle around the notion that the most powerful collective decision makers are being selected through fair, honest and periodic elections in which candidates freely compete. The quality of democracy depends on the level of freedom, pluralism, justice and accountability (Diamond & Plattner 2001; Huntington 1991). For George Sorensen, democracy is a political mechanism of selecting political leaders. He defines democracy as: “that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people’s votes” (Sorensen 1998). According to Zakaria, democracy is characterised by the selection of leaders through competitive elections by the people, and they govern as “the will of the people” (Zakaria 2004: 13). Elections are the essence of democracy, but democracy may be inefficient unless other public virtues such as law enforcement, strong public institutions and popular participation are present. For Amartya Sen, democracy is public discussion and political participation

through dialogue (Sen 2006). Selecting representatives via fair and periodic elections is thus crucial for democratic development, and in Cambodia democracy is being pursued through various elections at national and local levels.

Robert Dahl's formulation of "polyarchy" comprises choice, participation and contestation of the government's conduct. For Dahl:

*...a key characteristic of a democracy is the continuing responsiveness of the government to the preferences of its citizens, considered as the political equals...or democracy for a political system one of the characteristics of which is the quality of being completely or almost completely responsive to all its citizens (Dahl 1971: 1–2).*

The essence of this definition is that in order for a government to continue over a period of time, it should be accountable to the citizens and responsive to their preferences. Politicians are not above ordinary folk.

According to Dahl, the crucial beliefs of democracy comprise at least five integral factors. Firstly, legitimacy of polyarchy is embedded in the principle that each person in a political community is entitled to have his/her interests given equal consideration by the leaders. Secondly, authority is about attitudes towards citizens or relationships between the government and the governed. Thirdly, effectiveness is the people's perception, related to expectations about government effectiveness. Effectiveness concerns the political order of a country. Fourthly, trust is crucial for democracy, referring to the extent to which members of a political community have trust and confidence in their fellow political actors. Finally, cooperation relates to people's capabilities to engage freely and easily in cooperative actions (Dahl 1971).

Samuel Huntington terms the meaning of democracy as a form of government, sources of authority for government, purposes served by government and procedures for constituting government. He further elaborates the contents of "true democracy" as:

*...effective citizens' control over policy, responsible government, honesty and openness in politics, informed and rational deliberation, equal participation and power, and various other civic virtues...in democracy elected decision makers do not exercise total power. They share power with other groups in society (Huntington 1991: 9–10).*

He further distinguishes the differences between democracy and dictatorship as:

*... less than the differences between those countries whose politics embodies consensus, community, legitimacy, organization, effectiveness, stability, and those countries whose politics is deficient in these qualities (Huntington 1996: 1).*

Thus far, we have seen that the meanings of democracy are revolving around fair, honest, responsive and accountable government. Other central dimensions of democracy are taken to be people's participation in decision making, power

sharing, effective political institutions, popular participation, regime legitimacy, horizontal and downward accountability, and effective state institutions; these are seen as critical for democracy to prosper (Diamond & Plattner 2001; Huntington 1991; Sorensen 1998; Huntington 1996; Dahl 1971; Zakaria 2004; Sen 2006). Are the concepts of democracy running parallel with or counter to South-east Asian political orders? Are the traits integrated in Cambodian democracy? A cursory observation indicates that democracy has major difficulty in being consolidated virtually anywhere in South-east Asia (the Philippines excepted). Thus, it is obvious that Cambodia is wrestling with contradictions similar to those of other South-east Asian countries (cf. Vatikiotis 1996). Below, let us look at the political orders of South-east Asia in relation to democracy.

Historically, the debate on democratisation in the South-east Asian political order has centred on two main claims (Neher 1981). Firstly, democracy is not compatible with or sometimes operates counter to Asian political orders. Secondly, democracy in South-east Asia is progressing, but parallel with local traditions and beliefs—with little interaction between the two spheres. In South-east Asia, democracy is often understood as a slogan rather than a working principle (Vatikiotis 1996). Democracy in South-east Asia remains complicated by the survival of traditional norms with regard to leadership; democracy is treated as a means to an end, rather than an end in itself (Vatikiotis 1996).

In the 1990s, various writers on the South-east Asian socio-political system argued that many Asian countries have functioning systems, but they differ in important ways from democratic polities with free and fair elections and where the private lives of citizens are generally free from governmental surveillance (Neher & Marlay 1995). Asian political orders are vertical. That is, individuals typically interact with others only after they have determined who is superior and who inferior (Neher & Marlay 1995). Asian cultures stress power, authority, status or hierarchy, reciprocity/bonds, gratitude and personalism (Neher 1981). These values shape political development and serve as glue holding society together and as a web facilitating communication; they enforce group ties by specifying reciprocal obligations in all interactions (Alagappa 1995; Hanks 1962).

Kinship ties are particularly important in the idiom of social organisation in the region and its history. In his articulation of South-east Asian history, culture and region, O.W. Wolters (1982) explains:

*Men of prowess would depend on their being attributed with an abnormal amount of personal and innate soul stuff, which explained and distinguished their performance from that of others in their generation and especially among their own kinsmen...those who had the highest expectations when they were attracted into a leader's personal entourage, whether as relatives or dependents, were those who believed that they, too, were capable of achievement (Wolters 1982: 6-8).*

“Men of prowess” also bring with them the possibility of mobilising extended kinship ties within and outside a settlement or network of settlements.

These characteristics also reflect the public life of the leaders. Leaders and followers alike need to validate their status by continuous achievement.

Leadership organisation in the region was also associated with the concept of *devaraja*, the Hindu cult (king of the gods), practised in particular during the Cambodian empire of the Angkor era (Wolters 1982; Scott 1977; Coed s 1964). *Devaraja* was seen as magical power for political authority. In South-east Asia the king was not proclaimed to be merely an intermediary between man and divine beings; he claimed to be an incarnation of a Buddhisatva or a Hindu deity (Neher 1981). This reflects the principle of absolutism and hierarchy during the process of Indianisation in South-east Asia and remains an essential aspect of politics to this day. The influence of *devaraja* remains intact in the contemporary political system in Cambodia, in which leaders act analogously as patrons or as possessing a unique power (superiority) from their clients (Coed s 1964; Wolters 1982; cf. Vatikiotis 1996; Thion 1993). This relationship between patron and clients creates strongly intertwined interpersonal obligations.

Another Hindu influence on the political leadership of South-east Asia engages the concept of *mandala* (circles of kings; a Sanskrit term used in Indian manuals of government). This “represented a particular and often unstable political situation in a vaguely definable geographical area without fixed boundaries and where smaller centres tended to look in all directions for security” (Wolters 1982: 17). Wolters explained:

*Mandala would expand and contract in concertina-like fashion. Each one contained several tributary rulers, some of whom would repudiate their vassal status when the opportunity arose and try to build up their own networks of vassals. Only the Mandala overlord has the prerogative of receiving tribute-bearing envoys; he himself would dispatch officials who represented his superior status (Wolters 1982: 17).*

Wolters termed South-east Asian political systems *mandala* or *polities* as an alternative to “states”. His explanation of the relations within and nature of South-east Asian states is as follows:

*What gave distinctive shape to public life within Southeast Asia itself was a cultural emphasis on “person” and “achievement” rather than on “group” and “hereditary” status. Society had to be continuously monitored to spot potential leaders in a particular generation, and this outlook encourages the habit of “present-mindedness”. Government was not a matter of elaborate institutions but of a relaxed unbureaucratic style of public life, where importance was attached to management and ceremony and where personal qualities of leadership and example played the major role. I like the expression “relaxed” because it absolves one from having to beg the question of what is strong or weak government...one reason is the tradition that rulers and ruled depended on each other; the ruled could migrate if government suddenly became more severe (Wolters 1994: 6).*

The passage above reveals that the construction of sectarian modes of Hindu devotionalism contributed in two ways to the development of South-east Asian notions of political authority: firstly, political authority is linked with the perception of the overlord's superior prowess that the leader was the patron, and, secondly, power is exercised in an absolutist way. Wolters observed the South-east Asian political system in the 1950s and 1960s. The combination of cultural and traditional norms remains intact in contemporary Cambodia.

In *Asian Power and Politics*, a seminal work, Lucian Pye illustrates that Asian politics revolves around three main concepts: power, authority and legitimacy (Pye 1985; Alagappa 1995; Anderson 1998). Although Pye recognises that power is a universal concept, at different times and in different places there have been quite different understandings of the concept. In the Asian context, power is typically viewed as: important for status, personalised, a style of political action, [a sign of] wisdom and education and a feature of personality, birth, wealth and security. Power is personalised and not institutionalised in constitutionally defined offices. Most often leaders capture institutions and change them for their own purposes (Pye 1985). Power is, however, not the only concept explaining the political development of Southeast Asia.

Authority refers to the institutionalisation of the normative order. It is essentially the institutional code within which the use of power as a medium is organised and legitimised (Parsons 1986; Pye 1985; Weber 1947). The concept of authority is associated with the Buddhist concept of *karma* or destiny, which is the sum of a soul's good and bad actions in all past lives. Right action in one's life leads to a higher station in the next life (Hanks 1962; Keyes 1984; Neher & Marlay 1995). The leaders or those who are fortunate to hold higher status are presumed to have been virtuous in their previous existences. Since power justifies itself, those who are low ranking are presumed to deserve their status. The notion of authority is imbued with the concept of the *devaraja* cult whose political authority is based on good karma from a previous life—justifying absolute power and the difference between rulers and ruled.

Legitimacy, according to a study by Muthiah Alagappa, "*Political Legitimacy in Southeast Asia*", is the belief in the rightfulness of a state, in its authority to issue commands (Alagappa 1995). Political legitimacy is the belief by the governed/ruled in the rulers' moral right to issue commands and the people's corresponding obligation to obey such commands. Both rulers and the ruled need to have a virtuous relationship, characterised by respect, morality and faith (Weber 1947; Alagappa 1995). The quality of legitimacy depends on shared norms and values, conformity with established rules for acquiring power, proper and effective use of power and the consent of the governed.

Patron-clientelism is still the core of Cambodian social organisation (Ledgerwood & Vijghen 2002; Marston 1997). The concept of patron-client relations has been elaborated and somewhat modified by Eisenstadt & Roniger (1984), who regard it as associated with two factors to create an interpersonal relationship and trust. The core analytical characteristics of patron-client relations

are, according to them: an exchange of different types of resources, economic and political such as loyalty and protection. A reciprocal, long-term relationship, involving unconditional personal obligations, is always arranged in the package deal. Agreement between patron and clients is not contractual or fully legal but is informally binding; the relationship is vertical, and there is an unequal relationship between patron and client (Eisenstadt & Roniger 1984: 48–49). James Scott's work on *Patron-Client Politics and Political Change in Southeast Asia* illustrates that the patron-client relationship in South-east Asia rest on dyadic contracts, informal and vertical relations, personal networks and action-sets. Vertical and power relation linkages represent an important structural principle of South-east Asian politics (Scott 1999: 92). Scott describes the patron-client relation as an exchange relationship between roles, which may be defined as:

*A special case of dyadic ties involving a largely instrumental friendship in which an individual of higher socioeconomic status (patron) uses his own influence and resources to provide protection or benefits, or both, for a person of lower status (client) who, for his part, reciprocates by offering general support and assistance, including personal services, to the patron (Scott 1999: 92).*

Normally, the patron-client relationship is embedded both in the day-to-day lives of people and in institutions such as bureaucracies and political parties in South-east Asia, which somewhat undermines the formal structure of authority (Neher 1981; Scott 1999). Although the dynamics of personal alliance networks are as crucial in the day-to-day realities of national institutions as in local politics, the main difference is simply that such networks are more elaborately disguised by formal facades in modern institutions (Scott 1999). Neher and Marlay have explained that patron-client ties are formed from the point of view of the inferior for sheer survival. As they put it:

*Powerful people in all walks of life, "patrons" who control scarce resources, accumulate as many follower "clients" as possible. The primary pattern of social exchange in Southeast Asia is between un-equals. And although these transactions are between a superior and a subordinate, dealings are personal, face-to-face, reciprocal, and mutually beneficial. Patron-client ties are the very foundation of society and politics all over Asia (Nether & Marlay 1995: 15).*

Patron-client relations and personal alliances, in this context, accomplish what impersonal laws and institutions are supposed to do in the West. This is evident in Cambodian society, where politics is reliant on leaders and there is great respect for authority and hierarchy.

Up till now, I have outlined the doctrines of democracy and South-east Asian political orders which are seen to a large extent to be mutually contradictory and running parallel with each other. South-east Asian political systems "have some influences from various external forces, but did not displace the indigenous culture, rather added to it in ways that make Southeast Asian political culture unique"

(Neher 1981: 12). Democratic system in South-east Asia could accurately be termed “semi-democratic” or “Asian-style democracy”, which is vertical and typically features patron-clientelism, loyalty, order, obedience, absolutism, hierarchy and personalised power (Scott 1977; Kinsbury 2001; Neher & Marlay 1995). By arguing like this, I do not mean that democracy in the West and elsewhere is free from patron-clientelism.

In sum, the political order of South-east Asia (as discussed by Scott 1977; Neher 1981; Geertz 1973; Wolters 1994; Anderson 1998; Keyes 1984; Alagappa 1995; Pye 1985; Vatikiotis 1996) has historically revolved around personalised power, patronage and a vertical system of power. These dimensions contradict the general principles of democracy, and in order to understand Asian-style democracy, historical, cultural, social and political factors must be carefully considered. However, the bulk of the literature is old, and the social dynamic of South-east Asia has changed dramatically through globalisation, the nature of democracy and international interventions. Democracy is now embodied and co-exists with elements of local values and political order, creating “hybrid systems” (Neher 1981; Lilja & Öjendal 2009; CDRI 2006; Un 2005). The concept of hybridism has emerged from recent international research that has called attention to the difficulties of “transition” to democracy and good governance, in particular in post-conflict contexts (Paris 2004; Ottaway 2003; Carothers 2002). It is argued that democratic institutions can be established in post-conflict societies (Sorenson 1990; Luckham 2004). Democracy in South-east Asia is interacting and co-existing with other elements such as patronage politics, rent seeking and politico-religious cults. This thesis recognises a full range of the co-existence “hybrid” of democracy and the extent to which democratic decentralisation reform can address the process of democratisation in Cambodia. Initial results of democratic decentralisation in Cambodia have been envisaged as rearranging power structures, improving regime legitimacy and reinventing local institutions to be more responsive and accountable (cf. Manor 2008; Öjendal & Lilja 2009; Öjendal & Kim 2011).

## **Contextualising decentralisation**

The purpose of this section is to review the characteristics and the definitions of decentralisation, the reasons for the state’s adoption of decentralisation and its impacts on democratic development, which is the main interest of this thesis. Obviously much has been written about decentralisation and its role in promoting democracy, post-conflict society reconstruction, governance reforms and poverty alleviation (Braathen & Hellevik 2006; UNDP 2007; Ribot 2003; Cheema 2011; Manor 2011; UN DESA 2007; Öjendal & Kim 2011). To reflect the relevance to this thesis of the role of decentralisation in enhancing democracy in post-conflict Cambodia, this section will do two things: firstly, review and discuss decentralisation and its role in fostering democracy; and secondly, operationalise decentralisation. This section will guide us to an operationalisation aspect of decentralisation, which will be used in the empirical chapters.

Decentralisation is emerging as one of the strongest development trends in the new millennium (Braathen & Hellevik 2006; Öjendal 2005), being branded a “quiet revolution” (Campbell 2003). Since the 1980s, it has received enthusiastic support, especially among governments in the South, international development agencies and academic circles (Aziz & Arnold 1996; Crook & Manor 1998; Öjendal 2005). Decentralisation has also become an element of the rebuilding of legitimate political authority in post-conflict societies (Öjendal & Lilja 2009).

According to UNDP (2007), decentralised governance is not a panacea, but is one of the key institutions for nurturing democratic practices around the world. Decentralised local institutions with careful planning and effective implementation can lead to significantly responsive public institutions and appropriate accountability mechanisms, minimise the abuse of power and elite capture by leaders, improve central-local relations and build people’s confidence in the authorities (UNDP 2007; UN DESA 2007). Braathen and Hellevik’s work on the role of decentralisation, with reference to the wider debate on the introduction of democracy and arrangements of power sharing and autonomy, envisaged that decentralisation is used by the state (in post-conflict societies) as a strategy to restructure the centre-periphery or central-local relations, and that decentralisation will introduce democratic institutions in peace-making and conflict management (Braathen & Hellevik 2006).

The literature suggests that there are at least three arguments why centralised and autocratic governments should enact decentralisation: firstly, central governments have little capacity and resources to respond to local demands; secondly, corruption among middle and upper level politicians and lower level governments; and finally, the leaders are distant and not supported broadly and have lost the people’s trust in the state (Manor 1999: 23; cf. Cheema 2011). There are also various other reasons for the adoption of decentralisation by governments, particularly in developing countries: advancing multiparty political systems, deepening democratisation, transforming from a command to a market economy and improving service delivery to large populations (Litvack *et al.* 1998; Manor 1999). Some writers have argued that another aim of decentralisation is to attain allocative efficiency in the face of different local preferences for public goods, and some argue that it improves political participation and democracy (Kulipossa: 2004; Johnson 2001). The building of effective local democracy via decentralisation requires furnishing elected local authorities with sufficient and meaningful discretionary powers to enable them to respond to local needs (Ribot 2011). Without meaningful discretionary powers, there is no local democracy; “neither power without downward accountability nor accountability without powers can be labelled democratic” (Ribot 2011: 2).

Decentralisation is typically seen as political power being transferred towards the local arena. Decentralisation efforts are becoming the ultimate goal:

*The devolution of power, responsibility and sometimes resources on to democratically elected councils at local or intermediate levels appealed to very different sets of people who often disagreed on other issues ... some*

*autocratic regimes in Asia and Africa saw it as a substitute for democratisation at the national level, as a safe way to acquire much-needed legitimacy and grassroots support. Democratic politicians... regarded it as a way to make government more responsive to local needs... (Crook & Manor 1998: 1).*

Smith's thorough work *Decentralisation: The territorial dimension of the state* has identified different critical concepts of decentralisation that can be regarded as a necessary condition for political, economic and social development. He describes decentralisation as involving

*... the delegation of power to lower levels in a territorial hierarchy, whether the hierarchy is one of governments within a state or offices within a large-scale organization. It is concerned with the extent to which power and authority are dispersed through the geographical hierarchy of the state, and the institutions and processes through which such dispersals occur... Economically, decentralisation is said to improve the efficiency with which demands for locally provided services are expressed. Socially, [it] contributes to realization of individual values and collective welfare. Politically, decentralisation is to strengthen accountability, political skills, and national integration—it brings government closer to people (Smith 1985: 1–5).*

Some authors give a thematic explanation of decentralisation (Ribot 2002; Crook & Sverrisson 2001; Manor 1999; Larson & Ribot 2005). Larson and Ribot describe it thus:

*...administrative decentralisation or administrative services—transfers of power to local administrative bodies—aims to help line ministries...to read the preferences of local populations and to better mobilize local resources and labour. Political or democratic decentralisation integrates local populations into decision-making through better representation by creating empowering representative local governments. It is premised on new local institutions: being of and accountable to local populations and having a secure and autonomous domain of powers to make and implement meaningful decisions (Larson & Ribot 2005: 3).*

Dennis Rondinelli *et al.* have extended the content of decentralisation into four main elements: deconcentration, delegation, devolution and privatisation.

*Deconcentration is ceding administrative authority and responsibility to lower levels within the central ministries. Delegation transfers managerial responsibility for specifically defined functions to organizations that are outside the regular bureaucratic structure and that are only indirectly controlled by the central government. Devolution is the creation or strengthening—financially or legally—of sub-national units of government, the activities of which are substantially outside the direct control of the central government. Under devolution, local units of government are autonomous and independent, and their legal status makes them separate or*

*distinct from the central government. If devolution works well it will establish reciprocal and mutual benefit relationships between central and local government. Privatization the transfers of responsibility of the parallel organisations such as national industrial, and trade associations, professional groups, religious organization, political parties to issue the license and regulate their members which [was] previously controlled by the government (Rondinelli et al.1983: 19–28).*

Decentralisation literature typically features intense debate about either opening up or “deepening” democracy. It is argued that decentralisation enhances democracy through the education of the public in democratic and participatory practices (cf. Smith 1985). Political leaders should also be trained in democratic leadership through provision of information about democratic leadership. Participation by people could enhance political stability and decrease the risk of violent outbreaks due to discontent; and representation and accountability should increase their accessibility and improve service delivery (Smith 1985). If the poor, women and other marginalised groups have direct influence, equitable policies may emerge, and responsiveness might improve as a result of local authorities possessing local knowledge, allowing them to act more swiftly and be more precise in their activities (Smith 1985). The belief in the role of decentralisation in promoting democracy is prevalent, as James Manor points out:

*Advocates of pluralist, competitive politics have regarded decentralisation as a device for deepening democracy or for prying closed systems open, to give interest groups space in which to organize, compete and otherwise assert themselves. Some politicians in central governments see it as a means of off-loading expensive tasks onto others lower down (Manor 1999: 1),*

Democratic decentralisation can take varied forms, in particular emphasising the interaction between leaders and citizens. Democratic decentralisation would allow people to express their congruence and share information that local authorities should seek regarding community needs and ways of addressing them, and likewise, people could inquire into the conduct of authorities. To bring democracy into a system is to draw community leaders and voluntary associations into consultations and decisions about development—before the authorities act (Manor 1999).

The combination of decentralisation and local democracy makes policies more responsive to the needs of citizens (Legowo 2003). In this regard, local decision makers should be responsive and accountable to citizens. Accountability between elected councils and their citizens is crucial in allowing stakeholders to have insight into local government operations and to assess which sectors of society are benefiting from the decisions and actions of the authorities (Smith 1985; Legowo 2003; Grindle 2011). However, in some countries democratic decentralisation has worked well despite the lack of a vibrant civil society, of high literacy rates or human development, of prior land reform, of prior experience of democracy and of a strong middle class (Manor 2008).

To conclude, so far we have discussed the contents of democracy (in particular what it means in South-east Asia), the contents of political orders of South-east Asia and the meanings of decentralisation. There seems to be a mismatch and contradiction between political orders of South-east Asia and principles of democracy; hence democracy in South-east Asia is, as discussed above, hybrid. As the literature shows, democracy and decentralisation (democratic decentralisation) share similar approaches, for instance accountability, responsiveness, power, participation etc. The bulk of the literature above illustrates that the quality of democratic decentralisation is vital for the post-conflict reconstruction of the country; this needs to be studied empirically. Below the thesis will explain the operationalisation of the study of democratic decentralisation, which also will move the thesis towards its empirical and analytical core.

## **Operationalisation of decentralisation**

As discussed in Chapter I, there are many important concepts linked to decentralisation: representation, popular participation, voice, choice, civic engagement, accountability, responsiveness, central and local relations and devolution of power (Manor 2011/2008, Smith 1985; Heller 2011; Kulipossa 2004; Ribot 2011; Grindle 2011; Johnson 2001; Eaton 2001). In line with Manor (2011/2008), Grindle (2011), Smith (1985), Ribot (2011), this thesis will use three main concepts of decentralisation in the empirical investigation: responsiveness, accountability and devolution of power.

Different studies on decentralisation reform in Cambodia have envisaged that there are critical concepts emerging out of the decentralisation reform, such as responsiveness, accountability and devolution of power, that require further investigation in order to understand the impact of the decentralisation reform (MacAndrew 2004; Rusten *et al.* 2004; Öjendal & Kim 2006; COMFREL 2007; Mansfield & MacLeod 2004; Kim & Öjendal 2007; Pak *et al.* 2007; CDRI 2006; TAF/CAS 2005; NCDD 2010).

Why are these three concepts of decentralisation chosen for the empirical investigation of decentralisation reform in Cambodia? The justification is based on James Manor's recent assessment that democratic decentralisation works well when it has three essential interrelated factors. Firstly, substantial resources, financial and human resources in particular, must be provided to elected bodies at lower levels to make government institutions and actors more responsive to the needs of voters, especially in terms of material output, allowing local authorities to respond to local needs. Secondly, strong accountability mechanisms must exist to ensure both the accountability of bureaucrats to elected representatives and the accountability of those representatives to voters. Thirdly, substantial power must be provided to elected councillors. If any one of these three essentials is absent, the decentralised system will not be democratic or it will fail (Manor 2008/2011; Grindle 2011; cf. Smith 1985; Ribot 2011).

Another reason for selecting the three concepts of decentralisation chosen for this study is that they are closely linked with Cambodian social and cultural

orders (Hughes & Öjendal 2006; Thion 1993; Roberts 2006; Mabbett & Chandler 1995; Chandler 2000; Ledgerwood & Vijghen 2002; Luco 2002; Martin 1994; Mehmet 1997). In order to establish a structure for the empirical research, the chapter will explain the theoretical underpinnings of the three concepts: *responsiveness*, *accountability* and *devolution of power*.

## ***Responsiveness***

A number of studies on decentralisation indicate that responsiveness is one of the determining factors for the success of decentralisation (cf. Larson & Ribot 2005; Smith 1985; Manor 1999; Manor 2008; Kulipossa 2004; Faguet 2004; Manor 2011; Crook & Manor 1998). Responsiveness implies the ability of local government to provide what people demand through democratic processes. In successful instances of decentralisation, responsiveness is linked to citizens 'diverse choices and demands; citizens' electoral preferences are aggregated in government policy, and elected officials are able to translate policy and promises into outcomes (Smith 1985; Manor 2011). To make local governments responsive to citizens, political leaders need to develop skills and be clear about the distinction between private and public domains (e.g. political parties and CCs). Elected leaders should also be aware of the nature of local needs and have sufficient financial resources and decision-making powers (Kulipossa 2004). However, if demand exceeds resources, it is impossible for local government to respond promptly. The work of Faguet (2004) and Johnson (2001) suggests that to make elected government responsive, sufficient human, financial and technical resources are needed. Responsiveness can thus be understood as the ability to deliver within the given limitations of local governments. The functions of decentralisation, as outlined above, are for local authorities to be responsive to people's needs in terms of political and economic goods such as services and material outputs and, to the extent possible, to realise people's demands (cf. Smith 1985; Manor 1999; Crook & Manor 1998).

Responses are needed depending on what locally defined needs are, how they are best met from the individual's point of view and how interests are affected by the demands which collective actions make on private resources. These mechanisms of responsiveness create space for citizens to air their demands, and for local leaders to explain policy. To cover the full range of responsiveness, five criteria are suggested (Yishai 1984). First is the *output* in terms of speed, quantity and quality of responses from government institutions to citizens. Secondly, *access* indicates the extent to which authorities are willing to listen to demands from electorates. Thirdly, *agenda* refers to the placement of an issue raised by citizens on the political agenda. Fourthly, *policy* implies that legislation is adopted in congruence with demands. Fifthly, *impact* is attained when grievances are alleviated and problems are resolved. Although these five criteria seem to be useful in understanding the contents of responsiveness in general (according to empirical data the output of responsiveness seems to be relevant for the decentralisation reform in Cambodia), they are more relevant for the national policy process than for local government responsiveness.

To realise the demands from constituencies, elected representatives (commune councillors or CCs) should possess local knowledge and have sufficient financial resources. In a country that has been in a state of severe poverty, responsiveness from elected representatives to the needs of voters is of utmost importance, especially in terms of material outputs (Rusten *et al.* 2004; NCDD 2010). Failing to realise the demands from voters might ruin the relationship between elected representatives and citizens and the participation of people in local politics because people have high expectations during election campaigns, waiting for the promises from CCs to materialise.

It is difficult to measure the responsiveness of CCs to voters. According to Manor (1999, 2008) and Yishai (1984), responsiveness can be measured by using the outputs (could be services and realising the demands of citizens) in terms of *speed, quality* and *quantity*. As Manor notes, decentralisation tends to improve all three aspects:

*Firstly, the speed of responses usually increases because elected councils at lower levels have enough independent power to react quickly to problems and pleas that arise from ordinary people. Secondly, the quantity of responsiveness also increases because those councils tend to stress many small projects rather than the much smaller number of large projects which higher-level authorities favour. Thirdly, the quality of responses improves if we measure quality according to the degree to which responses from government conform to the preferences of ordinary people (Manor 2008: 6).*

According to the above literature, *responsiveness* is the ability to provide what people demand, for example material outputs and local services. It is thus a matter of being answerable to local interests, which requires knowledge about local conditions.

The degree of responsiveness in the Cambodian context depends on how demands are presented to CCs. To encourage responsiveness, demands should be coherent with the development plan formulated by the commune councils and not exceed the available funds of CCs (Kim & Öjendal 2009). CCs and voters have differing perceptions of responsiveness. According to some empirical research on decentralisation in Cambodia, there are many obstacles to CCs being responsive to voters, such as lack of funding, voters' limited understanding of the decentralisation system, CCs' limited capacity and technical expertise and the by passing of CCs by some NGOs (Rusten *et al.* 2004; Horng *et al.* 2007; Kim & Öjendal 2007; NCDD 2010; Ninh & Henke 2005). All the aspects of responsiveness outlined above will be examined empirically in Chapter V.

*How has responsiveness been established under democratic decentralisation reform?* The empirical study of responsiveness will focus on the ability of the elected local government to realise demands from the constituencies. How are demands articulated to CCs? What are people's perceptions of local government responsiveness? Based on the emerging empirical information regarding responsiveness, two key aspects to be researched are as follows:

- The purpose of the first aspect is to assess commune councillors' perceptions of responsiveness in terms of: (a) ability of CCs to understand the local situation, (b) the nature of demands from voters, (c) outputs (speed, quantity and quality) and (d) the challenges to responsiveness and mechanisms used by CCs deal with the responsiveness issues. Each of these aspects will be explained by presenting the survey data, followed by in-depth interviews.
- The second aspect seeks to explore voters' perceptions of the responsiveness of commune councils in terms of: (a) views of voters on CCs' responsiveness in terms of general performance and ability to understand the local situation, (b) the nature of demands from voters and (c) outputs of responsiveness (speed, quantity and quality). What services are CCs able to provide to meet people's need? Each of these aspects will be explained by presenting the survey data, followed by in-depth interviews.

### ***Accountability***

Accountability is one of the most important elements for decentralisation to function well (Krishna 2003; Grindle 2011; Blair 2000; Manor 2011; Ribot 2011). The theoretical literature distinguishes two types of accountability: horizontal, between different state agencies powers (e.g. legislative and judicial review of executive action), and vertical, between the state and the public/civil society (e.g. via elections). Periodic elections provide a crucial, but not sufficient, means of ensuring government accountability (Manor 2008; Grindle 2011; Johnson 2001; Smith 1985; Manor 1999; Devas & Grant 2003).

Various factors could make accountability work, including exchanges of information, justification of the role and responsibility of leaders, punishment and compensation. Vertical accountability is here seen as a relationship between elected councils and state bureaucrats or political parties. However, accountability is not an outcome but rather a democratic process of building trust between local governments and electorates (Fox 2000: 5; Blair 2000; Heller 2001; Kulipossa 2004). Within decentralisation, if accountability is enhanced, perhaps local government officials could earn legitimacy and improve the stability of the democratic system, which is dependent on electorates believing that the government and public officials are operating in the public interest (Moncrieffe 2001). Another important element that reflects accountability is elected representation (Agrawal & Ribot 1999; Blair 2000; Schmitter 2004). People need to understand that the power of election in a democratic regime allows them to oust at the next election elected local leaders who have behaved badly. Vertical accountability is to be achieved as a relation between local government and the people. Here it is taken to mean the relationship between elected CCs and voters.

Accountability is key to establishing and maintaining reciprocity between representatives and citizens, providing the answerability of authorities to the people. It implies an exchange of responsibilities and potential sanctions between

rulers and citizens, made all the more complicated by the fact that a varied and competitive set of representatives is typically interposed between the two (Schmitter 2004; Diamond & Morlido 2004). Accountability is a relationship between:

*...two set of persons, the former agrees to keep the latter informed, explanation for decision made, meanwhile the latter are subjected to the command of the former, must required information, explain obedience or disobedience to the commands thereof, and accept the consequences for things done or left undone (Schmitter 2004: 47).*

Solid channels of accountability would make it very difficult for local leaders to hide behind distance and inaccessibility, thereby improving the ability of local leaders to represent their citizens and deliver services. Some argue that accountability requires an effective voice from citizens and is better enforced when each of the partners has a clear sense of who is responsible (Krishna 2003; Grindle 2011; Heller 2001). Accountability is key to establishing and maintaining reciprocity between representatives and citizens and the answerability of authorities to the people.

What, then, is meant by “accountability” in the Cambodian context? Is there a common understanding of the term among policy makers, donor agencies, civil society and citizens? The term remains unclear and confined to the rhetoric of high-level strategy. Despite the significance of the term, some recent studies focusing on good governance and decentralisation indicate that there are many variations and differences in understanding the term (Horng *et al.* 2007; Rusten *et al.* 2004, Öjendal & Kim 2006). How does accountability work in a patronage-based and hybrid democratic state like Cambodia? Contextualisation makes the idea of accountability even more complicated. This is so because with political factors, patronage and rent-seeking networks significantly penetrating the formal state democratic institutions, the accountability relationships among actors, both internal and external, are multiplied and distorted, and the incentives and institutional arrangements are imparted more complicated and less obvious dynamics (Hughes & Un 2007; Hughes & Devas 2008). This requires that, in order to study accountability in a neo-patrimonial country like Cambodia, one first understand both the concept of accountability and certain basic characteristics of patronage, and then attempt to observe the interaction between the two. Here we are in seeking to understand the relations between elected commune councils and electors, which dictate a *critical* approach to the above definition and analysis. The “Strategic Framework for Decentralisation and Deconcentration Reforms of the Royal Government of Cambodia” states:

*The Royal Government will develop management systems of provincial/municipal, district/Khan and commune/Sangkat levels based on the principles of democratic participation. This system will operate with transparency and accountability in order to promote local development and delivery of public services to meet the needs of citizens and contribute*

*to poverty reduction within the respective territories (RGC Strategic Framework for Decentralisation and Deconcentration 2005: 4).*

Based on the government's promise, enhancing accountability and alleviating poverty would be compatible with improving political legitimacy. The implementation of accountability and the quality of its functioning affect how well it is received by citizens. Empirical research indicates that accountability of commune councils to constituencies, civil society groups, political parties and government bureaucrats is still unclear (NCDD 2010; Öjendal & Kim 2006; Pak *et al.* 2007; Rusten *et al.* 2004, Blunt & Turner 2005; Burke & Nil 2004; MacAndrew 2004; Mansfield & MacLeod 2004; Hughes & Kim 2004). In Cambodia, accountability channels are not working at a level that would be "expected in a functioning democracy" (Hughes 2003: 41–45). In general, it is accepted that there is little working accountability in Cambodia (Burke & Nil 2004: 6, Rusten *et al.* 2004). MacAndrew's work on the relationship between civil society and commune councils in Cambodia indicates that decentralisation works best when a strong civil society demands good governance and accountability from local government, but his findings are that commune councils do not have a clear appreciation and understanding of this issue (Kim & Öjendal 2007; MacAndrew 2004: 9; Öjendal & Kim 2006).

Another problem is upward accountability to the political parties and a lack of general accountability to constituents. Various assessments of accountability reveal that upward accountability remains an obstacle to decentralisation that needs to be thoroughly researched. The current system of provincial and district governance has no strong system of checks and balances or of downward accountability. There is a lack of involvement of those concerned in major decisions and monitoring at both commune and provincial levels. Transparency and the exchange of information with citizens are generally weak, and citizens are unaware of their rights and obligations. Most decisions are taken at the centre, a fact that sometimes creates bottlenecks, lack of information about the real situation and lack of local ownership (cf. Hughes & Devas 2008).

With the above concerns, accountability is here taken to be the ability of elected CCs to answer to voters for the use of their authority. Therefore, there is a need for research that scrutinises accountability empirically, that provides insights into what "accountability" is understood to mean in Cambodian, that looks at the CCs' and voters' perceptions of different factors to improve accountability between CCs and voters and that focuses on the contractual bond between CCs and voters. All of these general factors will be examined empirically in Chapter VI.

"*Accountability*" refers to the ability to answer to constituencies for the use of authority. The focus of this point is to look at the accountability mechanisms used by CCs to be accountable to electorates.

Hence, in Chapter VI the thesis explores the empirical findings of the nature of downward accountability between elected commune councillors and voters. Accountability will be examined in relations of the formal and informal institutions: *what are the perceptions of accountability mechanisms under the*

*democratic decentralisation reform?* In the Cambodian case, accountability is difficult to communicate in training and research, since the word does not exist historically. The chapter is based on three main dimensions:

- *The vocabulary of accountability:* Since the concept of accountability is new among Cambodians, it is valuable for this thesis to explain the vernacular meanings of the term and how the word is perceived or understood by the public (CCs and voters).
- *CCs' perceptions of accountability:* This section will examine how accountability is implemented and viewed by CC members in their day-to-day activities in terms of the mechanisms of accountability and sources of funding.
- *Voters' perceptions of accountability.* This section will explore voters' perceptions of different aspects of accountability and mechanisms or activities that voters use to engage with CCs.

### ***Devolution of power***

It is not possible to deal with democratic decentralisation without discussing the concepts of power and mandate. The thesis will utilise the concept of devolution of power within decentralisation to investigate the formal mandate of local authorities in the decentralisation reform in Cambodia (devolution of power to the elected CCs).

The issue of “power” within decentralisation frequently relates to power sharing, power devolution, power delegation, power to generate revenues, power based on the laws devolved from the central government and balance of power between central and local government institutions (Campos & Hellman: 2005; Smith 1985; Legowo 2003; Ribot 2011; Rondinelli *et al.* 1983; Manor: 1999; Kulipossa 2004; Crook & Manor 1998). However, power is not easy to understand because it is a relational term, requiring in-depth articulation of social, cultural and historical political transitions. Power can, furthermore, be understood from formal and informal, institutional and individual, outsider and insider perspectives.

A vast literature on decentralisation engages with the concept of devolution of power to elected representatives (Campos & Hellman 2005; Ribot 2011; Smith 1985; Legowo 2003; Rondinelli *et al.* 1983; Manor 1999; Larson & Ribot 2005; Aziz & Arnold 1996; Crook & Manor 1998; Kulipossa 2004). Devolution of power is the backbone of decentralisation. It occurs in two spatial patterns. Firstly, political authority is delegated when power is devolved through legislative enactment to an area government or allocated between national and area governments by political institutions that create constitutional meaning. Secondly, bureaucratic authority is a delegation of responsibilities from the headquarters of an organisation to the field, i.e. to the elected representatives at the local levels (Smith 1985: 9). As Smith argues, the crucial role of devolution of power in decentralisation is that:

*Decentralisation involves the delegation of power to lower levels in a territorial hierarchy, whether the hierarchy is one of governments within a state or offices within a large-scale organization. It is concerned with the extent to which power and authority are dispersed through the geographical hierarchy of the state, and the institutions and processes through which such dispersals occur (Smith 1985: 4–5).*

The thesis argues that devolution of power is a key aspect of decentralisation.

Similarly, Rondinelli *et al.* describe the devolution of power thus:

*Devolution is the creation or strengthening—financially or legally—of sub-national units of government, the activities of which are substantially outside the direct control of the central government. Under devolution, local units of government are autonomous and independent, and their legal status makes them separate or distinct from the central government. If devolution works well it will establish reciprocal and mutual benefit relationships between central and local government (Rondinelli et al. 1983: 19–28).*

As outlined (cf. Rondinelli *et al.* 1983; Smith 1985), decentralisation works beyond the central government and would improve the effective function of local governments. This devolution of power should be in the form of power to generate local revenues, to deliver local services and to act according to the law.

Devolution of power to elected councillors is a crucial part of democratic decentralisation. Provision of power to elected councillors is therefore crucial. The most important issue is not how elected councils obtain funds, but that they have substantial funds and significant discretionary powers over their use (Larson & Ribot 2005; Aziz & Arnold 1996). If they lack these powers, it will hinder the progress of democratic decentralisation.

Power in Cambodian society is intertwined with informal systems such as cultural and traditional norms, which are likely to affect any effort to promote liberal democracy. While exercising their power, elected commune councillors are expected to be responsive and accountable to electors, as stipulated in the laws. However, it is unclear how much effort to be responsive and accountable is actually pursued in the day-to-day activities of the commune councils (Kim & Öjendal 2007). Due to a lack of decision-making and power distribution from the central government, it is difficult for CCs to establish trust between the people and local authorities. Though the government does not discuss power directly, it does refer to some relevant aspects of power in relation to decentralisation:

*The legal framework for local revenue mobilization, especially at the commune level, is missing. This issue results in the commune councils having no power to collect local revenues to be responsive and accountable to constituents. There is little power devolved from the provincial levels to commune councils especially on security and decision-making to allow commune councils to safeguard their own natural*

*resources. There is the lack of chiefs and councillors' understanding of their new democratic roles, a lack of cooperation in the councils, and weak links to the citizens (RGC Strategic Framework for Decentralisation and Deconcentration 2005: 6–16).*

In relation to the Cambodian decentralisation reform, crucial power issues concern the degree to which power is devolved from central government to the elected commune councils, including the power to generate local revenues and to safeguard natural resources. Also important is the degree to which power resides in individuals and patronage groups, which may undermine CCs' responsiveness and ability to deliver services to the people. With the emergence of the above discussion, it is deemed that in the Cambodian context there is a need for empirical research, including on the use of the concept of power in the decentralisation reform.

For Cambodia, with little experience of decentralisation, the sort of power most immediately devolved to CCs is the power to act as stipulated in the laws, for example by generating local revenues, protecting natural resources and ensuring service delivery. Devolution of power in this study refers to the mandate and capacity of elected CCs to act according to the law. This thesis will consider the devolution of power from the central government to the commune councils in order to understand the formal mandate of the elected commune councils. What is the mandate and capacity of CCs to act? To what extent is power based on the laws and regulations actually delegated to CCs?

This thesis will explore the devolution of power within the decentralisation reform in Cambodia, focusing on two main issues: firstly, understanding the devolution of power from a political order point of view. Within this, a contextualisation of the concept of power is critical through considering, for example, the vocabulary of power and authority, voters' and CCs' perceptions of power and power structures, i.e. who the power holders in the communities are. Secondly, do CCs have sufficient power to act according to the laws? Is power devolved to CCs based on the laws? And to what extent is power ostensibly given to CCs actually applied? Answering these questions, the thesis will conduct a mapping of power with CCs. These questions will be investigated in the empirically based Chapter VII.

The “*devolution of power* to elected CCs” is an empowerment of local self-government pursued in order to reach a number of collective ends. Devolution of power here is one aspect of decentralisation (mandated power given to the CCs). For the empirical work, the thesis will look at the devolution of power within the implementation of the decentralisation reform in Cambodia. *How has devolution of power been working under democratic decentralisation reform?* Who actually possesses power in the local political arena? To what extent can CCs exercise power based on the laws? Does power rest with individuals or institutions (or both)?

Hence, Chapter VII examines factors influencing the exercise of the devolution of power in the elected commune councils. It is divided into two sections.

- Firstly it will explore the vocabulary of power in Cambodia among local leaders (CC members) and voters. How is the term power understood empirically? This section of the chapter will examine the CC members' and voters' perceptions of power: how do CCs and voters perceive power in the context of the Cambodian political order? This section will examine the tenets of power, the relationship between formal and traditional power, how power is exercised and with whom power rests.
- Secondly, this chapter will examine the nature of the devolution of power in the context of decentralisation reform in Cambodia. We will seek to understand CCs' perceptions of the devolution of power that they are pursuing. This section also seeks to understand voters' perceptions of the nature of the power exercised by the CCs and the situation of power in commune councils. Each section of the chapter will begin empirically by laying out the survey data, which will be followed by in-depth anthropological style inquiry.

### **Concluding remarks**

After discussing a set of concepts of democracy, political orders of Southeast Asia, and the impact of decentralisation in consolidating democracy, a few main findings can be summarised. Firstly, there is a contradiction between theoretical ideas of liberal democracy and the prevailing political order in Southeast Asia. This contradiction makes difficult any rapid insertion of democracy. Secondly, decentralisation and the establishment of local democracy have in the literature been seen as a way to deepen and consolidate democracy. It is, however, not a panacea, and its success depends on its design and its implementation, which seems to be worthy of study. Thirdly, decentralisation is a multifaceted process that needs to be understood empirically. Drawing on dominant strands of the literature, I have chosen to study responsiveness, accountability and devolution of power. These key mechanisms of decentralisation will be explained in the empirical chapters IV, V, VI and VII.



## CHAPTER III

### CONTEXTUAL BACKGROUND OF CAMBODIAN DYNAMICS

*In this country there is a hierarchy of ministers, generals, astronomers, and other functionaries; beneath these come all sorts of small employees. When functionaries go out in public, their insignia and the number of their attendants are regulated according to rank. The highest dignitaries use palanquins with golden shafts and four parasols with handles of gold. Further down the line comes to those permitted only a silver-handled parasol, and there are others who use a palanquin with silver shafts (Chou Ta-Kuan, *The Customs of Cambodia* 1992: 9 [original text from the 14 centuries]).*

Drawing on Chapters I and II, this chapter further discusses the contextual background of Cambodian dynamics and the evolution of decentralisation reform in Cambodia. The function of this chapter is to provide further details on Cambodian political orders, on the history of Cambodian administration and communes and on the contemporary decentralisation reform. Some of these aspects have been briefly explained in Chapters I and II, but will here be deepened. The first section will illustrate the different aspects of popular Cambodian political orders. The second section will focus on the historical background of Cambodian administration, particularly at the commune level, to which democracy and decentralisation are devolved in this process. The third section will discuss decentralisation and other administrative reforms, which will be critical for the empirical chapters.

#### **Popular Cambodian political perceptions**

In order to deepen understanding of contemporary democratic development in Cambodia, this section discusses the social fabric of Cambodian peasant society. It describes the role of kinship and age, social structures, Buddhism, characteristics of local institutions and power structures (patron-clientelism) in Cambodian rural society. Why are these social fabrics of Cambodian peasant society vitally “relevant” for the on going democratic decentralisation? Studies on local democracy in Cambodia have envisaged that there are close interactions and contradictions of the Cambodian social fabric (kinship ties, age, social structures, Buddhism, local institutions, power structures etc) and democratic decentralisation (Öjendal & Kim 2006; Hughes & Öjendal 2006; Ann 2008). Therefore, it is worthwhile for this thesis to discuss all of the factors of the Cambodian social fabric.

Anthropologists, historians, sociologists and political scientists have described Cambodian society, in particular rural society, as unusually deeply embedded within basic social and political orders, making alternation and

introduction of new traits volatile (Marston 1997; Thion 1994; Luco 2002; Martin 1990; Ebihara 1968; Ledgerwood 2002; Kim 2001; Chandler 2000; Ledgerwood 2002; Mehmet 1997; Un 2004; Collins 1998; Keyes 1994; Bit 1991; Ovesen *et al.* 1996). It is assumed in this work that formal decentralisation is defined through its ability to deal with the local political and social order and the extent to which it will be locally understood. Hence a basic understanding of local perceptions is paramount. This will follow below.

### ***Kinship and age***

In rural Cambodia, kinship ties remain intact and are the dominant factor for local leadership (Ebihara 1968; Ebihara *et al.* 1994; Ledgerwood 2002; Kim 2001). Cambodia, like much of South-east Asia, was early made up of fiefs (small states) interlinked by kinship and patronage. May Ebihara describes kinship ties as the most important bases for interpersonal relationships in village life. The general features of Cambodian kinship are characterised as a bilateral type of cognatic social organisation. She further describes:

*Cambodian kinship is basically bilateral (cognatic). The paternal or maternal line may be emphasized in certain respects...In general, however, there is no significant weighting of either the male or female lines with respect to property ownership and inheritance, kin terminology and residence patterns in general, and recognition of and behaviour toward kinsmen. Any skewing toward one side or another is usually due to certain circumstances rather than to absolute rules, for in this as in many bilateral systems there is considerably flexibility (Ebihara 1968: 94–95).*

Ebihara's view is that the general features of Cambodian kinship characterisation are similar to a bilateral type of cognatic social organisation that is widespread throughout South-east Asia. There are seven different types cognatic system:

*i) The primary kin unit is the small domestic unit of a nuclear family or some sort of extended family. ii) Monogamy is predominant; polygyny is legally permitted but actually rare. iii) Marriage with any degree of cousin is permitted. Iv) Residence is neolocal or ambilocal; there is strong tendency toward, but no firm rule dictating, uxorilocality. v) There are no rules concerning community exogamy or endogamy. vi) Beyond the family there is only a bilaterally extended personal kindred. vii) Cousin terminology is in terms of reference, and avuncular (Ebihara 1968: 95).*

It is highly unlikely that a person would move into a new community unless he or she was marrying or had inherited land in the village from a person native to the village. The web of kinship ties extends beyond the village as well (Ebihara 1968). Kinship ties are normally intertwined with patronage and political loyalty, which together create an informal institutional system that influences the public or formal authority (Ledgerwood & Vijghen 2002). As such, the differentiation

between private and public is often weak, impeding a simple introduction of a bureaucratic system as in democratic decentralisation.

The idea of age is important. It is used not only to differentiate people of different generations but also to separate people of the same generation who are of different ages. As in other societies in South-east Asia, respect for elders and for hierarchy remains sacrosanct in Cambodian society. Marie Martin points out:

*In the Cambodian milieu, the bang or “elder,” is automatically right. Elder means not only older persons but also those who have knowledge, power, wealth, or influence with people in high places. The wife calls her husband Bang even if he is younger than she is (Martin 1994: 11).*

According to Cambodian cultural norms, one should be respectful and not protest against a parent’s decision or criticise one’s boss or spiritual master. The primary social rules are discretion, unobtrusiveness and keeping to your station (Martin 1994).

Traditional kinship and age relations are relevant to decentralisation reform because they are reflected in the daily interactions of commune councillors and people. Most well-respected people are relatively old, and the majority of commune councillors are, for example, above 50 years old, typically making their performance more than their political mandate.

### **Social structure**

Cambodian society remains fundamentally rural (Ledgerwood & Vijghen 2002). About 80 percent of the population lives in the countryside, and most of them are farmers (*neak srae*), largely self-sufficient and cultivating mainly rice. Fabienne Luco describes Cambodian rural society thus:

*In this shattered society, people long for personal safety and greatly fear disturbing the established order. People like to stay at home and to rely solely on themselves. Long journeys are feared. Aside from their native land, people’s main interest is the market in town. Any contacts with the authorities are kept to a strict minimum (Luco 2002: 14).*

Luco’s description may not entirely reflect a socially changing contemporary Cambodia, but reasonably describes the pre-war and civil war eras, with tenets into the post-war era.

At the village level, caste considerations never took root. What resembled a caste system in ancient times was probably little more than a set of ritual procedures that showed respect for Indian traditions (Chandler 2000; Harris 2007). Cambodian society was traditionally formed essentially of three classes: peasants, officials (urban dwellers or bureaucrats) and royalty (Thion 1993). There is stratification within rural and urban society.<sup>2</sup> Social stratification is, however, not

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<sup>2</sup> The social stratification in contemporary Cambodia is characterised by an increasing wealth gap especially between ordinary people and the urban business people who are the emerging urban

fixed, but rather changeable according to socio-political circumstances. Serge Thion describes the situation:<sup>3</sup>

*Occasionally, perhaps in time of war, or for exceptional services to a powerful patron, someone from a peasant background might rise into the official class and thereby change the status of his immediate family; and clever children might be educated in an official family or at court to become officials; but such occurrences are too rare for any expectation of social mobility to be part of public consciousness (Thion 1993: 97).*

In contemporary Cambodia, there is a small urban middle class, i.e. the commercial bourgeoisie mainly composed of Chinese or Sino-Cambodians, who usually dominate the economy. These urban dwellers can access education and control the bureaucracy (Thion 1993; Gottesman 2004). In contemporary Cambodia, there is still a wealth gap between urban and rural people, but in each provincial and district town there is since recently an emerging middle class.

Before the war era of the 1960s, authorities were respected by the people (Ebihara 1968). Since the war in the early 1970s, there has been a profound mistrust of the authorities, and mistrust of the authorities hassled to a fragile social situation. Mistrust between ruled and rulers is due to low self-confidence among citizens, bad behaviour of authorities, low education levels and lack of skills to analyse the meaning of events in society, which makes people vulnerable to manipulation by others (Bit 1991). In contemporary Cambodia, still, most people are extremely reluctant to challenge the authorities or pose any critical questions to them. People usually hold back their resentment and remain patient (*pou ke trorm*).

Before the civil war in the 1960s, there was a certain respect towards local leaders. With the internal strife and civil war, the role of local authorities (in particular the commune authorities in the 1980s) changed towards a more controlling one, including military conscription and security, which made people sceptical and fearful of the authorities (Öjendal & Kim 2006). This also was a return to historical patterns of power, rather than service-oriented authorities. Understanding the Cambodian “rural” social structure could be relevant to decentralisation, in particular the relationship between authorities (CCs) and people. The middle class or the rich have more bargaining power in dealing with the authorities than the poor, and overall generalised mistrust makes it difficult for newly elected CCs to generate sustainable political legitimacy.

## **Buddhism**

Buddhism (the *Theravada* school) is a dominant element, which has influenced political, social and economic realms in Cambodian society for generations. Since

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elites. This wealth gap is caused by the inception of a market economy in the early 1990s, changing political regimes and the recent bubble economy in land.

<sup>3</sup> During the time of research from 2006 to 2008, land transactions were booming and the price of land and properties was skyrocketing. It caused many farmers to sell their farmlands and become financially rich.

the time of Sihanouk in the 1950s and 1960s, with the exception of the Khmer Rouge era, Buddhism has been the official or state religion. Almost every village in Cambodia has a Buddhist pagoda (wat), which is the centre of rural life. Historically, the wat was not only a religious centre, but also a moral, social and educational centre (primary schools are often located in the wat compound), providing miscellaneous services (cf. Ebihara 1968). People make numerous offerings to the Buddhist temples because they think they represent nourishment of life and are a source of moral authority (Martel: 1975).

During the Khmer Rouge regime from 1975 to 1979, formal Buddhism was eliminated and considered an enemy of the regime. All wats in the country were used as torture centres or warehouses. After the Khmer Rouge period, the wat again came to be considered the most important social institution in Cambodian society as in the pre-war era (Curtis 1998). During the PRK, the wat played an important role as a moral, social and educational centre. The PRK regime allowed monks to be officially ordained, and monks had various critical roles such as representing Buddhism for various traditional ceremonies and giving advice to people. However, its role in stimulating social solidarity and helping develop the country was only slowly recovering and Buddhism was under the strict control of the communist PRK. Many temples were being rebuilt only in the 1990s, and only in the late 1990s did the number of monks reach pre-war levels. Many of these monks are younger and less experienced than their pre-war counterparts (cf. Harris 2001; 2005; Marston 2009), failing to command the respect than the previous generation did.

A study conducted by Hiroshi Komai (1997), *The Role of Buddhism in the Reconstruction of the Cambodian Rural Village*, provides some fundamental insights into Buddhism and community development. To discover the role Buddhism plays in Cambodian communities, one can ask why people donate money and time to the wats. The main answer lies in the reciprocal relationship between laymen and Buddhist monks regarding “merit making” or “seeking nirvana”, two significant spheres which are integrated in the religious consciousness of Cambodian farmers (Kim 2001; Komai 1997: 23). According to Komai’s findings, most donations to the wats come from the private sector and individuals. There is no funding from the state to support the building of wats. The wat has become an important element in communities as a moral, social and educational centre. People organise ceremonies in order to raise money to build bridges, roads and schools in return for gaining “merit”, which is an extension of the reciprocal network of Buddhism in society.

William Collins (1998) juxtaposed two Cambodian dialectical paradigms of leadership: the indigenous leadership processes of the pagoda committee (one of the committees in the Buddhist temple), which centre on a self-help approach, and the state-centred bureaucratic approach possessing formal state power. The wat-centred indigenous organisation reflects the moral integrity of effective leadership, which is respected, sustainable and able to generate internal resources from the villagers. This indigenous approach embeds popular/voluntary participation, a strong sense of ownership and responsibility of all members of the pagoda

committee, as well as respect, trustworthiness, transparency, autonomy and empowerment. This is the core for leaders to be able to build moral legitimacy and to achieve harmony between the Buddhist leaders and villagers. Conversely, the state-centric bureaucratic approach is based on a rational political point of view and implies authoritarian leadership with weak accountability and responsiveness toward citizens. Collins argues that the state-centred paradigm reflects a hierarchical and authoritarian structure in which political legitimacy is blurred.

Buddhism at the present time in Cambodia has changed. Various studies (Kent 2003; Kim 2001) on Buddhism have indicated that Buddhism has changed due to the impact of the market economy since the early 1990s and its politicisation.

The discussion above shows that Buddhism in many ways retains a crucial role in Cambodian society, constituting a key part of rural life (Marston and Guthrie 2004; Kent 2003; Marston 2009; Pak & Craig 2010; Harris 2005; Kent 2007). At the present time, Buddhism is politicised and used by political parties via commune councils to disseminate their political agendas, especially before the elections (cf. Pak and Craig 2010; Kent 2003, 2007). Wats are largely less developmental than they used to be; popular respect is half-hearted. They do not constitute an alternative source for local democracy and local development. Instead the pattern is one of overlap or tight cooperation among individuals in each sphere.

### ***Characteristics of rural society and institutions***

Due to a protracted period of internal conflict, when regimes practised authoritarian rule, government decisions are often perceived as a threat to the stability and coherence of communities (Luco 2002; Hughes 2003). Furthermore, Caroline Hughes has noted that state-society relations in Cambodia are highly dependent upon the ability of power-holders to find alternative means of consolidating both partisan support and broader notions of citizenship among farmers (Hughes 2003). The gap and relation between state and society are marked by corruption, rent-seeking and vote-buying (Un 2004). These trends, known as *ksea* and *knaong* (patronage politics and rent-seeking), undermine democratic development (Marston 1997; Pak *et al.* 2007). In addressing this, Thion observes that Cambodian society lacks fully fledged intermediary structures or “institutions” between the population of peasants and the higher authorities, which leaves the way open to the exercise of centralised power (Thion 1994; Bit 1991). This is what makes the CCs so interesting—they may be the first ever attempt to build “intermediary” structures in Cambodian society, hence closing this endemic gap between state and society. Lack of responsibility among leaders and steep hierarchy have led to weak formal state institutions. As Bit Seanglim describes it:

*... Cambodian culture has not developed any other social institutions or groups beyond the family structure which might facilitate the concept of collective social responsibility. Cambodia does not have a tradition of associations, volunteer groups, trade unions, or other networks composed of people who come together for a common purpose (Bit 1991: 49).*

Since the 1990s, trade unions, associations, volunteer groups and other associations have emerged. However, most associations cannot work freely, due to politicisation and internal problem such as blurred accountability and transparency (cf. Ou *et al.* 2010; Un 2004). Again, however, this gap may slowly be closely and breaching a historical pattern, when CSOs are increasingly penetrating Cambodian rural society (cf. Kim & Öjendal 2011; Chea 2010).

Another observation on the nature of social cohesion was addressed by Paula Uimonen (1994). Similarly to Ebihara, she argues that households and extended families are the main socio-economic components of rural communities. There are no formal or informal village socio-economic institutions beyond the household level. In the village where she conducted research in Pursat province, villagers still get “interest-free loans from relatives”, but if they borrow from moneylenders they must pay high interest rates. She argues also in line with many others that community coherence and reciprocity are weaker than in pre-war times because of widespread of poverty.

As commonly stated, “Cambodia’s tragedy” is caused by a turbulent past and overall social fragmentation, which David Chandler expresses, “Cambodian history sometimes repeats itself” (Chandler 1996: 297). The tragedy lies with the structure of leadership where a deeply ingrained sense of hierarchy determines where people are positioned. Cambodians have historically experienced rulers whose power has, theoretically, been absolute and rested mostly with individuals or groups rather than with official state institutions. Throughout history, power has been pervasive and unrestrained. Considering accountability and responsiveness, rulers have not been accountable to others for their behaviour. As David Chandler describes it, “the essence of leadership in traditional Cambodia was exploitation rather than service, patronage rather than cooperation” (Chandler 1996: 302).

Historically, rural communities probably had their genesis in a cluster of households of close kinsmen, which then grew through the constant addition of new homes established by successive generations of married children and other relatives (Delvert 1961). Since the civil war ended in the early 1990s, there has been population growth and people have been distributed over the territory, most of them living in dense agricultural settlements. Though in some ways little has changed in rural Cambodia, there are some changes such as youth migration to urban areas and cross-border to Thailand and Malaysia to seek jobs. The infrastructure has improved, especially roads, electricity and the availability of vehicles for transportation, which eases travelling. The growth of broadcast media such as TV and radio is also making people well informed about the government’s activities. And overall the political economy of rural areas is vastly more diversified than it used to be.

The discussion above indicates that there has been a lack of local institutions mediating between state and society, apart from the local commune authority (possibly the village authority is included but it is just a line of authority to support the commune), which historically has not assumed the role of a functioning intermediary structure.

### ***Patron-client relations and power structure***

Patron-clientelism describes a kind of dyadic relationship and pattern of social organisation. In Cambodia, it is difficult for a leader or a person to be independent. An individual needs to build alliances—in particular vertical ones with a more powerful person. Patron-clientelism is an extension of the networks of mutual obligation among close associates and kinsmen (Marston 1997; Pak *et al.* 2007). In the past, the patronage network of the king depended on local power-holders. However, over a period of time, the patronage system became diffused. Realistically, in contemporary Cambodia, powerful people in urban and rural areas (rich businessmen or well-connected people and government officials) need to strengthen their political and patronage linkages down to the grassroots to remain in a position of power. Patronage and clientship are important for survival and are possibly mutually beneficial. Patron-client relationships are perceived as natural and even obligatory; hence patronage is deeply entrenched in Cambodian society and habit-forming (Chandler 1996; Marston 1997; Chandler 2000).

Reflecting Cambodian rural society, patron-clientism is the extension of kinship ties to non-kin relationships of hierarchies, linking people to the state apparatus (Marston 1997). What exists at the grassroots is a great deal of personal dependency, in particular (as it played out the last two decades) on a political party (Pak and Craig 2010). Currently, the prevailing systems of patronage and clientism apparently occur via political party lines which run parallel with state institutions. This patronage relationship sometimes permits individuals to gain a great deal of power and benefits at the local level by exploiting the personal dependency between clients and patrons. Thus, it is difficult to distinguish between the patron-clientism of personal dependency and that of state institutions. The formal state institutions make up the ascribed hierarchy and the rational authority, with which citizens do not comfortably interact. The informal patron-clientism has always competed with such institutionalised hierarchies of the state, and informal hierarchies may have made it easier for individuals to work informally through this system (Roberts 2006; Ledgerwood & Vijghen 2002).

In Cambodia, a person's status in society depends on value and wealth. It could also to a large extent depend on performance in the past, and one's behaviour here and there determined where one would stand when one returned to the next life (Chandler 2000). Different analyses of local leadership in rural Cambodia (Marston 1997; Ledgerwood & Vijghen 2002; Ovesen *et al.* 1996; Thon *et al.* 2010) illustrate that kinship and patronage are still the core of Cambodian social organisation (Ebihara 1968). Kinship relations play a critical role in patron-clientelism because they imply informal interaction, are mutually tolerant and have moral authority/responsibility towards their kinship networks. The conduct of kinship and patron-clientelism is perceived as meritorious behaviour and is rewarded by society (Ledgerwood & Vijghen 2002). This patron-clientelism is important and yet contradictory to state laws because Cambodian society appears to be pragmatic and not always very strict in enforcing rules. Within this contemporary perception, governance is part of the political administrative domain,

in which the power of the leader derives from control over scarce resources and via personal networks (Hughes & Un 2007; Un & So 2009).

Patronage ties in Cambodia today, however, tend to be drastically unbalanced, with patrons less likely than before to fulfil their presumed obligations to protect and provide support for their clients (Ann 2008; Seidl 2000). Patrons are less responsive to their clients than in the past because their power and means of wealth accumulation rather depend on linkages beyond the village (Ann 2008).

As outlined above, power and patron-client relations in Cambodia are intertwined. There are patrons and power brokers (power holders) within different domains of influence, such as local authorities, police, military, rich people (including large landowners and creditors), political activists, well-connected people and educated people (such as teachers and NGO personnel). The domains work interchangeably. For example, the administrative and political domains overlap with commune councillors, village chiefs, police officers, political activists, well-connected government servants and possibly the rich. These power holders/brokers in the village are webbed together in a political and patronage network. Among them, there are some balances of power because each might be affiliated with different patrons, including outsiders in urban areas. Being a party member (especially in the ruling party) would make a person secure and safe; however, the rich can use political party affiliation to protect their wealth in the community. Direct abuse of power (by powerful people in the government using their state power to enrich themselves) within the administrative domain is rare, but people are usually extremely reluctant to challenge or question the local authorities, as they are afraid of administrators taking revenge when their services are needed (Thon *et al.* 2010).

Studying local leadership in Cambodia, one needs to understand who the power holders are and what their power rests on. A study by Ledgerwood and Vijghen (2002) shows that there are at least six domains of power brokers in the Cambodian village. Firstly, the administrative domain consists of people working in the district, commune and village authorities. These people (local nobles) possess considerable status, especially as holders of administrative power. Since Cambodia was a rather centralised and communist state for a long period of time, administrative power has been critical for authorising services (licensing and other paperwork such as birth certificate and civil registration). During the 1980s when the country was under the communist system, local authorities also had substantial power in conducting military conscription and in distributing land, farm tools and other inputs. The most important power that local leaders possessed, however, was security as they were the local militia commanders.

The second domain is the religious one, consisting of people affiliated with or working in Buddhist temples such as monks, *achar* (male lay persons working in the wats), *yeay chi* (lay women) and other old respected people. Most local religious leaders in Cambodian villages are not educated on religious matters or even aware of the meaning of most rituals. However, they have learned from experience to perform religious activities and to interact with the Buddhist

monastery. In the religious domain, affiliated people do not have absolute power or rational authority, but they may earn trust and respect in the realm of Buddhism.

Thirdly, the knowledge domain involves people who work in the field of education and people with high education such as school teachers, traditional birth attendants and the well educated, who are both influential and respected. Before the war, monks used to be schoolteachers because the wat was the centre of education. Teachers at public schools are currently employed by the government and mostly struggle to make a living because of meagre salaries. As a consequence of being employed by the government or private sector, they tend to receive less respect from villagers than teachers at the wats did in the past.

Fourthly, the spiritual domain embraces the power structures linked to the spiritual world. The primary spiritual domain involves traditional healers (*krou khmer*) who used to play a critical role in the community through a moral obligation to cure people without much payment. However, this has become less prevalent in most rural communities because of the availability of modern health services. The fifth domain is the economic. The power holders of this domain are the rich and people with political influence, reflecting a general sense that wealth and power are twin forces (Scott 1985). These people, who control political decision making and economic resources, include local authority people and local businessmen, constituting the local elites with connections to the larger society and access to the means to manipulate their fellow villagers. Finally, there is the development assistance domain, which points to the emergence of a new group of powerbrokers in Cambodian society, predominantly at village level. These people are government servants and NGO employees affiliated with different organisations and local NGOs (Ledgerwood & Vijghen 2002).

Local leadership and power dynamics in rural Cambodia in relation to commune councils point in a slightly different direction than Ledgerwood's and Vijghen's work (Thon *et al.* 2010). Considering the legitimate power structure of Weber—rational, traditional and charismatic power—in contemporary Cambodian society, rational power is the dominant factor. It includes the political elites and resource-rich businessmen, who occupy the administrative, economic and political domains. Therefore, the people in the first and fifth domains are actually the same. People in the religious, knowledge, spiritual and development domains possess less direct and influential power, yet they are recognised as holding traditional and/or informal authority. These people are less influential in the formal state institutions/systems, whereas people affiliated with rational power have more control of formal state institutions, though the content and style of their exercise of power are still based on traditional forms of patron-client relations. Personalised power is practised by the local nobles and political elites in the form of politicisation, patronage politics and vote buying.

To sum up, the dominant pattern of the existing Cambodian political order is in many ways based on a value system far separated and deviating from that of liberal democracy, remaining complex and mixed and gradually changing. This dominant pattern is not immediately conducive to democratic decentralisation.

## History and chronology of Cambodian communes

To understand the current situation of communes and their administration in Cambodia, one needs to consider their history. This section will provide the historical backdrop and its links to the contemporary local administrative system. It will first briefly describe the varied administration reforms between the 1870s and 2001. During that period, Cambodia has experienced a number of political regimes: 1863-1953 French colonial rule, 1953-1970 the first Kingdom (Sihanouk's time) or *Sangkum Reash Niyum*, 1970-1975 Republican or *Lon Nol* regime, 1975-1979 the Khmer Rouge regime, 1979-1993 People's Republic of Kampuchea, 1993-2001 Royal Government of Cambodia, and from 2001 the inception of democratic decentralisation reform of the RGC. Throughout these regime shifts, the administrative system of the commune has drastically changed.

### *French colonial administration reforms, 1863-1953<sup>4</sup>*

Before the arrival of the French in 1863, Cambodia was a centralised royal court. It was called a “*galactic*” state in which the central power was diffused only to areas close to the capital (Chheat 2004). The French administration 1863–1953 made some weak attempts to establish a modern form of government in the country.

The French administration was loose inside rural areas, in fact continuing the legacy of the traditional state (cf. Chandler 1983). The colonial regime, however, needed to strengthen its control for political as well as tax collection reasons, and hence tried to consolidate the administration of rural areas. The first initiative of creating communes should be seen in this light. Although containing several progressive dimensions, it was initially designed to strengthen the French colonial administration and local governance, and to establish the state's presence in rural and remote areas, and thus its ability to sustain itself (cf. Öjendal 2005). The hope was that “administration would be brought closer to people while simultaneously making it more efficient” (Roome 1998: 17). While the historical evidence is inconclusive, as far as we can tell the commune (*khum*) was established by a royal ordinance as early as 1908 and further defined in 1910 and 1925 (cf. Delvert 1961; Roome 1999; cf. Öjendal 2005; Chheat 2004). A council of councillors (*krom chumnum*) was outlined in which the *me khum* was the chairman who decided the affairs of the *khum*, assisted by his deputies (*chumtup*) (cf. Roome 1998: 18). At that time, a Cambodian commune chief or *me khum* administered the *khum*, assisted by some lower ranking officials in the *khum* itself, sent from the district level (Sarraut & Gourou 1929). From the beginning, the commune chief was supposed to be selected by democratic means (Roome 1998). While the French administration at the time obviously had limited ambitions of introducing any democratic procedures, it did have a need to enhance its local legitimacy (Öjendal & Kim 2008). Some dimensions of representation were therefore introduced,

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<sup>4</sup> There is virtually nothing written on this topic in this era, and the sources that exist are partly in contradiction with each other. The below is my interpretation of the available sources. Possibly archival research would be able to further our knowledge here, but this is outside the scope of this thesis.

though it is highly unlikely that there was any major popular input into the eventual composition of the commune council leadership. A French historian has recounted that the commune chief was elected by villagers with the approval of the provincial governor, and that he (it was not sure that there were any female commune chiefs) played a vital role in executing the laws of the central government and collecting taxes (Forest 1980; Roome 1998; cf. Baudoin 1919).

According to Baudoin (1919) and Chheat (2004) the money raised through tax collection by the commune office was divided into three categories: (a) money used for supporting the operation of the communes; (b) money used at district level; and (c) money used at national level or “*office du resident*”. However, the overall supervision of the commune budget was under “*conseil de notables*” (provincial level). Chheat also noted that the division of responsibilities of the commune office was that the chief was in charge of overall activities in the commune, the first deputy was responsible for security, and the second deputy was in charge of managing a commune’s financial matters (the division of responsibility in the past is similar to the responsibility of the commune councillors nowadays).

This description of the role of the communes in 1863-1953 indicates that commune leadership was directly influenced by the district and central levels, which tried to insert political influence and gain legitimacy in rural areas. The main responsibility of the commune was tax collection and general administration (civil registration), while the commune council did not have much of a role in service delivery or rural development. These roles and responsibilities are different from those of the current elected commune councils, which are not allowed to collect local revenues and mostly deal with general administration of the commune. It is not clear from the literature what role political parties had in the commune during colonial rule, if any, while now political parties influence the affairs of commune councillors as well as the line of accountability.

### ***Sangkum Reastr Niyum regime, 1953-1970***

Although independent, in the 1950s and 1960s, the administration of the government was greatly influenced by French administrative practices (Ebihara 1968). The regional government at that time was organised into several levels: 1) Regional grouping of provinces, which was of minor importance. Its main function was the election of a representative to the upper house of the legislature. 2) The province (*khet*) was the first and major link between national and local government, headed by a governor and deputies of various national ministries and departments. 3) According to Ebihara (1968), the district chief and deputies were civil servants under the Ministry of the Interior. The primary duties of the district chief were to act, in the general sense, as an intermediary between the national and provincial government and the lower levels, to oversee various administrative matters pertaining to his district, including the duties of sub-district chiefs (i.e. Commune chiefs) and to supervise the operation of several departments in his office.

While the commune chief deserved and received respect for his official position, commune staff were residents of the area, basically peasants like everyone else, who were also known as kinsmen, neighbours and acquaintances. During the 1950s–60s the “commune chief was selected by the villagers themselves in a popular election held every four years” (Ebihara 1968: 514). According to Ebihara (1968), any aspirant to the position could submit an application for candidacy to the district chief and take a literacy examination.<sup>5</sup> The district chief then selected two or three candidates from among the applicants. Officially, the main qualifications for the post were literacy and evidence of competence and good character. Unofficially, the commune chief had to be a person of at least moderate wealth and must have been found by the provincial authorities to be loyal to the regime. The commune chief was assisted by deputies and a clerk.

According to Öjendal, the commune chiefs were only moderately involved in promoting development and served as the local arm of the king (or Sihanouk) in duties such as tax and data collection rather than in the promotion of local development (maybe they played the role of delivering services, but we do not have any historical records on this issue) (Öjendal 2005: 301). On the role and function of the commune authority during the 1950s and 1960s, Ebihara has contended:

*It was the sub-district chief (commune) to whom people turned as an intermediary with the higher state bureaucracy—responsible for important duties [such] as tax collection, adjudicating disputes, writing bills of sale of land, organizing and executing public works, conscripting men for government projects and acting as a representative of the police in apprehending criminals—as well as passing down proclamations, laws, and propaganda from the central government to the village level. The sub-district chief had not received salary but had been allowed to retain three percent of the taxes collected from the residents of the sub-district (Ebihara 1968: 520–530).*

Ebihara further describes the roles and responsibilities of the commune chief in the 1950s–60s: supervising the collection of taxes; adjudicating any disputes that had been brought to him for reconciliation; registering all births, marriages and deaths, which had to be reported to his office within three days; handling the initiation of proceedings for divorce or annulment of marriage; keeping lists of all qualified voters and tax payers; issuing identity cards that had to be carried by all males over 18 years of age when travelling any distance from home; writing bills of sales for transfers of land, cattle and houses; assessing the character of anyone from another region who wished to live in the sub-district and granting permission to do so if the person was reputable; supervising the organisation and execution of any public works; conscripting men for work on government projects; organising

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<sup>5</sup> There might not have been such elections in all parts of the country, but the selection of commune chiefs may have varied from one district to another. We are also not sure whether the candidates were affiliated to political parties.

communal efforts and relief activity in case of any emergencies or calamities such as epidemics or fire; supervising the election and conduct of village chiefs; acting as a representative of the police in apprehending criminals, reporting accidents and assessing fines and damages, supervising the village guards and maintaining security in the villages; and disseminating information from the central government (mostly legal information).

According to the structure and function of the commune in the pre-war period (*Sangkum Reastr Niyum*), there are some similarities of administrative systems with the present commune councils in terms of leadership structure, administrative relations between central and local government and interaction between local authorities and residents. In terms of accountability, it is fairly clear that, in the pre-war era, commune chiefs controlled the administration and were allowed to collect taxes and conduct local development.

### ***Communes in the Lon Nol regime, 1970-1975, and under the Khmer Rouge, 1975-1979***

According to Öjendal's work, during the Lon Nol period, 1970-75, the role and function of the commune declined and during the Khmer Rouge years the commune was *de factor* placed by other mechanisms of control (Öjendal 2005: 301).

During the *Khmer Rouge* time, most of the state administration from previous regimes was abolished, and a collectivised system was created in which Khmer Rouge military commanders strictly controlled all the regions of the country for forced labour (the regime evacuated and forced people, mainly urban dwellers, into intensive forced labour in rice cultivation). Forced labour was a strategy to kill people indirectly because the urban people were not used to this kind of work. According to Vickery (1984), the KR regime was divided administratively into seven geographical zones named after their compass directions: North, North-east, East, West, South-west, North-west and Centre. Within those, there were many sub-zones which were numbered and not always completely stable. Each zone of the seven included more than one of the old provinces, and some provinces were split between two zones. Each zone was numbered and sub-divided into regions (*damband*), all of which crossed old administrative boundaries and which were known by numbers (Vickery 1984: 72). Below the regions, the administrative units seem to have generally followed the pre-Khmer Rouge terminology: *srok* (district), *khum* (commune or sub-district) and *phum* (village). Each village had a population of two to four hundred people. The everyday administrative control was headed by a triumvirate of officials called the "committee" and revolved around the cooperative (*sahakor*), generally equivalent to a *khum* and incorporating several *phum*. The role of the *sahakor* was to have tight control of forced labour, food distribution, security and execution. According to Vickery:

*...One of the more intriguing aspects of KR administration in general, was its extreme decentralisation with a very great degree of autonomy for each*

*vertical administrative unit and virtually total compartmentalization of units horizontally. [The region differed in terms of policy], the amount of foods, its distributions, work discipline, and general hardship, number of executions and execution policy, even the content and extent of political education (Vickery 1984: 74).*

The administrative authority of the Khmer Rouge gave a strong role and responsibility to the commune, the tasks of which were dominated by executions and recruitment of forced labour. The brutality of the commune during the KR continued to influence people's perceptions of the local authorities in the 1980s or may still do, as people may still fear that local authorities will exercise fierce power.

### ***Commune administration during the PRK, 1979–1993***

During the regime of the People's Republic of Kampuchea, 1979–1989, dramatic changes in local administration took place. According to Gottesman's work, the emergence of local leadership after the Khmer Rouge was a chaotic and often autonomous affair (Gottesman 2004). For a few months in 1979, the PRK regime permitted a generally autonomous selection of local leaders, describing the process as the "people's movement" or "getting the masses to build state authority" (Gottesman 2004: 55). The masses selected decent people of good character and sufficient qualification to join the state (in the communist party system). Although Vietnamese advisers were clearly in charge at the district level, there were no permanent Vietnamese advisers present in communes or villages (*ibid.*). Local government during the PRK era was structured as a communist, centralised and subsistence economy. The historian Margaret Slocomb has spent considerable time unveiling the structure of the political system and the local government structure of the PRK. She contends:

*From the early days of 1979, it was a few scattered members of the National United Front for the Salvation of Kampuchea ... and fledgling mass organisations who supervised the nomination and selection of commune chiefs and members of the commune people's revolutionary committees. By the end of the PRK, the commune was firmly under control of the party (Slocomb 2001: 2).*

The PRK was renamed the State of Cambodia in April 1989, but this made little change in terms of the central party's control over local levels (communes). The renovation of the state in 1989 caused few or no changes in the legal framework or practical work of the commune administration (cf. Öjendal 2005). There were about 1,300 communes in the country under PRK jurisdiction, while some regions, especially in the north-west, were controlled by the KR and other fighting groups as the country was in the middle of civil war. In 1988 the number of communes was 1,517 (the number was increased because the PRK established new communes in order to create local administrations to cope with KR attacks and the PRK gained more control of regions from the KR), divided into 11,785 villages (Curtis 1990). Two major cities, Phnom Penh and the seaport city of Kompong Som, were directly

controlled by the central government, whereas local level government (district and commune) reported to provincial authorities. People's Revolutionary Committees (PRCs) were elected in March 1981 at *khum* and *sangkat* levels. The PRC bore responsibility for local administration, public security and social order (Curtis 1990). According to Slocomb (2004), provincial officials were granted the right to select local leaders, who were then hastily trained for their political tasks. There was no distinct division of labour between district and commune authorities.

*... in the district and commune, the People's Revolutionary Committees were supposed to consist of at least five people: the chief with the responsibility for economy and livelihood and members responsible for military, security, information, social cultural affairs, and education and health. They were in theory, at least, answerable to the Party Committee as they executed the circulars and directives which came down to them from the centre (Slocomb 2001: 4).*

As we have seen, inevitably, the commune administration played a key role for the PRK regime because it was responsible for the proper functioning of the solidarity groups (*kromsamaki*) which were established in June 1980, in order to quickly restore and increase agricultural production and to strengthen the security system. Solidarity groups suited the leadership of the PRK ideologically, "as the backbone of a socialized economy, channelling food to a state commercial network that would, in turn, distribute goods throughout the country" (Gottesman 2004: 91).

Commune chiefs were elected early during the PRK (Gottesman 2004: 116; Slocomb 2001). Gottesman describes the elections:

*In March [1981] the PRK organized elections for commune-level officials in about 30 percent of the communes. The elections were marked by extreme caution in selecting candidates and the heavy involvement of Vietnamese advisors and local military officers. The election was to select the state authority in the communes and urban areas (Gottesman 2004: 116).*

During the PRK, the commune administration was under the People's Revolutionary Committee. The PRC was directly elected by the communist party and accountable only to the party at the district and provincial levels. This commune leadership system from the PRK remains influential on the current system of commune councils. The period 1989-93 was a turbulent period, with liberalisation, internationalisation, intervention and overall rapid societal change, but the role and position of the commune administration did not alter much.

### ***Times of change (and not)—commune administration during 1993-2001***

The administrative organisation of modern Cambodia after the end of the civil war in 1998 was determined primarily by the national constitution of the government (Cambodian constitution was rewritten in 1993 with support from the UN), which was similar to that of the pre-war period (1950s-early 70s). Beneath the king were the legislative council, Senate, parliament, prime minister, national ministries, provincial and district authorities and local government (the commune). As

stipulated in the constitution of the Kingdom of Cambodia, regarding the administration of the country:

*Article 99: “the council of ministers in the Royal Government of Cambodia shall be led by one prime minister assisted by Deputy Prime Ministers, and by State Ministers, Ministers, and State Secretaries as members”. [...]*

*Article 102: “members of the Royal Government shall be collectively responsible to the assembly for the overall policy of the Royal Government. Each member of the Royal Government shall be individually responsible to the Prime Minister and the Assembly for his/her own conduct.”*

*Articles 126–127: “the territory of the Kingdom of Cambodia shall be divided into provinces and municipalities. Provinces shall be divided into districts (srok), and districts into communes (khum). Municipalities shall be divided into khan and khan into sangkat. Provinces, municipalities, districts, khan, khum, and sangkat shall be governed in accordance with organic law” (The Constitution of the Kingdom of Cambodia 1993: 16 & 20).*

Society changed deeply, and on the national level the system was entirely different. At commune level there was no real reform, other than that the pressure on security was reduced and that the commune administration was reduced to roughly half. Hence the old administrative system for the communes remained till 2001, when the government enacted the decentralisation law, which led to the commune elections in 2002. This marks the start of the current era, which is at focus for the remainder of the thesis.

To summarise, over the last three decades of turbulence in Cambodian society, significant changes have taken place in local administration (Ledgerwood & Vijghen 2002). Cambodia has experienced at least four significantly different administrative systems: i) the French colonial system 1863-1953, ii) the first kingdom of Sihanouk (*Sangkum Reastr Niyum*) 1953-1970, iii) the Khmer Rouge period 1975-1979, iv) the PRK 1979-1989 (and SOC 1989-1993). The above description shows that from the end of the Khmer Rouge regime in 1979 until the late 1990s, the local authorities (commune) neither pursued any progressive development processes nor acted with democratic means. After the UN's intervention in 1993, the Cambodian state now searches for enhancing “regime legitimacy, re-building political institutions, and the legal framework. Ultimately, decentralisation reform is justified; it is claimed, by the need to strengthen local governance” (Öjendal 2005: 292). Whereas, as we have seen, the communes are long established, they have served different purposes. In the early French administration, they served to legitimise that regime and possibly to draw financial resources to the centre. In later eras, they served to consolidate local loyalty and stability. During the 1980s, the communes took on a security role before they were revitalised in the early 2000s. One thing that differs over these eras is the election process. In the past, commune elections were the responsibility of the district authority and/or irrelevant, while currently there are nationwide commune elections, such as the one held in February 2002. The commune now also has a

distinct development mandate, as well as a budget. Below is a description of the contemporary reforms and the evolution toward decentralisation reform.

### **Contemporary reforms: evolution toward decentralisation**

Centrally, democratic procedures have been in place since 1993, and the comprehensive democratic decentralisation reform was formally launched in 2001. There were external and internal reasons triggering decentralisation reforms. The external factor was introduced through international organisations such as the UN (Öjendal 2005; Öjendal & Kim 2006). The external demands for reform in a neoliberal direction concerned in particular two areas: privatisation of the economy and democratisation of local institutions, for example by rebuilding state institutions and restoring the legal framework, and thereby increasing responsiveness and accountability (Öjendal 2005).

Decentralisation in Cambodia originates in the refugee repatriation of 1992-93 through participatory development activities within the Cambodia Area Rehabilitation and Regeneration Project (CARERE) and the subsequent Seila program, which had a certain degree of success (Rudengren & Öjendal 2002). CARERE, in some places, triggered sensitisation of the local authorities to issues of local development and acquaintance of the donor community with local level dynamics (cf. Öjendal 2005). Some mechanisms of decentralisation were introduced by CARERE-2 (1996-2001),<sup>6</sup> as the provincial and commune authorities were given a wider mandate and were encouraged to be involved in a bottom-up participatory development. Elected village development committees and other democratic practices were also introduced under the Seila<sup>7</sup> programme (cf. Öjendal 2005), producing *ad hoc* (and uneven) local democracy even before “decentralisation” was introduced. The popularity and success (and no doubt a central politically motivated observation on how strongly the local “communes” generated legitimacy and gathered strength by appearing democratic and development oriented) made central policymakers keen to transform this project-based disparate democratic decentralisation into a fully fledged democratic reform. After years of deliberation by various agencies in the government, a draft surfaced in 1999 and was subsequently turned into a law by 2001 and elections by 2002.

### ***Democratic decentralisation: elected commune councils***

A decentralisation reform in Cambodia was being considered as early as 1994 (Öjendal & Kim 2011). It was formulated in policy between 1998 and 2000 and was inscribed in law in 2001. It was then put into effect through the first commune

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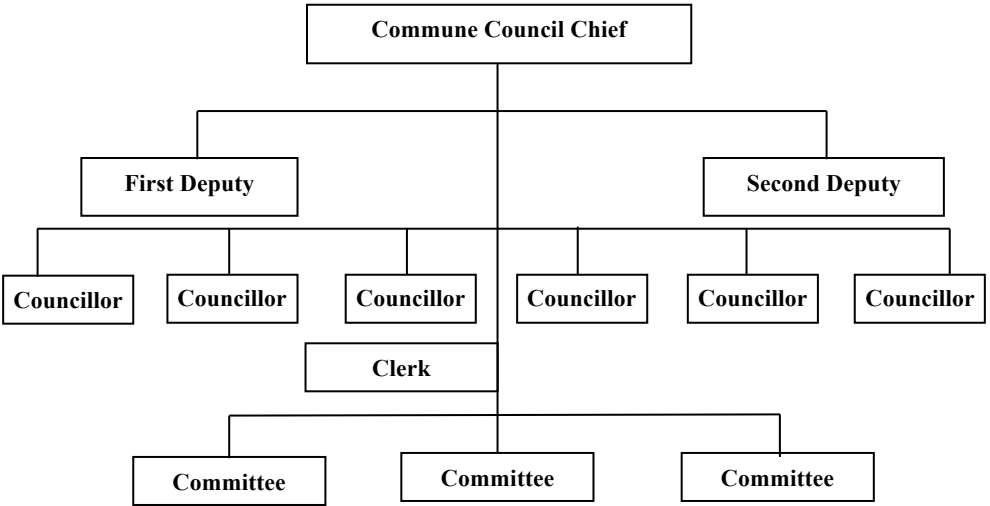
<sup>6</sup> The project was designed to facilitate the rapid, sustained shift from direct implementation to intensive capacity building focused on Cambodian institutions entrusted with local development.

<sup>7</sup> The SEILA programme is an experiment in the decentralised planning and financing of integrated local development managed by the government. The programme focuses on poverty alleviation and the promotion of peace, by fostering improved local governance through intensive capacity building and technical assistance, broadly based participatory planning, financing and implementation of development projects.

election in 2002 and backed up by subsequent funding. Commune council elections were conducted using a proportional system of representation of the political parties contesting the election. All the commune council members are selected from parties' candidate lists (cf. Mansfield & MacLeod 2004; COMFREL 2007). Four political parties were elected to commune councils. The Cambodian People's Party, the ruling party, remained the dominant political party with 7,703 or 68.4% of commune council seats. Of these, 1,598 held the position of commune chief, 789 first deputy chiefs, 154 second deputy chiefs and 5,162 regular councillors. FUNCINPEC had the second most councillors with 2,211 or 19.6% of commune council seats. Ten of these councillors held the position of commune chief, 547 were first deputy chiefs, 852 second deputy chiefs and 802 regular councillors. The Sam Rainsy Party won the third most seats with 1,346 councillors or 12%. Thirteen of these held the position of commune chief, 285 were first deputy chiefs, 615 second deputy chiefs and 433 regular councillors. Finally, the Khmer Democratic Party had one councillor.

Below, the thesis will review previous empirical research findings on the role of decentralisation reform in Cambodia in democratic development, with a focus on a descriptive review before we turn to briefly assess its achievements and constraints. Reviewing materials pertinent to decentralisation and deconcentration reforms will offer a contextual framework to use in the reflection in the empirical chapters.

*Figure 3.1: Commune Council Structure 2002–present*



The *Law on Commune/Sangkhat Administrative Management* (the decentralisation law) (see boxes 1 and 2 below for the key points of the law), created in 2001, stipulated that communes acquire new roles, responsibilities and powers. The detailed description of democratic decentralisation reforms will follow below in this chapter.

The attraction of decentralisation might be that it holds promise for both the deepening of democracy and the addressing of development problems (Manor 2008). Given its high degree of internal conflicts and historical fragmentation, the Cambodian government searches for enhanced regime legitimacy and a renewed nation state building process, including the rebuilding of the legal framework and political institutions (Öjendal 2005). The institutions of local governance have to be reinvented and restructured in order to create a safe space and vibrant interactions between ruled and rulers. Cambodian political culture seemingly does not allow for much “trickle-up” (also see Chapter 2). However, increasing local political space is critical and may also allow people to access political power and to rebuild trust in the (local) state. Öjendal and Kim point out: “the overall assumption is that decentralisation may contribute to enhanced political legitimacy at local level, which in turn may support democratisation and overall political reconstruction” (2007: 70).

### **Box 1: Summary of commune councils in the first mandate (2002-2007)**

Four political parties won seats in the commune election for the first mandate, 2002–2007: Cambodian People’s Party, FUNCINPEC, Sam Rainsy Party and Cambodian Democratic Party (KDP).

Total communes: 1,621

Total elected councillors: 11,261

Number of councillors in a council: 5–11

Mandate: 5 years

Ratio of councillors to residents: up to 5,000 residents = 5 councillors; from 5,000 to 7,000 residents = 7 councillors; from 7,000 to 9,000 residents = 9 councillors; more than 9,000 residents = 11 councillors.

**CPP:** the dominant political party, won the majority, with 7,703 = 68.4% of commune council seats. The CPP had 1,598 commune chiefs, 789 first deputy chiefs, 154 second deputy chiefs and 5,162 regular councillors.

**FUNCINPEC:** gained the second most councillors with 2,211 = 19.6% of commune council seats. Funcinpec had 10 commune council chiefs, 547 first deputy chiefs, 852 second deputy chiefs and 802 regular councillors.

**SRP:** won the third most votes in the commune council elections with 1,346 councillors elected = 12% of the seats. The SRP had 13 commune council chiefs, 285 first deputy chiefs, 615 second deputy chiefs and 433 regular councillors.

**KDP:** had only one councillor in the country, in Prek Tnot commune, Kampot province (the commune is also covered in this research).

**Commune Clerk:** Each commune council has a clerk appointed and trained by the Ministry of the Interior who is employed within ministry’s administrative framework. The clerk is responsible to the commune council and has no supervisory or disciplinary functions over councillors. The clerk’s roles are to act as a secretary to the council and to inform it about legal and procedural requirements. The clerk is also responsible to the ministry. He or she must be neutral and unbiased, and must act impartially towards all citizens, political groups, councillors and members of committees.

Source: Mansfield & MacLeod 2004, PACT Cambodia

## **Box 2: Legal Framework: Law on Administration and Management of Commune/Sangkat Councils**

**Roles and Duties of CCs:** *Article 39:* A *khum/sangkat* chief shall perform the following roles and duties: implement the decisions of the *khum/sangkat* council; implement rules and principles received from the *khum/sangkat* council; prepare reports on work performance to his/her *khum/sangkat* council at least once a month; raise recommendations and assist the *khum/sangkat* council in preparing planning, finance and the implementation of roles, functions and powers of the *khum/sangkat* council and other affairs assigned to him/her by the *khum/sangkat* council.

*Article 40:* The *khum/sangkat* deputy chiefs are assistants to the *khum/sangkat* chief in performing [the tasks] assigned to them by the *khum/sangkat* chief and shall act as *khum/sangkat* chief, in order of hierarchy of the *khum/sangkat* deputy chiefs, in the absence of the *khum/sangkat* chief. The *khum/sangkat* deputy chiefs shall be assigned with [such] duties as: the *khum/sangkat* first deputy chief shall assist the *khum/sangkat* chief with financial and economic affairs; the *khum/sangkat* second deputy chief shall assist the *khum/sangkat* chief with administrative and social affairs, public services, and public orders; the *khum/sangkat* chief may assign other additional duties to his/her deputies.

*Article 43* (Table 2) of the decentralisation law defines the roles and responsibilities of commune councillors in maintaining security and public order; managing necessary public services and ensuring that these services work well; encouraging the well-being of citizens; promoting social and economic development and upgrading the living standards of citizens; protecting and preserving the environment and natural resources; reconciling people's views for the sake of mutual understanding and tolerance; and performing general affairs to respond to people's needs.

*Article 27:* A *khum/sangkat* chief shall have the right to appoint various committees to provide advice and to assist affairs, as necessary. Any councillor or any citizen, other than a councillor, who is entitled to vote, may become the chair of the above committees.

**Capacity requirements for CCs:** *Article 14:* A Cambodian citizen who is eligible and intends to stand as a candidate for the election of a *khum/sangkat* council shall meet the following conditions: Cambodian nationality at birth; able to read and write Cambodian script; registered in the voters' list in the *khum/sangkat* where he/she stands as the candidate for the election; at least 25 years of age on the election day of the *khum/sangkat* councils.

**Roles, functions and powers of *khum/sangkat* administrations:** *Article 41:* A *khum/sangkat* administration shall uphold and support good governance by using all available resources to address the basic needs of its *khum/sangkat* to serve the common interests of citizens in respect of the national interest, in accordance with the general policy of the state.

*Article 42:* A *khum/sangkat* shall have two functions: to serve local affairs for the interests of the *khum/sangkat* and citizens in the *khum/sangkat*; and to represent the state as designated by the state authority.

*Article 43:* In the role of serving local affairs, *khum/sangkat* administrations shall perform the following duties: maintain security and public order; manage necessary public services [ensuring] that these services work well; encourage the creation of contentment and well-being of the citizens; promote social and economic development and upgrade the living standards of the citizens; protect and preserve the environment and natural resources; reconcile people's views for the sake of mutual understanding and tolerance; and perform general affairs to respond to people's needs.

*Article 44:* Within the agency function representing the state, a *khum/sangkat* administration shall perform in compliance with the laws, royal decrees, sub-decrees, proclamations and other legal instruments concerned. In this case, the state authority may delegate powers to the *khum/sangkat* together with capacity building, ways and means, materials and funds for work. The above delegation of power shall be applied to the *khum/sangkat* as a whole only.

*Article 51:* A *khum/sangkat* may delegate powers to the *khum/sangkat* chief following the instruction of the minister of the Interior, except for the following matters: the adoption of the *khum/sangkat* budget; the imposition of local fiscal taxes, local non-fiscal taxes and service charges; the adoption of internal rules and regulations and resolutions of the *khum/sangkat*; the adoption of *khum/sangkat* development plans; any other matters prescribed by the minister of the Interior; and the chief to whom the powers are delegated may not transfer these powers to any other persons.

*Article 74:* A *khum/sangkat* shall have the right to collect direct revenues from fiscal taxes, non-fiscal taxes and other service charges. The above taxes shall include land taxes, taxes imposed on immovable properties and rental taxes. In case the Ministry of Finance and Economy collects the revenue of the commune/*sangkat*, this collection shall be conducted in the name of the *khum/sangkat*. A separate law shall establish the categories, degrees and manners in which the above fiscal taxes, non-fiscal taxes and service charges are collected.

*Article 75:* The *khum/sangkat* is entitled to resources appropriated from the national revenues for its budget. The appropriation of resources shall include: total or partial transfer of specific tax income and non-tax income of the state, and financial endowment and appropriation, granting or allocation from the national revenues.

In line with this discussion of the background of decentralisation reform, decentralisation may be the most viable option for establishing democratic institutions in Cambodia with “soft local politics” where democratic values are spreading and political regime legitimacy is being harnessed (Öjendal & Kim 2011; Öjendal & Kim 2006; Öjendal & Lilja 2009). The aims of the government in endorsing decentralisation revolve around restoring effective state institutions. As the deputy prime minister and minister of interior put it:

*Deconcentration reform is being considered seriously from the government by forming the inter-ministerial committee and organic law. The government is relying on four major strategies for the reform: fighting corruption, reform [of] the court system, decentralisation and deconcentration reforms, and military reform...the principal concepts of the reform are: representation, responsibility, participation, and accountability. The power*

*sharing between national, sub-national, and local government is critical but based on the principle of subsidiarity (H.E.Sar Kheng, Deputy Prime Minister and Minister of the Interior, Seila Annual Workshop 12–13 September 2005).*

In the *commune/sangkat* law, communes are entitled to collect revenues and are given access to development and administrative grant assistance through the nationally managed Commune Development Fund, which receives a share of national revenue. Prum Sokha's<sup>8</sup> work entitled *Decentralisation and Poverty Reduction in Cambodia* envisaged that the elected commune councils would be empowered to articulate their need for access to natural resources (land, forests and fisheries). The expectation of the government is that investments made through communes in physical infrastructure have the potential to contribute to local poverty alleviation (Prum 2005).

The decentralisation law of 2001 contains radical features, allowing the elected councils to collect local revenues and protecting sustainable use of natural resources. There are at least four major reasons for launching decentralisation: i) to strengthen local participation in local affairs; ii) to increase local ownership of local development; iii) to change the attitudes between the local state and the people; and iv) to strengthen democracy (Prum 2005; cf. Öjendal 2005). Below, the thesis will describe different dynamics and activities of commune councils from 2002 till now.

### ***Dynamics of commune councils***

When the first five-year mandate of commune councils (CCs) ended in April 2007, there were achievements and remaining challenges. In order to understand the purpose of the reform in 2002, this section will describe various policies of the government, different research findings on decentralisation in Cambodia and the challenges being faced.

In the highly politicised atmosphere of Cambodia, decentralisation reform was deemed by the Royal Government of Cambodia and development partners as an appropriate option of soft reform to neutralise the dominance of hard central politics, especially for strengthening state-building from below (Kim & Öjendal 2009; Öjendal & Lilja 2009; Prum 2005; Öjendal 2005).

The core of the *Rectangular Strategy*—a policy package introduced as a high-profile reform attempt of the RGC—is good governance focused on four reform areas: anti-corruption, legal and judicial reform, public administration reform including decentralisation and deconcentration and reform of the armed forces, especially demobilisation. Concerning the decentralisation and deconcentration reform:

*...the implementation of decentralisation and deconcentration to the commune is crucial to the strengthening of democracy at the grassroots level, improving the quality of public services and promoting the culture of*

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<sup>8</sup> He was Secretary of State at the Ministry of Interior at the time.

*participation and participatory local development in all sectors. A key priority in local governance is to build local management capacity and provide reasonable levels of financial resources to the communes. Indeed decentralisation must be implemented in conjunction with deconcentration to build capacity at the municipal, provincial, and district levels and thereby ensure harmonized and mutually supportive and complementary operations with and among the grassroots-level communities. Therefore the RGC will proceed, as soon as possible, with the appointment of village chiefs, deputy village chiefs and the members of village committees in accordance with the principles of decentralisation at the commune level (RGC 2007: 7-8).*

A recent well-articulated study, *Cambodia Governance Analysis*, by Caroline Hughes and Kheang Un, highlights many issues related to governance and the functioning of state institutions in Cambodia. The authors denote governance in Cambodia as consisting of a system of *black hats* and *white hats* (Hughes & Un 2007: 1). The white hat system conforms to professional state institutions with developmental intent, while the black hat system operates through personalised connections of kinship, cronyism, patron-clientism and rent seeking. The “black hat” obviously runs counter to the “white hat” and undermines its governance. This results in poor establishment of the rule of law, poor combating of corruption and poor mechanisms of accountability.

However, various researches on decentralisation in Cambodia point out that, since the commune council elections, the relationship between ruled and rulers has improved, power is being exercised more softly, and the authorities treat constituents better than in the previous regimes, for example encouraging participation and small development activities (Kim & Öjendal 2009; cf. Manor 2008). The elected commune councils, however, are still facing disputes, perhaps most intensively over land and natural resources (water, fish, forest and land) (Kim & Öjendal 2011). Commune officials are still subjects to the dictates of the political party to which they belong, which means that their loyalties are divided between party bosses, constituents and district government officials. There is still potential for conflicting interests between these groups, which puts great pressure on commune chiefs and councillors.

As the CDRI report *Moving Out of Poverty* indicates, local authorities (commune councils) can do more to manage local conflict, such as involving community members in decision making, reducing domestic violence and being more responsive and accountable to people’s needs. However, this will be effective only up to a point, as elected councils are in effect powerless as soon as powerful external influences (rich and well-connected people) are involved (CDRI 2006). The report also highlights some significant governance failures, in particular in relation to natural resource management, which cannot be addressed at the local level but requires a national response.

According to Eng Netra and Caroline Rusten’s work on fiscal decentralisation and communes/*sangkats*, the potential sources of revenues in the commune (own source revenues) such as service charges are from civil

registration); commune councils having the right to develop their own sources of revenue and making local revenues function effectively were indispensable means to make decentralisation work (Eng & Rusten 2004; Pak & Craig 2008). At the present time there are a number of revenue sources at the commune/*sangkat* level (from small business activities and transportation). However, those sources of revenue are still tightly controlled and collected by provincial/district authorities and technical line departments, which is contrary to the decentralisation law. The central government and provincial technical agencies do not share the non-tax and tax revenues with the communes.

Although the law says elected CCs are supposed to have the authority to collect local revenue, until now this task has not been delegated to the CCs, the excuse being that it is still too early for CCs to assume the responsibility for tax collection since they lack the capacity. There is little collaboration with CCs in tax collection from the provincial/district and line agencies, since there are no incentives for such cooperation (Pak & Craig 2008; Horng & Craig 2008). This creates many obstacles to improving local governance and accountability.

One of the key elements of decentralisation reform is to make elected CCs responsive to the needs of constituencies and, for example, to provide services. The Law on Administration and Management of Communes/*Sangkats* envisages elected commune councils having a lead role in service provision and local development, but does not mandate any specific responsibilities. An empirical study of local service delivery in Cambodia indicates that it is hindered by a lack of assigning functions to different levels of government (Eng *et al.* 2005). The commune councils have done much project planning, but lack the funds to execute the projects. Commune councils' role in monitoring service provision is also rather limited because of low technical capacity, limited mandates and small budgets (Eng & Craig 2009; Eng *et al.* 2005).

Accountability is one of the most important aspects of decentralisation in Cambodia. The significance of accountability has moved to the forefront of both the Cambodian government's and donor community's reform agenda in recent years, particularly among those who focus on good governance, poverty reduction, decentralisation and democratic development (Pak & Craig 2008; Pak *et al.* 2007; Burke & Nil 2004). A study conducted by Pak *et al.* (2007), "*Accountability and Neo-Patrimonialism in Cambodia*", shows that accountability is understood in Cambodia in a wide variety of ways. There are at least four generic relationships pertinent to accountability identified in Cambodia:

*Firstly and perhaps most importantly, donors introduce Western-oriented public reforms which fail to factor in Cambodia specific conditions. As a result, such initiatives are poorly understood, much less owned by Cambodian policy makers...secondly, accountability currently is an invented term in the Cambodian language...thirdly, vast informal relational networks underlie the formal governance system. These informal networks also shape formal bureaucratic activities and functions...fourthly, higher and lower levels of*

*government, civil servants, and politicians lack an adequate understanding of institutional and individual accountability (Pak et al. 2007: 1).*

As we see, accountability is difficult to understand in a Cambodian context. The term is a relational term which is linked to different sectors and contexts (which will be described thoroughly in chapter V). The meaning of accountability, as it is generally used by donors and Cambodian policy makers, is in conflict with the actual conditions in Cambodia. Empirical research shows that decentralisation in Cambodia is often constrained by power not being delegated to the elected councils, by inadequate devolution of resources to the local level, by problems of uneven development and by the possibility of resources and power being captured by local elites (Ninh & Henke 2005). Another study, however, finds that there is little sign of elite capture of the CCs' development fund because there has not been much funding available for development and because the funds are well monitored from above (Rusten *et al.* 2004).

An effort to increase the depth of democratic decentralisation is made through the interaction of civil society organisations, such as NGOs and CBOs, with the elected commune councils. Good interaction between NGOs/CBOs and the CCs would improve the accountability, responsiveness and capacity of councillors, contribute to safeguarding natural resources such as fisheries and forests, prevent land grabbing, improve responsiveness and accountability to constituencies, help strengthen institutional social capital, improve conflict resolution and create local dialogue. Some empirical findings have envisaged that the function of decentralisation is still challenged by poor interaction between elected CCs and villagers (MacAndrew 2004; Kim & Öjendal 2007). NGOs' development activities, often running parallel with the commune councils' programmes and eventually bypassing CCs, have the potential to disable CCs' efforts.

Since the implementation of decentralisation in Cambodia, there have been few large-scale surveys to gauge its impact. In 2005, the Centre for Advanced Study (CAS), in cooperation with The Asia Foundation (TAF) in Cambodia, conducted a survey to assess public opinion on the roles, responsibilities and performance of CCs. Although the study was geared towards understanding the roles and nature of conflict resolution at the grassroots, it also covered many aspects of decentralisation such as trust, the responsiveness of CCs to the demands of constituencies, accountability and power relations between CCs and citizens. The survey covered all 24 provinces in the country with a total of 310 commune councils, 620 commune councillors, and 1,240 voters (Ninh & Henke 2005). Generally, voters think that councillors are working hard. More than 90 percent of voters think that CCs are performing well on planning, implementing development projects, fulfilling administrative tasks, organising social events and ensuring security. This is at the same level as the councillors' own impressions (Ninh & Henke 2005).

The same survey explored the responsiveness and accountability of CCs to electorates. Voters believe that CCs face a number of constraints. Sixty-eight

percent of voters think that the communes lack sufficient funding to be responsive. Forty-four percent of voters think that CCs are lacking in skills. Thirty-five percent think that CCs lack the power to be responsive and accountable. About 35 percent think that CCs spend too much time on conflict mediation. A large number of respondents (81 percent) have personally contributed to development projects in the community. About 60 percent of voters are aware of the village planning meetings, and 90 percent know that they have the right to engage with the planning, and 76 percent have attended such meetings. The interaction of voters with CCs is crucial for strengthening accountability and building trust between citizens and state. The survey shows that 37 percent of voters never engage with CCs, 29 percent come to the CC office to get official certificates and 13 percent to see the voter list. CCs think that they are approached by individuals much more frequently than by groups. Voters generally perceive that party loyalty of CCs has obstructed their performance. Twenty-one percent think that delegating of responsibility to CCs would be helpful, while 37 percent do not. About 70 percent of voters experience fee collection by various local authorities such as commune and line agencies, primarily for administrative requirements. The problem is that CCs are legally allowed to charge some fees, but the legal framework is not yet fully in place to give CCs the power to collect local revenues. Upward accountability remains intact among the elected CCs. About 70 percent of CCs interviewed said that they are subordinate to district and provincial authorities. Eighty-four percent of CCs have the power to protect and manage natural resources, while 35 percent of voters think that CCs lack the authority to perform effectively. Hence, there is arguably a structural change in the making, but the picture is mixed.

Decentralisation seldom works as promised in theory. Peter Blunt and Mark Turner (2005) explain that in developing countries, decentralisation normally fails to deliver in practice. They argue that decentralisation in Cambodia involves little devolution of authority to the elected councils and little or no reallocation of service delivery roles. Instead, decentralisation could be seen as serving as an effective method of consolidating the nationwide political control of the ruling CPP, with all political and economic power being controlled by political elites. Further, the paper argues: “Cambodia’s cultural context is largely unreceptive to the values that are the essence of decentralisation” (Blunt & Turner 2005: 77). Two empirical studies argue that the “fatigue” of decentralisation in Cambodia is caused by the slow progress of deconcentration (Kim & Öjendal 2007; Pak *et al.* 2007). Some progress has been made, however. At this early stage of decentralisation, there has been no report of elite capture of the development fund, people are more engaged with the authorities than previously, some local infrastructure has been built, and the leadership system of CCs is more democratic and tolerant than before (Rusten *et al.* 2004; Kim & Öjendal 2007; Kim & Öjendal 2009).

It is generally accepted by the tentative research on the matter that so far the lack of deconcentration remains the predominant problem, i.e. the low extent to which power is delegated to CCs. The implementation of decentralisation is severely challenged by Cambodia’s complex political order such as patronage and

rent seeking and by the lack of resources, which makes it difficult for CCs to be responsive to the electorate.

A review of the literature on decentralisation and deconcentration reforms shows that the development of democratic decentralisation in Cambodia is currently a halfway house. There are certain positive achievements, but also many remaining challenges (Kim & Öjendal 2007). Decentralisation is the main driver for strengthening political institutions, particularly at the local level, by introducing democratic principles, including: firstly, the ability of elected CCs to be responsive to voters at a certain level; secondly, accountability; and thirdly, the devolution of power from the centre to elected CCs. Decentralisation also carries some positive aspects for the improvement of democratisation, creating space, a multiparty system at the local government level, enhancing people's participation and demanding that leaders be accountable and responsive to constituencies. However, decentralisation in Cambodia is still constrained by a complex political situation, with some CCs still operating under a patrimonial logic instead of prioritising public needs. This could be related to an incomplete transition from a traditional system to one operating on liberal democratic principles, constituting a hybrid political system (cf. Kim & Öjendal 2007). Decentralisation has been followed by further (or deeper) reforms such as indirect election of the village chiefs and Senate members and, recently, reforms of sub-national administrative management (Organic Law)<sup>9</sup> so that through unified administration it would be able to deliver services effectively and also be responsive and accountable (Kim & Öjendal 2009).

## Concluding remarks

In this chapter, I have described how the democratic dimension of post-conflict reconstruction of Cambodia is intertwined with and constrained by a complex political order of personalised and patronage politics, cronyism, power absolutism, kinship ties and absence of experience in practising a formal state system. In this cultural and social atmosphere, legitimacy and political tolerance are difficult to re-establish, and there is little room for those who are politically disconnected and/or “losers” in the democratic process. The historical trajectory plays an important role in Cambodia's political development—the country has a legacy of civil war, no experience of peaceful transformation of regimes, a tradition of centralised administration and a lack of professional and well-functioning state institutions. Since the inception of democracy in the early 1990s by the UN-led intervention, with various development interventions by international agencies, Cambodia has experienced “local” democratic decentralisation, and this was considered seriously by the Cambodian government in 2002.

I will therefore empirically explore the case of decentralisation during the first mandate of the elected commune councils, focusing on three concepts:

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<sup>9</sup> It is a deeper reform at the district, city, provincial and municipal level. The fundamental purpose of the reform is to have a unified administration at the sub-national level and create elected councils at those levels. However, those councils are not elected directly like the commune councils but indirectly by the commune councillors.

responsiveness, accountability and devolution of power, which will be presented in three separate chapters (V, VI and VII). In Chapter IV, I will examine the general processes of decentralisation based on empirical findings.



## PART 2

Part 2 consists of Chapters IV, V, VI and VII. These four chapters will present and discuss the empirical findings on the current decentralisation reform of commune councils from 2002 (the follow-up field information after 2007 will be used for up-to-date information on decentralisation reform in Cambodia). Given that decentralisation involves many key concepts, the thesis selected three main ideas, as defined in Chapters I & II. Chapter IV will discuss the *general factors* affecting emerging trends in decentralisation, while *responsiveness* will be discussed in Chapter V, *accountability* in Chapter VI and *devolution of power* in Chapter VII. Before discussing the empirical findings, the methodological approach for data collection will be described. The research method was addressed in Chapter I, and the purpose of discussing the methodological framework again is to describe detailed field methods applied, for example, an ethnological characterisation that I conducted in the field.



## CHAPTER IV

### FACTORS OF DECENTRALISATION

*The reform of the Royal Government of Cambodia is based on democratic participation via national and local elections. Experiences of decentralisation and deconcentration reforms of the first mandate have brought up three lessons learnt for Cambodia's reconstruction: firstly, decentralisation has contributed by enhancing democratic development; in particular it has introduced the multiparty system and ensured political stability. Secondly, decentralisation has contributed by revitalising social capital and political capital for Cambodian society; social capital is focused on the relationship between citizens at local level and political capital bridges the gap between citizens and state institutions. Thirdly, decentralisation has brought in a successful process of poverty alleviation and community development. (H.E. Sar Kheng, Deputy Prime Minister and Minister of the Interior, at the launching of the Organic Law, Phnom Penh, 28 January 2009)*

According to the remarks above, the RGC is optimistic about the results of the first mandate of decentralisation, 2002–2007. This statement may, however, deserve a closer scrutiny. In order to understand the initial development of decentralisation in Cambodia, this chapter will illuminate the achievements and constraints of the decentralisation by the RGC. The chapter is divided into three parts. Firstly, it will present commune councillors' perceptions of democratic leadership of decentralisation and of central–local relations. Secondly, overall relations between voters and CCs and voters' perceptions of democratic decentralisation will be discussed. Thirdly, the chapter will discuss the role and responsibilities of the village chief.<sup>10</sup> To illuminate these three parts thoroughly, the quantitative survey data from 74 CC members and 583 voters will be presented, followed by some detailed anthropological discussions.

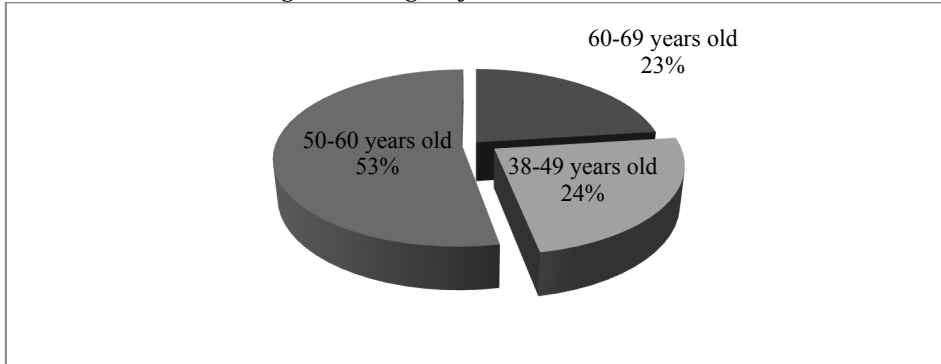
#### **Commune councillors' perceptions of democratic decentralisation**

This section begins by presenting the general profiles of the 74 commune councillors surveyed, including their age, gender and education. Then a presentation and discussion of their overall perceptions of democratic decentralisation follow.

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<sup>10</sup> Village chiefs arguably play a very important role in decentralisation reform, because they serve as gatekeepers between voters and commune councillors in terms of administration, political party liaison and security. They channel information, mobilise people for various activities, liaise between villagers and commune councillors and are responsible for administration.

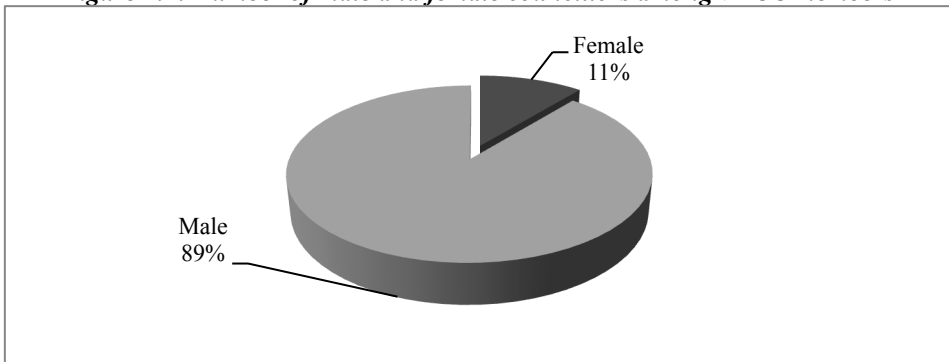
**Figure 4.1: Ages of the 74 CC members**



Age provides status in Cambodia, and seniority is an important factor for taking on certain roles in society. Older people are both more respected and more easily forgiven than younger people. The age of CC members in this survey ranged from 38 to 69 years. Of 74 CCs members, about 53 percent were aged from 50 to 60 years, 23 percent from 60 to 69 years old and 24 percent from 38 to 49 years. Hence, about 80 percent of the 74 CC members were over 50 years old. These people have been exposed to and have experienced numerous political regimes: the monarchy of Sihanouk's time in the 1960s, the Cambodian republic of General Lon Nol, the Khmer Rouge, the Russian-style communism of the 1980s and the current system. Most people of these generations have experienced military service, with all its violence and the associated experiences. A CC member in Battambang offers his view:

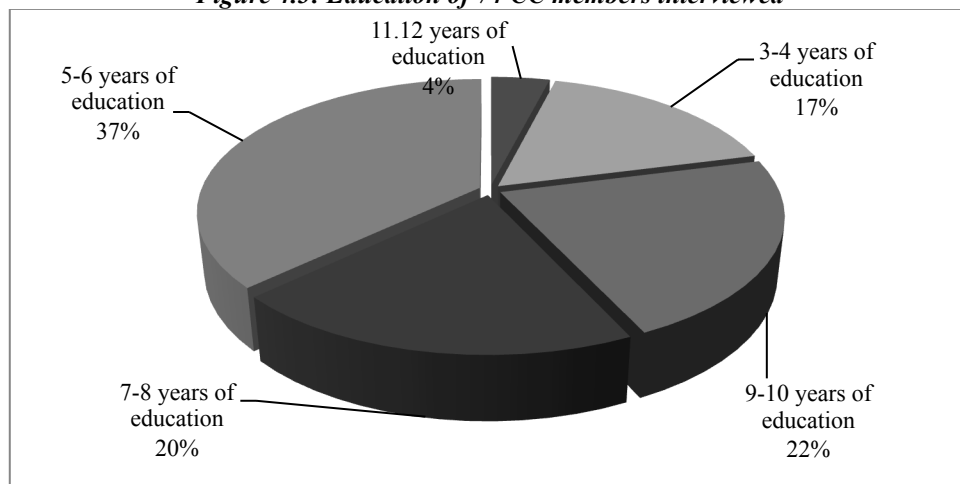
*Both leaders and people in my generation are deeply used to many political regimes and traditional practices. We are old, so it is not that easy to change to the new process that is being implemented now, for example decentralisation (CC member, Battambang, 11 May 2007).*

**Figure 4.2: Number of male and female councillors among 74 CC members**



The number of women in commune councils is limited; 89 percent of CC members included in this study were male and 11 percent female.

**Figure 4.3: Education of 74 CC members interviewed**



The ability of CC members to perform their tasks relies on their professional capacity (educational level/capacity). This is often regarded as a bottleneck in Cambodia, and in rural areas it is occasionally acute. In our sample, 17 percent of the 74 CC members had spent 3–4 years in school, 37percent had spent 5–6 years, 20 percent 7–8 years, 22 percent 9–10 years and 4 percent had completed high school. There were two primary sources of education: public schools and Buddhist temples (studying in the wat with monks). Most commune councillors aged 55 and above had studied in Buddhist temples in the 1950s–60s. In some cases, with this limited schooling, they lack the capacity to interpret laws and regulations. A former commune chief in Battambang describes the educational capacity of people in his age group:

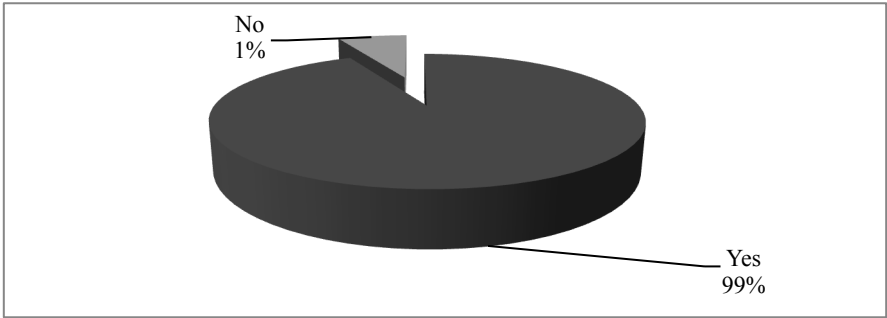
*People in my generation obtained their education from the Buddhist temple. Most CC members have only completed five to seven years' education in public schools. It is normal for them to be working and learning at the same time. Plus, the older generation seems to combine traditional practices or norms with formal state systems for their daily commune work (former CC chief, Battambang, 27 April 2006).*

From this, we can see that most local leaders possess very limited education, and learn through doing and combining traditional practices and work experience. Turning to the reform as such, let us first contextualise this historically.

The overall view among CC members is that the current decentralised system is quite different from the previous systems they had experienced. CC members' view of decentralisation was that it had brought improvements and changes to communities. The survey data show that 99 percent of the CC members

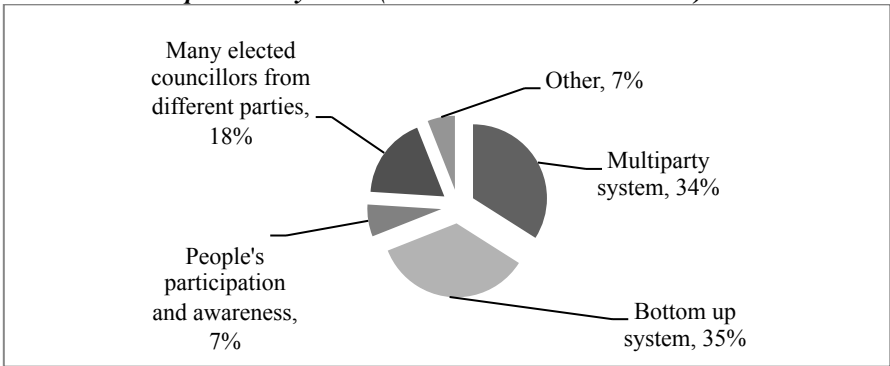
believed that the current system of decentralised commune councils is different from the systems of previous regimes. Overwhelmingly, this figure, including CC members from opposition parties, revealed widespread agreement that the leadership system of the commune council is vastly different from that of previous regimes.

**Figure 4.4: Is the current democratic decentralisation different from previous systems? (74 CC members questioned)**



The major differences the CC members observed were that the current CC leadership was acting according to bottom-up principles (35 percent), that CCs use a multiparty system (34 percent), that there were many elected councillors from different political parties working together in each council (18 percent) and that voters are starting to be aware of decentralisation (7 percent). As discussed above, most CC members have experience with different political regimes—providing a good basis for comparison—in particular the centralised system of the 1980s, which was very different from the current decentralisation system.

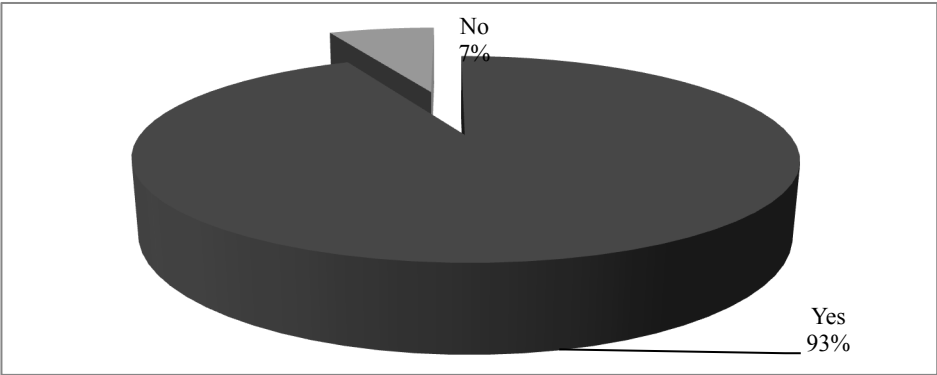
**Figure 4.5: How is the current democratic decentralisation primarily different from the previous system? (74 CC members interviewed)**



The main purpose of this question was to learn the perception of CC members on the political leadership system (power), because most commune councillors have experienced many political regimes. The majority of CC members recognised that in the new system, the way that CC members exercise power is

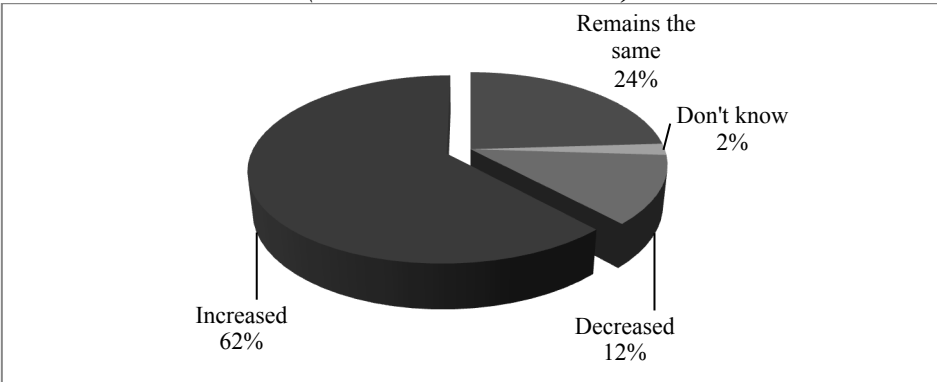
distinctly different from that in previous regimes. This is reflected in the survey, which shows that an overwhelming 93 percent of CC members thought that the way local leaders exercise power had been changed by decentralisation and from other political systems they had experienced.

**Figure 4.6: Is the way CC members now exercise power different from previous systems? (74 CC members interviewed)**



CC members felt that since the commune election in 2002, interaction between CC members and civil society organisations has increased, especially in connection with community development. The survey found that 62 percent thought that interaction had increased, 12 percent thought it had decreased, 24 percent thought it had remained the same, and 2 percent did not know. Of the CC members surveyed, 62 percent thought that participation with local authorities was increasing.

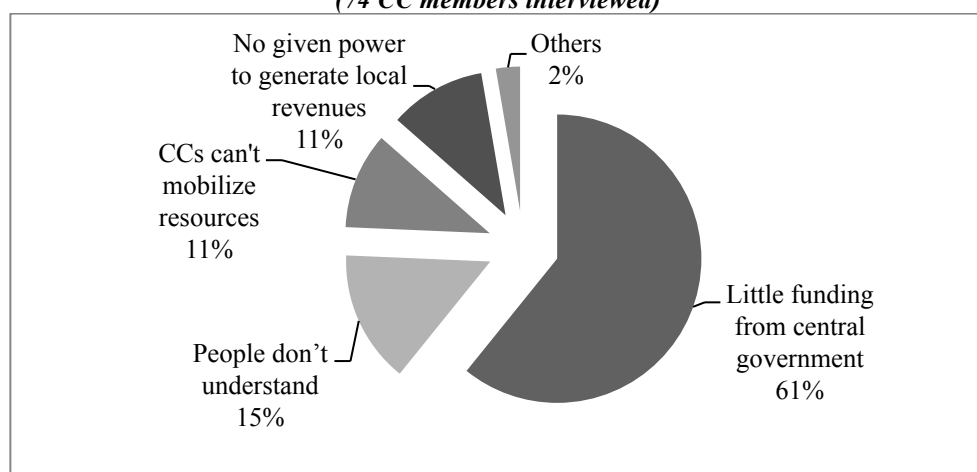
**Figure 4.7: Councillors’ view of civil society participation since 2002 (74 CC members interviewed)**



Moreover, 61 percent of the CC members thought that the main challenge in implementing decentralisation was the lack of financial resources to meet the people’s demands.15percent thought that the main challenge was that people did

not understand decentralisation, and about 22 percent thought the main challenge was that commune councils are not permitted to generate local revenue or create sources of revenue. These issues will be explained throughout this chapter and further in Chapters VI and VII. An open-ended question asked respondents to express their own experiences of the challenges they are facing in implementing decentralisation.

**Figure 4.8: Major challenge CCs face in implementing decentralisation  
(74 CC members interviewed)**



From the in-depth interviews with CC members, it is evident that there is a general perception that commune administration and leadership styles have improved since the 2002 commune elections, having become less centralised, more downwardly accountable to voters and less bureaucratic. Besides the overall changes, improvement at the commune level could be observed in the form of local infrastructure (paved roads, bridges, irrigation structures, schools etc) financed through the Commune *Sangkat* Fund (CSF). Many CC members from different political parties recognised two primary factors emerging from commune council reform. Having elected CC members based on a multiparty system in which the leadership arises from bottom-up decision making, villagers are less afraid of the local authorities (the CC members), and local leaders are listening more to people than in the previous regimes. As a group of commune councillors explained:

*Leadership of the commune has changed a lot. As commune councillors, we must listen to people before making any decision. Before the election in 2002, the commune authority just used to command; now the leadership style is bottom up, and we cannot hide anything from villagers (group of commune councillors, Kampot province, 28 March 2006).*

The change of attitudes among local leaders (CC members, village chiefs and police), which is recognised by the majority of CC members, is said to have been

achieved through the local elections. Many CC members said that within the decentralised system, leaders need to be gentler in dealing with people. This is particularly the case when people ask for something and the CC members are unable to respond: they must clearly explain the reason. Given that people and leaders have been exposed to a variety of political regimes, CC members are able to make comparisons with previous political regimes in terms of leadership styles and general attitudes. A commune council chief of the same commune elaborated this nicely:

*Decentralisation is a big change for the local community if we compare it to the previous regimes. The relationship between the leaders and citizens is much closer; authorities share information with people. The leadership style is less top down, but we are using the bottom-up approach by listening to the majority of people before making decisions (commune chief, Kampot, 30 March 2006).*

Local leaders see that decentralisation has changed the leadership style of political parties to be more responsive and accountable to citizens. A political activist from the ruling party expresses his view:

*The decentralisation reform has made political parties change their leadership style. Each political party must listen to the demands of people, and political candidates have to be popular in the community; otherwise they cannot win election. I observe that since the commune election, local leaders are more compliant with the law than in the past (political activist, Kratie province, 17 June 2010).*

CC members feel that decentralisation has introduced a less complex bureaucracy, in which power is less personalised. It has a more bottom-up approach, and has led to the development of local infrastructure in the community. A commune chief in Battambang province illustrates this belief:

*The advance of decentralisation has introduced many good things, such as reducing heavy bureaucracy at the local level by improving the administration of the commune councils, making it very systematic. Power does not rest only with individuals but is more participatory. Development and improvement of infrastructure, cultivating a bottom-up approach and development planning have been improved. People from different political parties can work together with few problems. And confidence is built—people are more interactive with authorities, which reduces the fear of authority (a commune chief, Battambang province, 27 April 2006).*

Commune councillors viewed decentralisation as influential in creating local political competition and pluralism. A group of commune councillors expressed this:

*The good thing about decentralisation reform is that there are many political parties in the commune competing with each other for positions, forcing them to be more accountable and more committed for people. If those political parties are not committed, they are not elected (Group of commune councillors, Takeo province, 24 June 2010).*

There are still obstacles to be addressed. Constraints on the implementation of decentralisation, many CC members believe (going beyond the cruder statement on challenges above) are similarly caused by lack of devolution of power and responsibilities from line agencies, and the withholding of the power to generate local revenue. Lack of financial resources means that CCs are unable to be responsive to voters. These challenges were an on going issue during the course of this research. A commune chief described the complicated context:

*Local authorities are facing a lot of difficulties in terms of responsiveness to the people's needs, accountability and mobilisation of people for different activities. It is difficult to explain laws and regulations to people—the only way is to keep explaining and to be patient. I think people do not like to interact with authorities. They lack trust and are always pessimistic about authorities because of the scars of the past [trauma]. Another issue is political competition: people are very prone to political manipulation by different parties that keep spreading rumours about authorities, for example on the selection of the village chief. They never give any credit to the authorities for their performance (commune chief, Kratie province, 29 September 2006).*

After many years of decentralisation, a group of commune councillors expressed their mixed views of it:

*Decentralisation has a good impact in changing the attitude of leaders in the government and in the political party. However, the real leadership control of the commune councils remains with the political party, and only a few people in the party are taking the lead (group of commune councillors, Kompong Cham province, 28 July 2010).*

Although decentralisation has been implemented for only a short time, we have seen that CC members are optimistic about the outcomes in terms of infrastructure and overcoming the lack of trust between CC members and voters. Nevertheless, some emerging constraints also appear to be prevalent among CC members' perceptions. A group discussion of CC members, a commune councillor complained:

*Besides the positive outcomes of decentralisation, the lack of decision-making power poses many constraints. We face a lot of problems such as land conflicts, exploitation of natural resources by powerful people, lack of resources to meet peoples' needs, no clear lines of responsibility between different institutions and people's limited awareness of decentralisation (a group of CC members, Kampot, 29 March 2006).*

As indicated in the quantitative data as well as in the in-depth qualitative interviews, CC members' perceptions of decentralisation are that it has brought two basic changes to communities. Leadership styles have moved towards a participatory and bottom-up approach, and the commune councils, with limited budgets from the central government, have been able to respond to voters' needs, albeit only in the form of small-scale infrastructure improvements.

After discussing CC members' perceptions of democratic decentralisation, the following is a summary of key findings:

- The majority of CC members are above 50 years old. People of this generation have been exposed to many authoritarian political regimes, which make it confusing and difficult for them to adapt to the new system (decentralisation). CC members do not have sufficient education to analyse the laws and regulations from the central government because the majority of them received only primary school education or are just able to read and write. Some CCs members said that this is part of the capacity challenge.
- Almost all CC members recognise that the democratic decentralisation currently being implemented is different from the leadership styles that they have experienced in previous political regimes. Democratic decentralisation has introduced new leadership practices, such as the bottom-up approach and the multiparty system in the commune council, and has also increased people's participation and engagement with local authorities. Many CCs interviewed said that exposure to so many political regimes and hardships might make it difficult for them to adapt to the new democratic decentralisation. From observation, these generations of people are also ingrained with different traditional and cultural practices, which are sometimes not flexible or adaptable to the new reform.
- CC members agree that the way they exercise power is different from that in previous systems, which consisted of centralised and personalised power even though they also had a participatory element.
- The majority of CC members feel that there is more engagement than before between commune councils and civil society organisations and local groups.<sup>11</sup>
- CC members face challenges including lack of funding, having no power to collect local revenue and the fact that decentralisation is new for the people.

The following section will examine voters' perceptions of democratic decentralisation along similar themes.

## **Voters' perceptions of democratic decentralisation**

*The social atmosphere in this commune at the moment is generally better than in previous regimes. Commune councillors are elected directly by citizens. In the past, commune authorities were appointed by the communist central government, and most of them were militia. The responsibility of commune authorities was to conscript young men for military service and K-*

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<sup>11</sup> It might be that CC members' statements are biased, because they need to show that they have good relations with civil society organisations. However, from general observation and my chats with many CC chiefs, most CCs do want to have good relationships with NGOs because most NGOs are engaged in rural development activities.

5.<sup>12</sup> Nowadays, people are the owners of power because they have the right to elect their leaders. There is no more pressure from authorities, but people are still fearful of the authorities because people have been dominated by harsh regimes for many decades. Authorities still have a critical role, and people cannot avoid authorities. If you challenge authorities, they might take revenge on you in the future by not providing services or authorising paperwork or whatever you need from them. People must be patient or ignore the conduct of authorities (tveu min deung min leou). The system of leadership is still based on patronage ties (tam ksea). Real leadership remains personalised power. Leadership is based on two different systems: rational state law and traditional norms. Both systems are very important. Sometimes if you abide too closely to the state's laws, you are not popular or recognised by the majority of people in your community. Leaders need to keep a balance between the two systems (achar in a Buddhist temple, Battambang province, 11 May 2007).<sup>13</sup>

The aim of this part is to discuss voters' perceptions of democratic decentralisation, including leadership, the multiparty system, interaction between voters and elected CCs, CC decision-making, voices of voters and the atmosphere in the commune after the commune elections.

According to the *achar* above, changes in the commune leadership are perceived to have led to more democratic and participatory practices. It seems that voters have compared the positive present with the conditions during previous authoritarian regimes that they have experienced over a number of decades. People also seem sceptical about and fearful of authorities, probably because of their memories. This sub-chapter will describe the quantitative and qualitative findings on voters' overall perceptions of decentralisation.

CC members' perceptions of decentralisation are that it has created an awareness among people of their rights and emboldened them to make demands to which CC members must respond. The following are some of the results of the quantitative survey of 583 voters' perceptions of the performances of CC members and decentralisation.

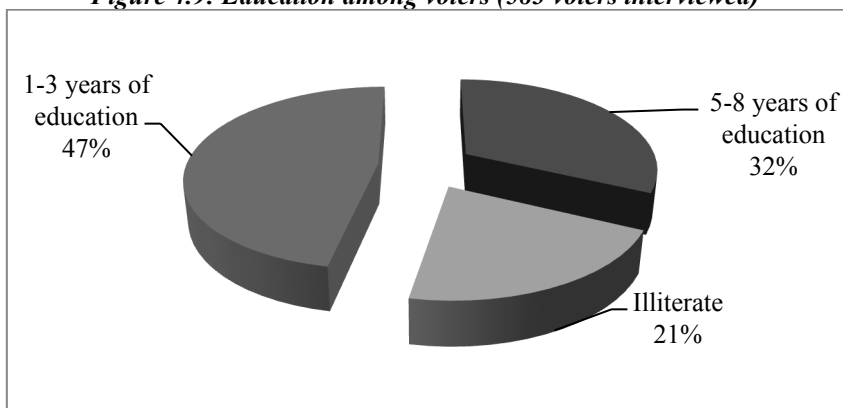
Of the respondents, 52 percent were male and 48 percent female. The age of respondents ranged from 20 to 78 years (the voting age is 18 years). The level of education among people aged 25–50 years in rural areas is relatively low.

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<sup>12</sup> This was the name of a national campaign in 1984 to clear forest in order to prevent attacks from the Khmer Rouge.

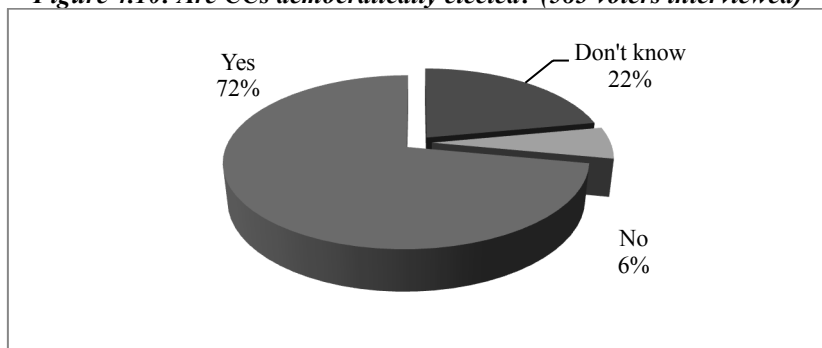
<sup>13</sup> Laymen sometimes can give good analysis since they are mostly former public servants and the most educated people in the commune, with both knowledge of Buddhism and an understanding of the state system.

**Figure 4.9: Education among voters (583 voters interviewed)**



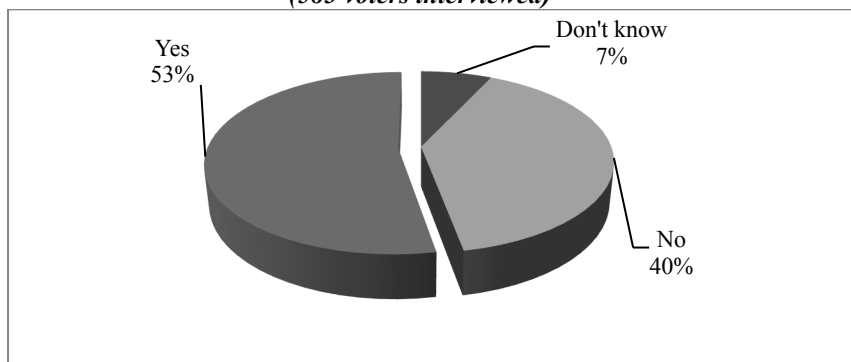
21percent of respondents were illiterate, 47 percent had 1–3 years of schooling, and 32 percent had received 5–8 years of schooling. Almost 70 percent of the surveyed voters had thus received 3 years or less of schooling. This factor alone is likely to impede voters’ understanding of different regulations and laws of the reform process.

**Figure 4.10: Are CCs democratically elected? (583 voters interviewed)**



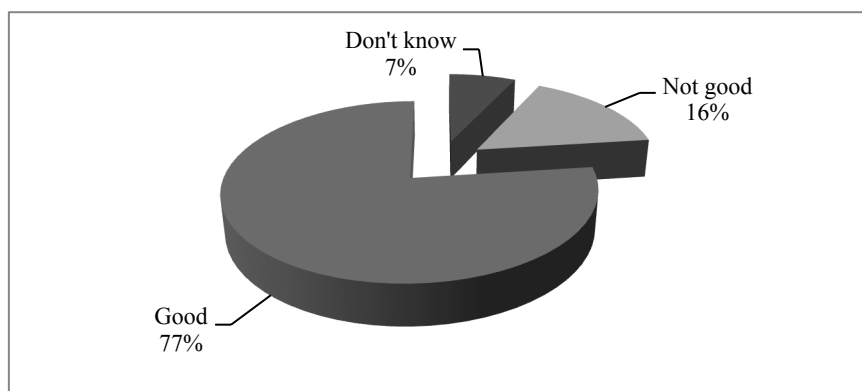
When asked whether the CC members were democratically elected, about 72 percent of voters thought that they were. 6 percent thought they were not, and 22 percent did not know.

**Figure 4.11: Has the style of leadership changed since the commune elections in 2002?**  
(583 voters interviewed)



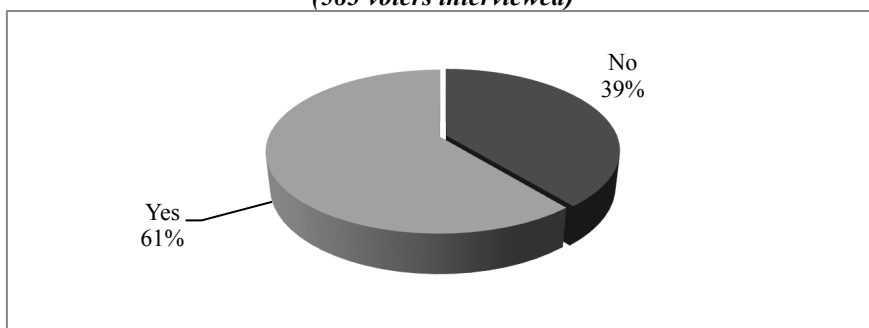
53 percent of the voters interviewed expressed the view that the leadership of communes had changed since the commune election in 2002. However, almost half of the respondents thought there had been no change in commune leadership, such as a more bottom-up approach, CC members being more approachable or the CC members listening to voters more. The results in figure 4.11 are similar to figure 4.10: 7 percent do not understand the democratic decentralisation because it is new for them; mixed and confused views persist.

**Figure 4.12: What do you think about having commune councillors from many political parties?**  
(583 voters interviewed)



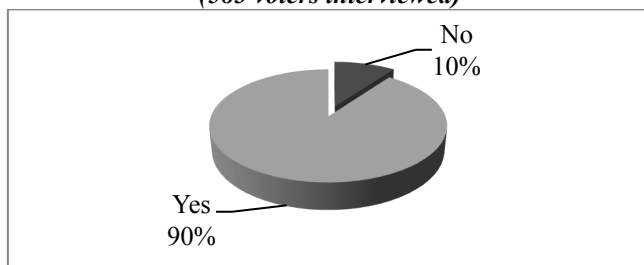
The majority (77 percent) of voters believed that having CC members from different political parties is good (Fig. 4.12). The majority of voters thought that CC members were representing the voters well. About 90 percent of people surveyed thought that CC members' main activities were representing voters or working hard for their villages.

**Figure 4.13: Would you go to see the CC if you had a problem?**  
(583 voters interviewed)



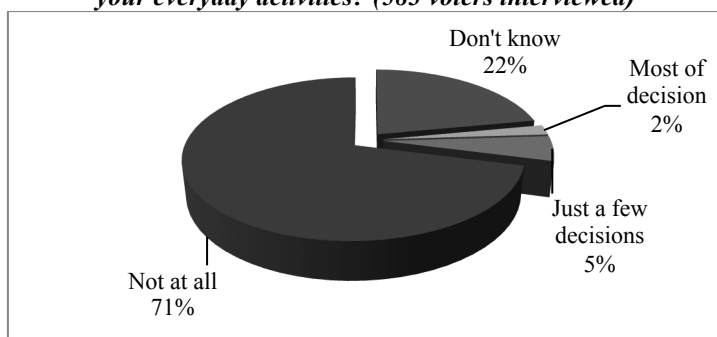
CC members play a role as local leaders when the commune council is the place where people can seek assistance if they have a problem. 61 percent of the surveyed voters would seek assistance from the CC members if they had a problem. However, 39 percent said they would not go directly to CC members. The primary reasons for visiting CCs are to obtain official certificates, to see voter list, to have a meeting and to solve conflicts (cf. TAF/CAS 2005).

**Figure 4.14: Do you know the name of the commune chief?**  
(583 voters interviewed)



The survey also records people's familiarity with commune leaders. It suggests that it is normal in Cambodian society for people to pay more attention to the chief than to other CC members. About 90 percent of the 583 voters surveyed knew the name of their commune chief and 81 percent knew the names of some of the other commune councillors. It is common that all of the councillors are native to the commune, so this is not so surprising. The diversity of councillor representation is relatively high: about 60 percent of voters had councillors from their village, 34 percent did not, and 6 percent did not know.

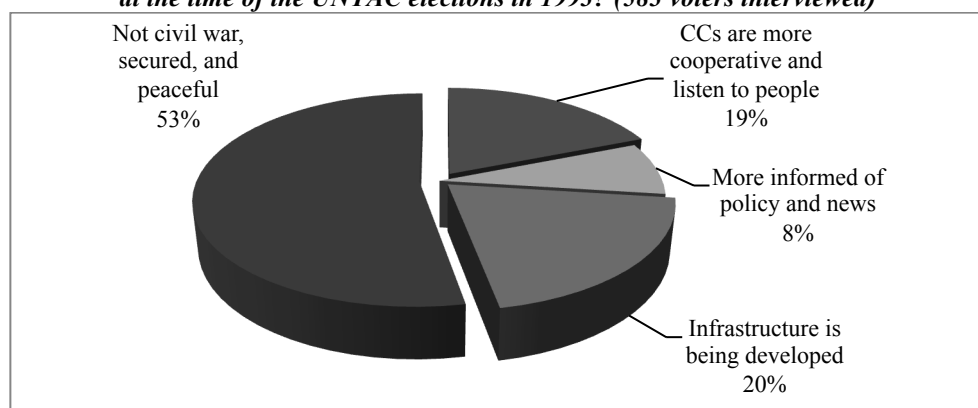
**Figure 4.15: Do you think CC members' decisions affect your everyday activities? (583 voters interviewed)**



More than 70 percent of voters thought that the CCs' decisions did not affect their daily lives. As previously noted, the survey indicates that CCs believed they had little direct impact on voters' lives because they lacked sufficient financial resources to respond to the needs of voters.

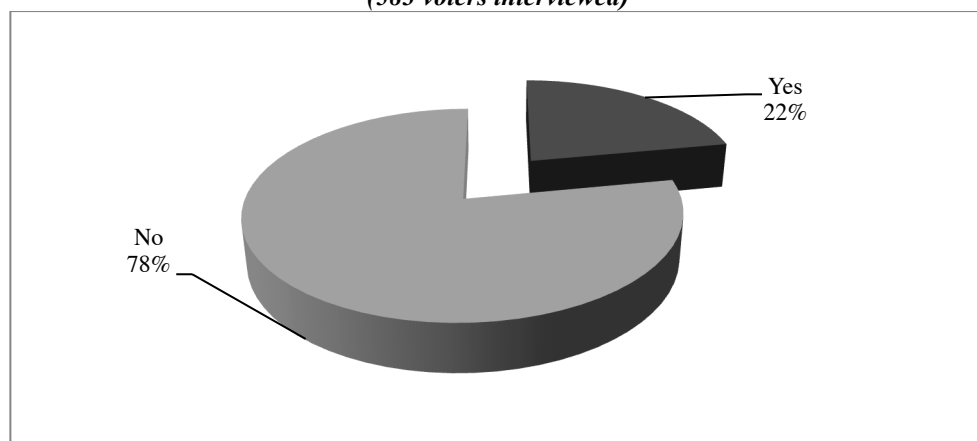
Voters mostly think that the atmosphere in the village has become more harmonious than at the time of the UNTAC election in 1993. About 53 percent of voter respondents thought that the situation in the villages had become more secure due to the end of the civil war and with a peaceful environment. According to a TAF/CAS 2005 survey, 95 percent of citizens and councillors are generally optimistic about the direction of the country after the commune elections in 2002.

**Figure 4.16: Do you think the atmosphere in the village is more harmonious than at the time of the UNTAC elections in 1993? (583 voters interviewed)**



Most voters are not afraid to express their opinions to CCs. In the survey, about 78 percent of voters stated that people were not afraid, while only 22 percent felt that people are afraid to express their opinions to CCs (Figure 4.17).

**Figure 4.17: Are people afraid to voice their opinions to CCs?  
(583 voters interviewed)**



Most voters interviewed believed that they now have more bargaining power with the authorities, presumably because now the leaders are elected by citizens. The majority of voters recognise that CCs are democratically elected. For most people this was the first time in their lives that they had experienced the chance to elect their local leaders directly. The quantitative data above indicate that voters are generally optimistic about the commune councils' performance and the increased interaction that is now possible with CC members.

In-depth interviews with voters largely provide confirmation of the above data. People recognise generally that CC members are democratically elected through competition between different political parties. A female villager expressed her view on the performance of the CC members and election thus:

*Most people's awareness about the election is better than before because people have experienced many elections since the UNTAC elections of 1993. The commune election is fairly good because we have a chance to choose our leaders in the commune directly. We also have experience of living under different political regimes so that we see some changes in the commune compared to the past (female villager, Siem Reap province, April 2006).*

Some people recognised changes in the commune leadership since the commune election in 2002, in particular towards less authoritarian and more participatory bottom-up approaches. The majority of voters believed that the leadership of the commune had changed, and they agreed that having councillors from different political parties was good for checks and balances of power in the commune office. People's perceptions of leadership change are built on their experiences of previous regimes. A village elder observed the current leadership situation in the commune:

*I have some ideas about how to compare the local leadership system now [commune council] to previous regimes. The current commune council is similar to Sihanouk's time (1960s), but the party list system right now is good, forcing each party to work hard and compete with each other as groups. If they do not work hard for the sake of the community, they will not be elected. The leaders cannot be authoritarian. Instead of using power aggressively, they must be humble and listen to the people. Otherwise they cannot gain popularity with samak thor (mutual and moral leadership). At the present time, CCs consist of members from different political parties. They must compete with each other to gain support from citizens (village elder, Kompong Speu province, 3 April 2006).*

Similarly, a villager in Battambang province expressed his view that having elected councillors from different political parties is good and that they manage nevertheless to work as a team for the benefit of the commune:

*The commune councillors come from three political parties. They work as a team with very little controversy. All the CC members work hard for the sake of the community without discrimination even though they come from different parties (villager, Battambang province, 6 May 2007).*

Another villager in Siem Reap judged that the commune councillors are more interactive and impose their power on ordinary people less than before. He said:

*Since the commune election, the local authorities cannot force people to do what they want as they used to. The authorities use a more bottom-up approach and they are more interactive with villagers (villager, Siem Reap province, 24 April 2006).*

Despite the fact that it is difficult to mobilise people for meetings and to absorb ideas from them, and although the leadership structures are new for CC members, they are working hard to be transparent. Some villagers thought that the CC members are more accessible than previously. In particular, they had observed that leaders (at commune level and above) were working and interacting with people directly, which was seldom the case in the long-established centralised tradition of Cambodia. Voters were seeking assistance from CCs if they faced problems, and they felt confident about voicing their opinions to CCs directly. Voters repeatedly mentioned that most villagers were used to receiving meagre services from the authorities in the centralised system. Villagers were pleased to see their leaders pay attention and listen to them, even more so because leaders did not expect any material support from the villagers in return. Many voters agreed that since the commune election, there had been some infrastructure development outcomes from the CC members. An elderly person noted:

*Since we had the commune election, leaders in the commune office come down to work closely with villagers more often than they used to. Although there have not been many outcomes in terms of infrastructure provided by the commune councils, there have been some achievements of local infrastructure built by the commune council. As villagers, we are happy to see leaders care*

*for ordinary people and to see that they are doing some development work even if it is not much (village elder, Siem Reap province, 4 April 2006).*

The passage above reveals that people are optimistic about the current leadership of CC members in that leaders come to meet and speak with people directly, and people have seen CCs' efforts towards local development, especially small-scale infrastructure.

The following is a summary of the key findings of voters' perceptions on democratic decentralisation:

- The overwhelming majority of voters acknowledged that decentralisation has changed the leadership of CCs.
- The majority recognise that CC members are democratically elected.
- Only half of the voters agree that CC leadership style has changed since the implementation of decentralisation in 2002. However, people believe that having CC members from different political parties is good.
- The majority of voters would seek assistance from CCs if they had a problem. However, the majority did not believe that CCs' decision making would affect their daily lives.
- The overwhelming majority are not afraid to voice their opinion to CCs.
- Generally, voters observed that compared to the UNTAC election in 1993, the commune elections were safe and peaceful because of security and the absence of civil war. Voters are optimistic about local leaders, believing that there is a change in attitude and leadership style. Voters are kept informed by CC members about different development schemes, and local leaders listen more to voters. Voters have seen the commune councils implement some small-scale infrastructure development projects in their communities.

Up till now, I have been discussing the perceptions of commune councillors and voters on the process of decentralisation. Although decentralisation has been implemented for only a few years, the findings of this chapter reveal that the initial influence of decentralisation is opening space for people's engagement with authority, democracy is introduced to local leaders (CCs and village chiefs), and local political structure is stated to be changing. However, I have not illustrated the roles and responsibilities of village chiefs, who play a critical role as intermediaries between CCs and voters. Below the thesis will describe the role and responsibilities of village chiefs.

## **Role of village chiefs**

The Cambodian constitution does not include the village or hamlet (*phum*<sup>14</sup>) as an administrative structure. It is just a collection of a number of households. However, the village is a liaison between villagers and the commune councils. Although village

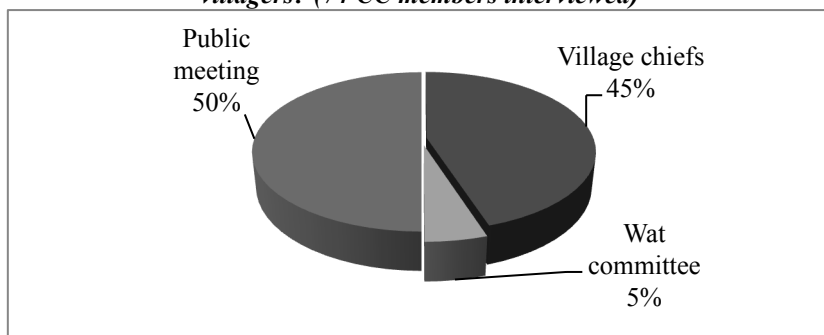
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<sup>14</sup> This is a Sanskrit term, *phumi*, which means land or small location.

chiefs are on the lowest rung of the administrative ladder, they still play an important role in political leadership and administrative responsibilities (see the regulatory framework of the village chiefs by the Royal Government of Cambodia below).

Village chiefs remain the gatekeepers for communities and in particular for the commune councils. The survey of 74 CC members indicates that 45 percent say village chiefs are the most effective in information dissemination. 50 percent of commune councillors think that the information flow is best via public meetings, but all of the public meetings were arranged by village chiefs.

**Figure 4.18: What is the most effective mechanism for disseminating information to villagers? (74 CC members interviewed)**



The village structure has not changed much since the pre-war period, but is a continuation from the 1980s, when Cambodia was in the middle of civil war and in a communist system. Slocomb quotes a speech by H.E. Heng Samrin, who was Head of State during the time of the People's Republic of Kampuchea, on the nature of the village in 1979, when Cambodia had just emerged from the Khmer Rouge era. In it, he said: "Villages which do not yet have a state authority should organise to mobilise the masses to vote to choose people of distinction and sufficient good characteristics to be village chief and deputy chief" (Slocomb 2004: 4).

The size of a village varies, depending on different regional settings. A normal rural village ranges from 150 to 250 households (Rusten *et al.* 2004). Although, as stipulated in the regulatory framework by the Ministry of the Interior in 2006, village chiefs need to be elected by commune councils, most village chiefs have been working in the role since the 1980s. Though there is no formal or direct election of chiefs by villagers, the selection was normally based on the general opinion of respected elders, monks and possibly the will of the majority of villagers. However, according to recent observation of CCs, to be qualified as a village chief candidate, political party affiliation and commitment are the core requirements.

**Regulatory Framework For the Selection and Replacement of Village Chiefs  
(Ministry of Interior, Royal Government of Cambodia)**

According to Articles 30 and 86 of the Law on Administrative Management of Communes/*Sangkat* and the sub-decree on the delegation of power and responsibility to commune/*sangkat* councillors of 1 March 2006 by the Ministry of the Interior, village chiefs shall be elected by commune/*sangkat* councillors. The selection process should be that each village has three candidates selected and agreed upon by all commune/*sangkat* councillors. To be a village chief, he or she shall be voted for by the majority of the commune/*sangkat*. Once he or she is elected as the village chief, he or she could suggest a person to be deputy village chief, another person to be an assistant to the village chief and other active members. The proposal must be submitted to the commune/*sangkat* council.

Mandate and end-of-work term of the elected village chiefs: there is no specific mandate for a village chief, deputy or members, as they will not lose their position except in the case of death, becoming handicapped in an accident, resignation, conviction for a criminal offence, moving out of the village or having their employment terminated by the commune/*sangkat* council. The role and responsibility of the village chief is to be the representative for all citizens in the village, liaise between villagers and the commune/*sangkat* council, cooperate and assist the commune/*sangkat* council, be involved with local development and planning activities in the village and the commune/*sangkat*, report directly to the commune/*sangkat* council, implement tasks given by the commune/*sangkat* council, participate in commune/*sangkat* council monthly meetings, sign contracts on behalf of the village, arrange and disseminate information from the commune/*sangkat* to villagers via meetings and not to delegate authority or replacement without the approval from the Ministry of the Interior.

(Unofficial translation)

The criteria for selection are informal. Chiefs must be patient or humble (*slod*), popular, hold some formal education (be able to read and write), in their late 40s or older and considerate (mostly male). Each political party tries to seek candidates for village chiefs based on the above qualifications.<sup>15</sup> There is no official count of the old village chiefs who have been replaced.<sup>16</sup> At the present time, the commune council needs to be informed and to approve when deciding if a village chief should be selected or replaced.

For the selection, there have to be at least three candidates nominated, at least one of whom is preferably a woman. The voting of the council is by secret ballot among all the councillors (mostly from different political parties). The selected village chief then proposes to the council his candidates for assistants (i.e.

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<sup>15</sup> This is from my interview in November 2010 with four commune council chiefs in Battambang, Kompong Cham, Takeo and Kratie.

<sup>16</sup> The estimatedis that about 30 per cent of village chiefs have been replaced bynew ones.

a deputy and an assistant; one of them must be a woman). The council votes on the selection of the village assistants by show of hands. However, since the CPP won more than 90 percent of the commune councils in the country, most of the newly elected village chiefs are from the CPP.

In the legal framework, village chiefs are only a liaison between villagers and the commune authority and do not possess a great deal of decision-making power, most of which resides with the commune councillors. However, their actual power and responsibility are critical. A deputy commune chief from the opposition party (SRP) expressed his view on the role of village chiefs and the decentralisation process:

*The issue of village chiefs remains the same as before. It is a continuation from the previous regimes. All are from the ruling party, the CPP. Politically speaking, they have a direct link with the commune authority because they were recently elected by commune councillors. Village chiefs serve as the eyes and ears of the commune councillors, especially for the political party that they belong to. They even know exactly who or which villagers are in what political party. The commune council chief would not sign anything without approval from the village chiefs. All services and administrative responsibilities must be agreed upon by village chiefs (Deputy commune chief Battambang province, 6 May 2007).*

Most informants have reported or complained about village chiefs. In actual practice and in the everyday life of the village, the chiefs are indirectly powerful in areas such as administrative and political matters, security, information dissemination and development activities. Village chiefs possess administrative power over civil registration, licensing, selling property and other minor services. Although village chiefs do not have final power to approve anything, if, for example, a farmer wishes to sell a cow, he or she still needs to get the permission via the village chief first, then proceed to the commune chief. Also, to hold a ceremony, wedding or other miscellaneous activities, people must seek the approval of the village chief first, then the suggestion must be approved by the CC chief. Sales or property transactions also require recognition from the village chief in order to be approved by the commune chief. All of these administrative activities require villagers to make a minor payment (1,000–5,000 riels about US\$0.2–1.2), but it is common that the village chief asks for considerably more. There is a belief and fear among villagers that they should not have sour relations with the village chief because, one way or another, people need his services.

*I feel positive towards my village chief. For example when I needed his favour, he helped me right away. After receiving several favours (services) without paying him sakun [informal fee of gratitude], I felt a bit guilty. I am afraid he will develop a bad attitude or feeling towards me, and if I need his favour another time, he will not do it for me. Therefore, it is better to pay him an extra fee or sakun each time I receive his help (female villager, Kratie province, 27 September 2006).*

This demonstrates a rent-seeking tendency which is deeply rooted in Cambodian society. People feel that they need to reciprocate or pay respect to their leaders to build a good relationship with them.

Commune councillors from the opposition party view the selection of village chiefs as just another means to legitimise and institutionalise village chiefs, most of whom come from the ruling party. A commune councillor from an opposition party expressed it thus:

*Only commune councillors vote in the village chief election. This is unjust for the smaller parties. For example, we have a total of 11 councillors in this commune—seven from the CPP, two from FUNCINPEC and two from the SRP. It is predictable that the CPP will definitely win the election. This is a good way to legitimise the CPP village chiefs. People do not have a choice in the selection of their village chiefs. Most of the village chiefs have been in their positions for too long. The hope is that each party would try to select the most qualified and popular candidates who would work for the community but not the party (commune councillor, Battambang province, 28 April 2006)*

Many village chiefs knew all the individual families well and could identify the political party affiliation of every villager. However, village chiefs cannot force, but only trying to convince, villagers who are not in their party to vote for their party. But many villagers were still afraid of their village chiefs since they could be deliberately excluded from receiving development benefits or gifts from politicians. A village chief in Kompong Speu stated:

*As a village chief, I know the political affiliation of people in my village. We hold a monthly meeting for people who are members of my political party. The rest of them either belong to other parties or are independent. However, those affiliated with a political party show a different attitude towards authority. I just know the membership but I cannot ensure that they would vote for my party. People make judgments about leaders based on infrastructure outputs and gifts. Whoever can deliver will win the vote (village chief, Kompong Speu province, 5 April 2006).*

Empirical findings on the role of village chiefs in this study are that village chiefs play an equally or even more critical role than the CCs because they work directly with villagers, serving as the liaison between villagers and CCs and as protectors of villagers' interests (cf. TAF/CAS 2005). Although the data show that the majority of villagers can access CCs directly and whenever they wish, villagers usually do not dare to bypass the village chiefs because people do not want to have a bad relationship with the village chief.

The role of village chiefs is important for decentralisation and local democratisation. The village chiefs were selected by CCs in 2006. Although there are multiparty councils in the communes, the overwhelming majority of village chiefs are from the ruling CPP. There are many complaints that village chiefs are

ears and eyes for the CPP, loyal and accountable only to the party; this is affecting democratic decentralisation.

## **Concluding remarks**

To summarise CC members' perceptions: Firstly, decentralisation has changed leadership style from centralised towards a democratic multiparty system and a bottom-up approach. Secondly, decentralisation has shifted the way leaders exercise power from authoritarian control towards leadership that is participatory, accountable and interactive with civil society. Thirdly, decentralisation faces many challenges because the capacity and resources of CCs are not sufficient and understanding of democratic decentralisation is limited among CCs and voters.

Voters' perceptions of decentralisation are generally positive. Firstly, most voters interviewed believe that CC members are democratically elected and that the leadership of CCs has changed towards a pluralistic system. Secondly, voters trust the elected CCs, which consist of councillors from different political parties. Thirdly, voters feel safe and confident in voicing their opinions to leaders. Fourthly, the general atmosphere in the community is more harmonious, especially in terms of political stability and the lack of civil war.

Finally, the village chief remains an essential figure in local politics and in villagers' everyday lives. Village chiefs are still powerful because the overwhelming majority of CC chiefs and councillors and village chiefs belong to the ruling party. As discussed in Chapter III, these findings indicate that local politics is starting gradually to shift from a quasi-authoritarian toward a "democratic" rule-based process.

## CHAPTER V

### FINDINGS ON RESPONSIVENESS<sup>17</sup>

*The effort being made by commune councillors to respond to villagers' needs is fairly good, especially their achievements in improving local infrastructure. Since the commune election, the councillors have been working hard to get some projects for our community. We should be proud of their performance, unlike in the past, when we used to get almost nothing from the commune authority (head of village development committee, Kampot province, 30 March 2006).*

Having ascertained the general perceptions of decentralisation and deconcentration and their cornerstones, the primary purpose of this chapter is to scrutinise in depth the *responsiveness* of commune councils to electorates. *Responsiveness* here is defined as the elected commune councillors' ability to respond to the electorate's demands and to implement policies and deliver services, especially material outputs (cf. Chapter II). The chapter also focuses on the challenges being faced by CC members in terms of the lack of skills, the lack of financial resources, people's perceptions of the CC members and the way demands are presented by citizens. In order to understand CCs' responsiveness, therefore, we need to "unpack" both CC members' perceptions—focusing on their ability to respond, take action and produce an output—and citizens' perceptions of the same aspects.

For decentralisation to be successful, the efficacy must be improved with which people's demands for public goods are expressed. Arguably, locally elected officials<sup>18</sup> are better placed to respond rapidly to local needs and more likely to be aware of local situations than remote national officials (Blunt & Turner 2005; Manor 1999). Demands by citizens are often not fully realised, and elected councillors' responsiveness is typically constrained by their lack of capacity and resources, as few or no resources are allocated from central government to support local government (Manor (1999)). Responsiveness is sometimes inadequate due to petty corruption and the inadequate bureaucracy of sub-national government. The determining factor of the success of responsiveness relates to how demands are posed and how consistent they are with existing plans. Responsiveness as discussed by Yishai (1984) relies primarily on the ability of elected councillors to deliver

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<sup>17</sup> In Cambodian *responsiveness* is *kar cleuy torb* (answering to something/question/idea, action and ability, expecting something in terms of an answer, replying to something, explaining something or articulating in material outputs) or *heap oeu peu* (concerning something or worrying about something that has been happening). Responsiveness is linked to the question of responsiveness by whom and to whom. This term implies a reciprocal relationship between two sides and it has hierarchical connotations. The meaning of *responsiveness* in Cambodian is overlapped and mixed with the meaning of the term accountability. In Cambodian society, people find it easy to understand the term responsiveness but not the term accountability.

<sup>18</sup> Village chiefs/leaders are even closer to villagers, but in Cambodia the village chiefs are just assistants to the commune councils and normally are loyal to the ruling party.

efficient outputs in terms of speed, quality (precision) and quantity (as was discussed in Chapter II). Another precondition of responsiveness is councillors' willingness to listen to demands from electors. The recent assessment of Cambodian decentralisation by James Manor (2008) has emphasised the importance of responsiveness.

To be responsive to citizens, Manor says, elected councils should meet three demands: speed, quantity and quality of responses (Manor 1999; 2008). First, the *speed* of responses usually increases with a local governance system (as compared to a central one) because elected councils at lower levels have a position from which to react quickly to problems and pleas that arise from ordinary people. Second, the *quantity* of responsiveness may also increase because those councils tend to stress many small projects rather than the much smaller number of large projects that higher level authorities favour. Third, the *quality* of responses improves if by quality we mean the degree to which responses conform to the preferences of ordinary people (Manor 2008: 6).

Drawing from the above ideas, some empirical research questions linked to responsiveness can be posited: Are commune councillors able to be responsive to demands from their local constituencies? (After the commune councils were elected there was high expectation from citizens that elected CCs would be able to respond to people's needs.) What are the constraints faced by the CC members in being responsive to citizens? What mechanisms do CC members use to be responsive to citizens? Following on from these queries and in line with the theoretical and methodological design outlined above, this chapter is divided into two sections.

- The purpose of the first section is to assess *commune councillors' perceptions* of responsiveness in terms of: (a) the ability of councillors to understand the local situation, (b) the nature of demands by citizens, (c) outputs of responsiveness, (d) constraints on responsiveness and (e) CC mechanisms to handle issues of unresponsiveness to citizens. Each of these aspects will be explained by presenting the survey data, followed by findings from the in-depth interviews.
- The second section seeks to explore *citizens' perceptions* of the responsiveness of the commune councils in terms of: (a) CCs' responsiveness with regard to general performance and ability to understand the local situation, (b) the nature of demands by citizens and (c) outputs of responsiveness. Each of these aspects will be explained by presenting the survey data, followed by observations from the in-depth interviews (people do not have constraints and mechanisms to handle responsiveness because they are the recipients of this process, so for the section on citizens' perceptions, the discussion of these two aspects is not necessary).

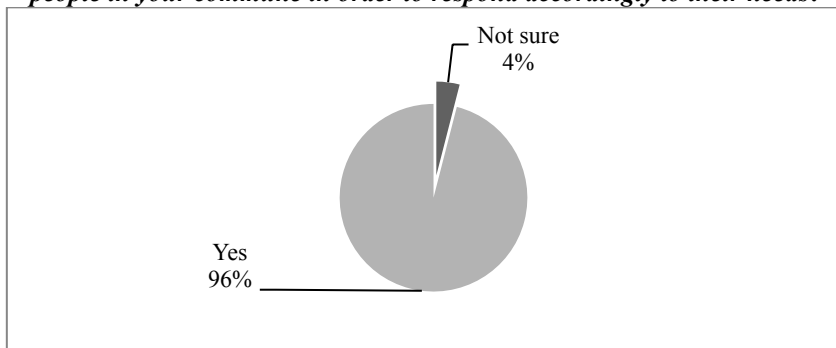
## Commune councillors' perceptions of their own responsiveness

Commune councillors' responsiveness to their electors depends, among other things, on their ability to understand the local situation, which will be discussed in the following section. Before discussing CCs' perceptions of their own responsiveness, there are a couple of points to be contextualised. Commune planning involves a five-year commune development plan (CDP), which is created after the council is formed. A CDP is a master plan of one mandate of commune councils. When preparing a CDP, strategies for local development, physical infrastructure and non-physical infrastructure to respond to prioritised needs of citizens must be considered. There are two meetings to gather information for the CDP, a village meeting in which villagers meet with commune councillors to voice their demands, and the commune council meeting in which councillors, village chiefs and old respected people decide on the priorities. The mandate of CCs in responding to people's needs is to make use of the Commune Sangkat Fund (CSF) which is about US\$15,000 per year allocated by the central government to each commune. There are different sources of funding such as political parties, NGOs and contribution from generous people (mostly politicians from the CPP).

### *CC members' ability to understand the local situation*

The effectiveness and outcome of CC members' responses to the needs of citizens depend on the extent to which CC members are able to understand the overall situation in their communities, such as community preferences. Below are some of the survey results which gauge the views of 74 CC members and their confidence in their own understanding of local situations.

***Figure 5.1: Do you have enough knowledge to understand the feelings of people in your commune in order to respond accordingly to their needs?***



Approximately 96 percent (Figure 5.1) were confident and considered themselves to have enough knowledge to understand the needs of the people in their commune, while only 4 percent considered that they were not sure whether they had sufficient knowledge to understand the local situation. This is an overwhelming display of confidence.

The in-depth interviews with many of the commune chiefs and council members also showed that they are confident, that they think that they understand the community milieu well, especially in terms of villagers' living conditions and the kind of infrastructure and other services required. It became evident that the primary obstacles to the CC members' ability to go further in promoting development are the lack of funding from central government and limits to people's awareness that CCs should be responsive. A commune council chief in Battambang described this:

*We know the situation well enough, but we lack the funding to make all the demands happen. We cannot just stay quiet without responding to their wishes; we must explain to them the reason for not being able to respond. Otherwise people will be angry with us and will not participate with the commune council in the future. We cannot keep our promises to them. We just keep proposing their demands to the relevant agencies in the provincial and national governments (CC member, Battambang province, 5 May 2007).*

Many CC members said that they are confident of understanding the general situation in their community because they interact closely with people on various occasions such as ceremonies, informal chats and other activities in the commune. Since the ability of the CC members to respond to people's needs is limited, CC members sometimes avoid talking about responsiveness. Although the demands will always exceed the funding available to the CCs, it is nevertheless critical to listen to what people need and to put all of their needs on the commune councils' development planning agenda. A commune chief in Kompong Speu explained:

*Since the commune election, all of the CC members from different political parties have been working together as a team [making all efforts towards being responsive to villagers]. We all understand the situation in the commune well because it is not that large and people here know each other well as friends and distant relatives. We grew up in the same commune. We pay a lot of attention to the community, listening to their demands (commune chief, Kompong Speu province, 3 April 2006).*

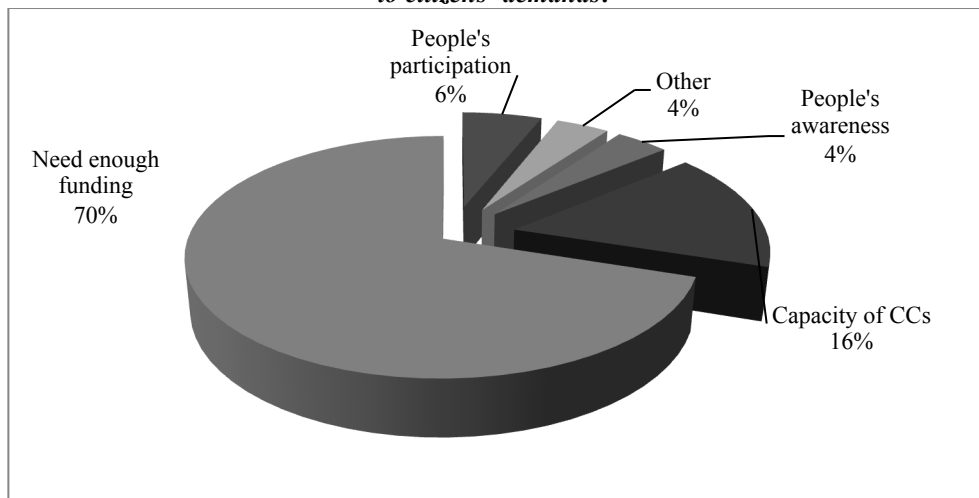
It appears that CC members have a good understanding of their community through various means and, more importantly, aspire to assist the community.

Simultaneously, CC members also face many problems in understanding what people's needs are because of the social and traditional norm that villagers are cautious about interacting with the authorities. A village chief in Kratie province expressed his personal feeling:

*I think the CC members and village officials find it difficult to understand people's perceptions. Viewed from my own experience, there are at least two main reasons: firstly, villagers do not like to express their ideas frankly with authorities. This is a social norm in our community. And secondly, people are not curious to understand the agenda and what is going on in the commune office, so the relationship is blurred (village chief, Kratie province, 30 September 2006).*

However, as Figure 5.2 shows, different factors shape CCs' ability to respond to people's needs, in particular in terms of material outputs. About 70 percent of CC members thought that to be responsive to citizens they needed enough funding, and only 16 percent thought that the capacity of CC members was key.

**Figure 5.2: What are the factors that make CC members able to respond to citizens' demands?**



A commune chief explained the difficulty in responding to the needs of citizens:

*I think all the CC members in this commune do know well what people want because we work and live in the same community. The problem is we cannot respond to their needs because there are many demands which exceed the availability of our resources, and the CC receives only a meagre amount of financial support from the national government (commune council chief, Battambang province, 4 May 2007).*

These empirical results, illustrating the claimed ability of CC members to understand the local situation, suggest they do not believe they face any major difficulties except other factors such as the lack of funding that would enable them to be responsive to citizens. Another factor identified above is that people engage in self-censorship, i.e. are reluctant to interact with authorities, aspects of which we will further address below.

### ***The nature of demands from citizens: views of CC members***

CCs' responsiveness to people's needs also depends on people's interest in participating in different local development activities. As mentioned in Chapter II, Cambodians are still traditionally cautious and remain in a state of self-censorship in terms of social interaction with the authorities. Authorities are considered as parents (*doch me ov*) (cf. Thon *et al.* 2010) with overall responsibility for their

children, i.e. the citizens. This subsection will examine CC members’ views on the nature of citizens’ demands on CCs.

**Figure 5.3: Are the demands from citizens suited to the policy of the commune development plan?**

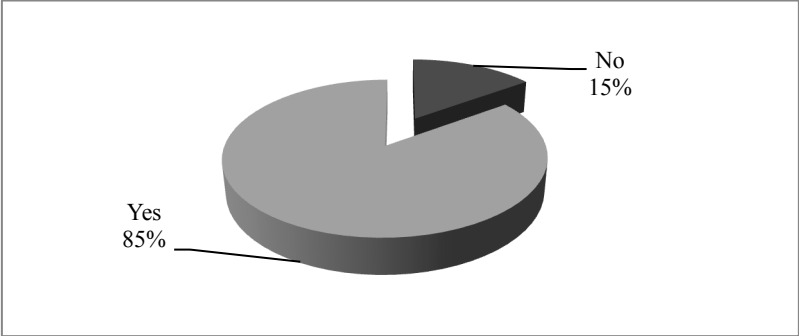
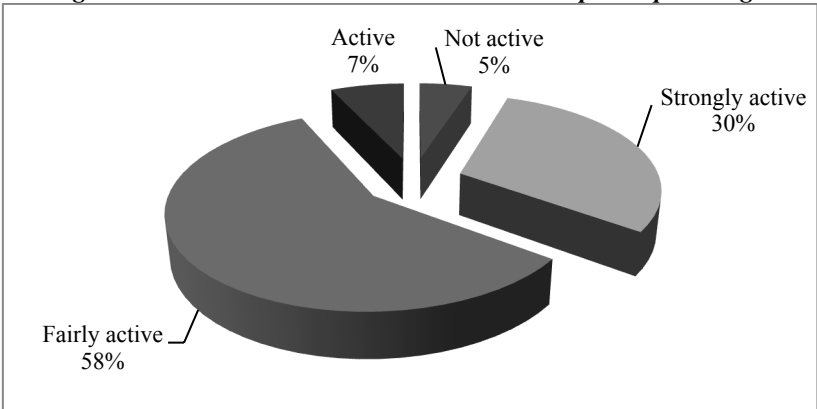


Figure 5.3 shows that 85 percent of CC members thought that people’s demands were well in line with the commune development plan, while 15 percent thought that the demands were not.

**Figure 5.4: How active are citizens in CC development planning?**



According to the survey (Figure 5.4), 58 percent of CC members thought that citizens were fairly active in participating in the design of the commune development plan and 30 percent thought they were strongly active.

Many CC members reported that the fact that many projects are proposed individually rather than collectively is a challenge: i.e. many individual demands concern food, fertiliser, cash and other gifts. However, the commune development plan is designed according to the meagre funding from the Commune *Sangkat* Fund and mostly aims at small-scale infrastructure of a public nature such as paved roads, irrigation, wells and school maintenance. A former village chief and current CC member in Battambang described this:

*It is a real challenge for the CC members to be responsive to the people's wants since there are many people in the commune; each individual has different interests from the authorities. The demands from villagers are based on individual interests, rather than on collectively representing the community's needs. This is impossible for the CC members to respond to because the CC members' work is based on planning and is prioritised according to the existing annual budget. Besides infrastructure, demands from the people are in the form of rice, cash, fertiliser and gifts from politicians—sometimes such gift giving is seen as vote buying. Local contributions are difficult to collect because people are poor and do not like to contribute anything to the authorities. The best way to collect local contributions is to approach Cambodian expatriates [Cambodian diasporas] when they come to visit their birthplace (CC member, Battambang province, 10 May 2007).*

A female commune councillor who is actively engaged with citizens expressed a similar view on the nature of demands:

*Sometimes it is difficult to respond to citizens' needs since many of them have made different requests based on their personal wishes. The reason that citizens request too many things individually is that they do not understand the CC fund availability and the requirements of planning, for example, that CCs face (female CC member, Kratie province, 30 September 2006).*

Given that the CC members have limited funds allocated via the CSF, hardly any individual demands are responded to by CC members, occasionally causing frustration and resentment. A commune council chief in Battambang explained:

*The commune council cannot please everyone because there are too many requests from villagers and the commune council has a meagre and limited budget every year, so not all demands are met (27 April 2007).*

The relative lack of responsiveness from the elected CC members has allowed political parties and politicians to fill the gap, as these individuals or groups can afford to meet some of the individual demands. This, however, is also for the purpose of political gain. Political parties could respond to other needs, such as paved roads, irrigation systems, school buildings, food and even cash. These interventions are commonly called gifts (*omnoy*) and are reciprocated with political loyalty, partly in the form of votes.

In all the five communes covered in this study, the CPP is the ruling and most resource-rich party, with which rich business people would like to have affiliations and for which, in return, they get political support (patronage politics). This undermines democratic principles because other parties do not have to the same opportunities to gain support, especially during election time. The lack of a clear division of responsibilities between political parties and elected councils can be seen to undermine the accountability process (see Chapter VI). A commune councillor from the opposition party noted:

*As the opposition party in the commune council, we suffer from the issue of responsiveness: people do not understand the source of money that the CC members have or how the politicians generate money. As the opposition, we are perceived by people as being unable to perform well in response to the people's needs. I think the revenues of the commune councils must be institutionalised; now, there is confusion between state and political party funding. We have good ideas but lack resources and power to properly carry out our responsibilities as elected councillors (first deputy, Battambang province, 6 May 2007).*

He continued:

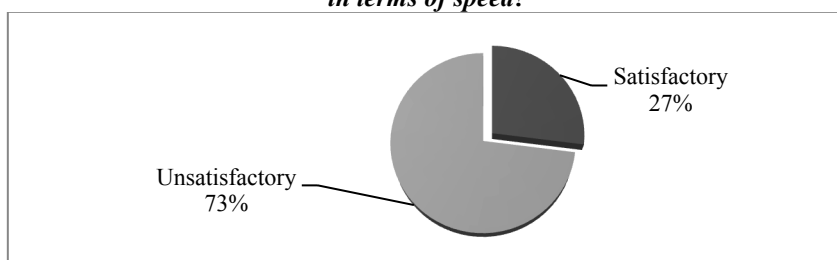
*Despite the fact that the overwhelming majority of commune councillors think that the key issue to making CCs responsive is funding, there are many other factors that would increase responsiveness, such as the ability of CCs to attract funding and projects from different sources, and their ability to mobilise people for the development of the community.*

Citizens seem to be active in formulating and expressing their needs in the commune development plan because they expect that their demands will be met. However, at the end of the day, CCs do not meet most of the demands due to their limited funds. The councillors from the opposition complain that the ruling party is the only party able to respond to most of the demands from citizens, which is reciprocated by citizens, i.e. vote buying.

### ***CC members' views on their responsiveness: speed, quantity and quality***

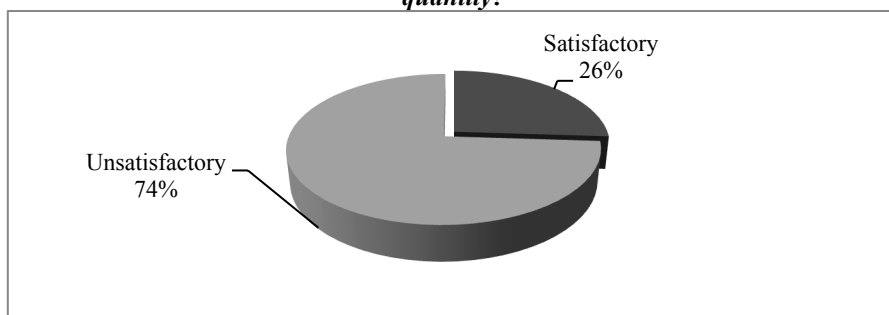
As outlined in Chapter II, responsiveness can be measured according to speed, quantity and quality. This section presents first the quantitative data on these three indicators and then the information from the in-depth interviews with CC members.

***Figure 5.5: How do you rate the CC's responsiveness to citizens' demands in terms of speed?***



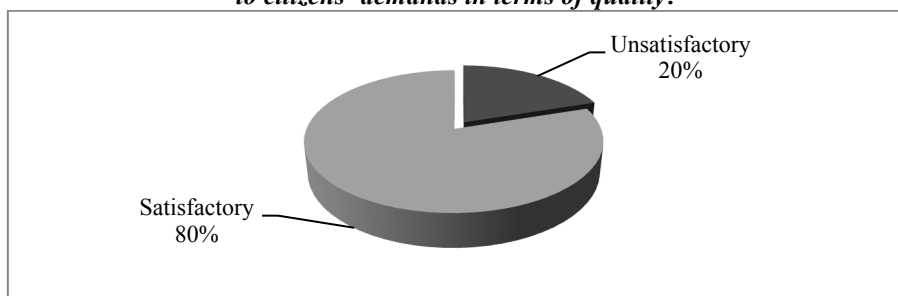
*Speed:* the survey indicates that 73 percent of councillors were not satisfied with the speed of CC members' response to citizens' demands, while 27 percent thought that the speed was acceptable. The latter should be compared with the performance of commune authorities before the 2002 election, when the commune did not respond well to people's needs (cf. Slocomb 2004; cf. Øjendal & Kim 2011).

**Figure 5.6: How do you rate the CC's responsiveness to citizens' demands in terms of quantity?**



*Quantity:* CC members stated their views that if people were to ask for ten projects, one project was likely to be responded to, if they were lucky. 26percent of the CC members felt satisfied with the quantity of responsiveness in relation to the number of demands made by citizens, while 74 percent felt that they did not respond enough to citizens' requests.

**Figure 5.7: How do you rate the CC's responsiveness to citizens' demands in terms of quality?**



*Quality:* The majority of CC members seem to be satisfied with the quality of infrastructure. The CC members have the right to inspect infrastructure projects completed by construction companies and the right to accept or reject projects on that basis. Among the CC members surveyed, 80 percent were satisfied with the quality of the infrastructure and about 20 percent dissatisfied.

After talking with many CC members about the challenges to the speed, quantity and quality of their responses to citizens, it appears that many CC members think that responsiveness is difficult to deliver according to people's wishes because there are so many demands. As a group of CC members expressed it:

*Some people are pleased with the CC members because they got what they asked for. But people whose villages have received nothing are complaining and envious. Citizens do know that they cannot expect to get the projects that*

*they want within the time and in the exact amount that they would like, but they keep on asking the CC members. For example, if they were to ask for 10 projects, they may get one, but only if they are lucky. Anyway, as CC members we must tell them the truth that not all the villages can get everything at the same time. They have to wait and take turns. We cannot make everyone happy (group of CC members, Siem Reap province, 22 April 2007).*

The in-depth interviews with the CC members also indicate that commune councils are facing difficulties in responding to the needs of people promptly. Usually the response is too late for the people to see the outcome because it takes a long time for CCs to realise demands from the people and sometimes the demands are not met. However, many CC members said that a tardy response was acceptable and much better than not getting a project done at all. It seems that citizens agree and remain reasonably satisfied (see below) possibly because they are comparing CC responsiveness with that of previous political regimes, when they got hardly any services at all from the authorities. A commune chief in Kratie<sup>19</sup> stated:

*Usually we are slow in responding to people's demands, but this is normal. Most people know that one needs to be patient when waiting to get infrastructure from the government. There are at least two main reasons for the responses being late. Firstly, the allocation of funds from the central government (CSF) is sometimes late and channelling the paperwork from the commune to the national government takes some time. Secondly, a project is required to go through a bidding process, technical inspections and handling with a private subcontractor who will do the work directly (CC chief, Kratie province, 29 September 2006).*

This passage illustrates that CC members are not particularly concerned about responding slowly or about the number of projects demanded by citizens that have not been realised, because both citizens and CC members are used to this problem. As one female commune councillor put it:

*It is usually difficult to respond to the exact number of projects and to get them done in the timescale suggested by the citizens. The reason is that citizens ask for many projects based on their individual preferences. This means the total number of demands from the citizens exceeds CCs' budget and planning. It is obvious that we do not have much funding; it is only meagre and limited. Some demands are not in line with the commune development plan, which is difficult to explain to them. Some citizens are not aware of the financial constraints that CCs face. Each project requires a certain amount of local contribution [3 percent], and it is extremely difficult to raise local contributions these days (female CC member, Kratie province, 30 September 2006).*

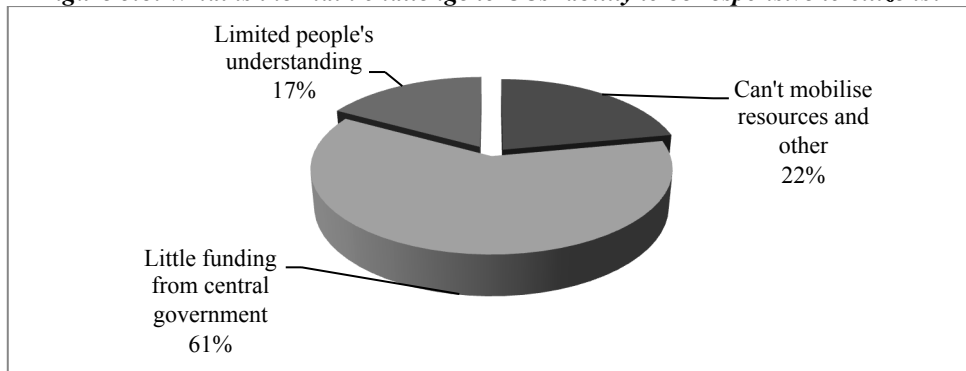
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<sup>19</sup> All the five commune chiefs in this study are male.

The informal interviews with CC members largely confirm the quantitative data. It is reported that when it comes to responsiveness, CC members face some difficulties in dealing with citizens, particularly in terms of the quantity and speed of projects. However, CC members know that citizens do not expect much from them. People whose villages have received something from the commune councils are pleased, but those whose villages do not get anything occasionally show resentment towards the CC members. Overall, the CC members agreed that they are slow to respond to people's needs and, in particular, that the quantity of responses is inadequate. Meanwhile, the quality is acceptable because there is a technical committee to inspect projects, and people participate in both the monitoring and the construction. The trade-off between quantity and quality is largely dealt with in a balanced way.

Increasing the financial resources is not the only means to improve responsiveness to citizen needs, though most of the commune council chiefs interviewed shared the idea that the key constraint on their responsiveness was the lack of financial resources. This is also reflected in the survey, which found that, 61 percent of CC members thought that the main reason for their inability to be responsive to their electorates was the lack of funding from the central government. For 17 percent, it was people's limited understanding of community development, and for 22 percent the main reason was that they could not mobilise local resources and had no power to generate additional revenue.

**Figure 5.8: What is the main challenge to CCs' ability to be responsive to citizens?**



Currently there are three issues related to funding that together risk making communes unresponsive to citizens' needs. First, the CSF is not large enough to pay for the required administrative functions such as stationery, transportation and other miscellaneous costs. Although the CSF is well regulated from above, it does make CCs dependent on and accountable to the central government, as will be discussed in Chapter VI. Second, the revenue that CCs get from various administrative tasks is very limited. It mainly consists of fees from civil registration, service charges from land transactions and other service charges. The fees collected have to be deposited in the provincial treasury. On average, each of

the ten communes could collect about 300,000 riels (USD75) in a month. However, the amount varies considerably, depending on the size of the commune. The administration of this agency function (mainly civil registration) is time consuming for the councillors and clerks, and the fees are not commensurate with the time required. Moreover, it is frequently reported that petty corruption is common within this agency function. Clerks and CC members will sometimes ask for 10,000 riels (USD2.50) extra for a birth certificate, and for land transactions, people need to pay a much higher fee (depending on the price of the land) to CC members and the clerk to get a certificate of recognition. A commune council deputy chief from the opposition party noted:

*The general situation of the CC leadership is not good because people often complain about the high service charges. For example, to get a wedding licence issued, one needs to pay an extra 40,000–50,000 riels to the commune chief and clerk, which is not the exact amount set by the government (deputy chief of commune council from SRP, Battambang province, 6 May 2007).*

Third, CCs are currently not allowed to collect their own taxes and non-tax revenues, which will be explained in further detail in Chapters VI and VII. A group of commune councillors disclosed their understanding of responsiveness with regard to this aspect:

*The main challenge for the CCs in terms of responsiveness is the lack of financial resources and having no power to generate local revenue to be more responsive and accountable to the electors. The resources allocated from the central government are meagre, and all of the main sectors are still controlled by various central government departments. We, as elected CC members, know how to implement decentralisation and we know exactly what people want because we live among them (councillors, Kompong Speu province, 3 April 2007).*

People seem to depend on material outputs from NGOs and politicians, which make it difficult for CCs to collect local contributions.<sup>20</sup> Many of the CC members interviewed said that when village chiefs or the village development committee go to collect local contributions, they are often asked why the authorities need to collect money from villagers since the CCs receive money directly from the central government through the CSF. The lack of power delegated from the line ministries to generate local revenue is a primary problem expressed by the commune councillors, an aspect that will be further elaborated in Chapter VI.

Hence, as outlined above, a lack of financial resources from the central government and the fact that the communes have no power to generate their own revenues provide the key constraints on responding to citizens' needs. The next

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<sup>20</sup> According to the decentralisation regulation, CCs should collect local contributions from citizens for infrastructure development. Normally, the local contribution should be at least 3 percent of the total amount of the funding for development of each commune.

section describes the mechanisms used by the CC members when demands by citizens are not responded to.

### ***Commune councillors' mechanisms to handle insufficient ability to respond***

The commune councillors generally stated that the best way to manage the villagers when their election promises have not been fulfilled due to a lack of funds is to explain and to be honest (*moul heit* and *smos trang*) about why they have been unresponsive. Many CC members I talked to considered that not acting on promises is not a serious problem. According to the CC members, when it comes to un-kept promises to the electorate, they have to be mild and patient/humble (*ort tmot*) when dealing with complaints from villagers. As local authorities, CC members must understand the context and the local situation. Many CC members also hold the view that villagers are not interested unless their actions are of direct benefit to them. People are output and material-oriented. Since poverty is rampant, people are too dependent on, and have high expectations of, output from the CCs.

The way that CC members handle their lack of responsiveness to citizens' demands depends on tradition and local circumstances. CC members have three strategies to manage their lack of responsiveness to constituents. The first is to keep explaining the reasons. The second is to explain that villages have to take turns in the allocation of projects because the CSF is the only reliable source of funding from the central government. The third is to manage the existing funding in a transparent way. For example, many of the CC members described their difficulty in responding to the needs of citizens as being like "one hair that is chopped into ten pieces" (*sork mouy crik chea dob*). A group of commune councillors described the challenges:

*To deal with villagers in regard to responsiveness issues is of course the most challenging task for the CC members because we are directly questioned by citizens. We compare CCs' ability to respond to people's demands as being like parents towards children. Suppose you have six children and you have a very limited family income—all you can do is to keep explaining to them. We are like the parents working hard to feed them and to provide a better future for the family. It is like one strand of hair which is chopped into ten pieces (commune councillors, Battambang province, 27 April 2006).*

A commune chief in Kratie similarly said:

*The best way to deal with the unresponsiveness issues relating to citizens/villagers is to keep explaining to them about the hardship that the CC is facing, such as the lack of funding, no sources of alternative funding and that their demands are many. Another way is to be patient with complaints from citizens. However, our villagers do understand all of the difficulties that the CC is facing (CC chief in Kratie province, 29 September 2006).*

This explanation reflects that CC members must be very knowledgeable about the traditional way of thinking in the community, using the vernacular, which is easy for people to understand and makes people trust them. As a historical consequence of oppression and brutal authoritarian regimes, some people still do not dare to engage with the authorities directly.

From the empirical findings outlined above, given the short experience of decentralisation, it appears that CC members and citizens are frank with each other and recognise the progress of decentralisation and its constraints.

### ***Summary of key findings of CC members' perceptions of responsiveness***

CC members' views on responsiveness to citizens are interconnected in two respects: ability and output/action.

- The need for CC members to understand the local situation is not seen to be problematic (by themselves). Both in-depth discussions and the survey of CC members illustrated that more than 90 percent of CC members believe that the local situation is not difficult to understand. However, many CC members believe that, as elected councillors, they need to try to be responsive in terms of material outputs such as small-scale infrastructure and services to the citizens because people are poor.
- The above view of CC members shows that responsiveness is material output and other performances by CCs to meet citizens' needs. Many CC members agree that responsiveness is provided not only through funding and materials, but also includes other aspects such as knowledge, good management and participation.
- The ability to respond to citizens' needs ultimately depends on the nature of the demands. Citizens may pose demands to CCs based on their individual preferences, which have led to excessive demands that far exceed the capacity of CCs' very limited annual budget. Citizens' knowledge of the new development framework of decentralisation is limited, so if their demands are not responded to it could lead to resentment and lack of participation.
- When it comes to material outputs or responsiveness to requests, CC members face many difficulties, in particular regarding speed and quantity. However, the quality of projects delivered is not a challenge for CCs because there are not many projects and there is strict monitoring of the technical quality of every project. Quantity is not a real challenge to CC members, as long as CCs are able to deliver some small-scale projects of good quality, even if they are usually late and fewer than the number requested by citizens. Therefore, most CC members are confident to work with the limited CSF, as they can respond to at least some of citizens' needs.

# Citizens’ perceptions of responsiveness

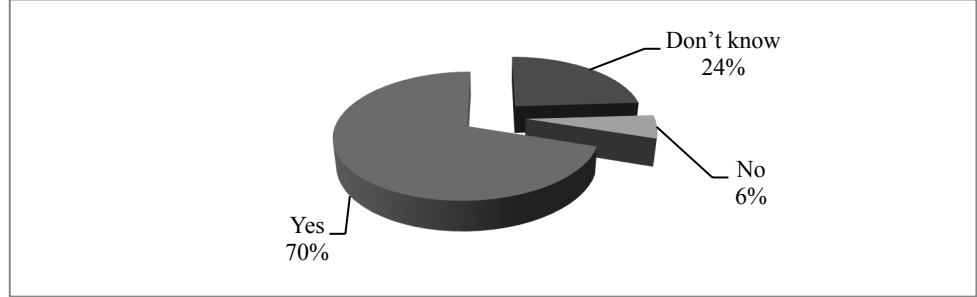
This section will present citizens’ perceptions of (i) CCs’ general performance and ability to understand local situations, (ii) the nature of demands from citizens and (iii) the speed, quantity and quality of the material outputs that CCs are able to deliver to citizens. Each of these aspects will be illuminated by presenting the survey data and explained by in-depth interviews.

## Citizens’ perceptions of CCs’ general performance

The 583 citizens’ views of the CCs’ ability to understand the local situation is shown below.

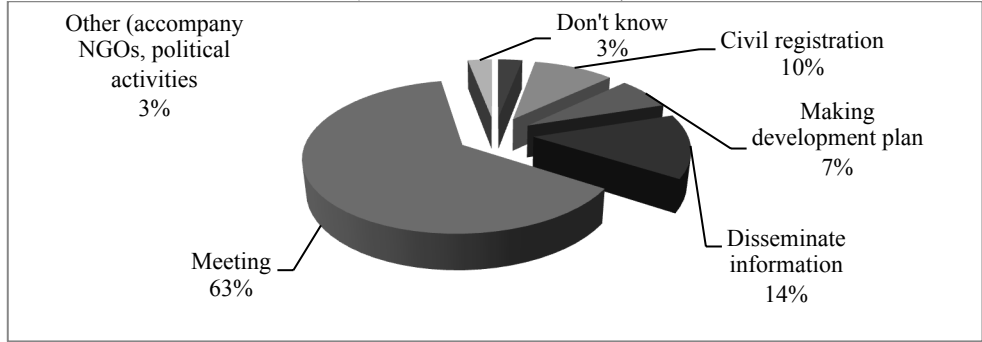
Figure 5.9 shows that 70 percent of the citizens believed that the CC members understand the overall situation in the community.

*Figure 5.9: Do you think that the CCs are knowledgeable about the situation in your village? (583 citizens questioned)*

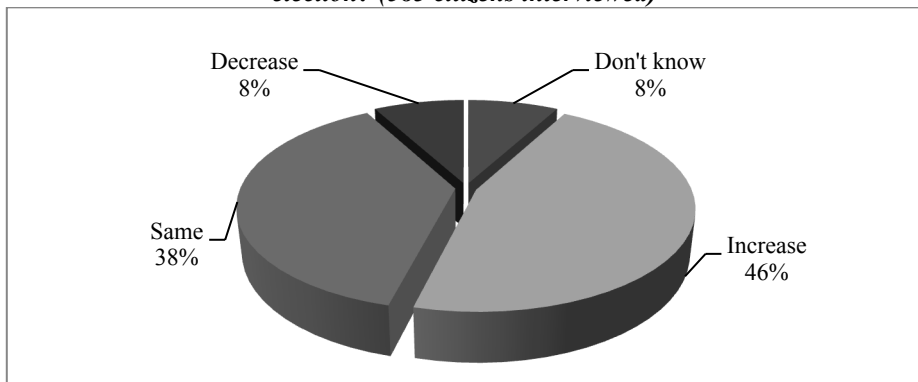


Citizens were asked open-ended questions about their observations of CC members’ activities when they visited their villages. 63percent said that the CC members were there to chair a meeting, 14 percent to disseminate information, 10 percent to conduct civil registration and 7 percent to make development plans. This indicates a certain degree of visibility, but “meetings” often turn out to be rather secluded and non-participatory.

*Figure 5.10: When CCs visit your village, what kind of activities do they normally do? (583 citizens interviewed)*



**Figure 5.11: Has the CC's responsiveness increased or decreased since the commune election? (583 citizens interviewed)**



Citizens have mixed views of CCs' responsiveness. According to the data, about 46 percent of citizens thought that CCs' responsiveness has increased since the commune election, 38 percent thought that it had remained the same, 8 percent thought it had decreased, and 8 percent did not know. Although this indicated that citizens have mixed views of CCs' responsiveness, nearly half of citizens think that there have been improvements. Citizens' optimism about the performance of CCs represents a critical change in the way citizens regard leaders.

People expressed mixed views of CC performance in some of the in-depth interviews too. Generally, people recognise that CC members are well aware of the situation in the communes because they are native to the communes and are well exposed to the place. As one villager said:

*All CC members were born and grew up here in the commune. They know the situations and people well. However, it depends on their [political] will whether they help us or not. Most CC members channel information and work based on the hierarchy of the political party and the administration, which sometimes makes things slow to be realised (villager, Siem Reap province, 22 April 2006).*

Citizens look at the education among CC members in understanding local situations. Education plays a crucial role in enabling CC members to perform effectively in their dealings with donors and politicians, making plans and analysing development policies/regulations. One villager expressed his observation of the performance of the CC:

*The CC's performance depends on the educational capacity of each CC member. I know nearly all of the CC members in this commune. They just know how to read and write, which is a bit of a constraint on them in analysing the laws and policies for community development. I agree they are learning by doing and gaining experience at the same time, but they are all old, and their performance is poor, and especially with this limited*

*education they cannot initiate new ideas for development (village elder, Battambang province, 2 May 2006).*

Citizens seem active in the beginning of each programme introduced by CCs because they are expecting some material output. However, most of their expectations are not immediately realised, which leads to discontent and resentment with CCs. One villager shared his view:

*Since the commune election in 2002, CC members have come here to organise many meetings and ask people what we would like to have for the village. We have asked them to build different things for the village, but so far almost none of the projects asked for have been built. We do not expect much or trust them to give us what we need (villager, Kratie province, 27 September 2006).*

However, some citizens are curious about the work of CCs and the issues that CC members are facing. For example, here are the views of two villagers:

*I think it is a bit unfair to get angry with CC members if our demands are not realised. I see the commune council now is working based on different systems, and they do not have much money to do the things people need. The best way is to wait; if they have money they will develop the commune (villager, Kampot province, 30 March 2006).*

*Since the commune election, there has been some progress in development conducted by the commune council, especially local infrastructure such as roads, wells and irrigation (villager, Battambang province, 28 April 2006).*

Most people interviewed were dissatisfied with the performance of the CCs because their judgment is typically based on material outputs, especially of local infrastructure improvement. Some people view the CC members as being politically loyal only to their own political party supporters. This is linked to the behaviour of the CC members when interacting with people. Most CC activities are still meetings to disseminate information received from the technical departments. One villager who is active in community development and curious about commune development described this:

*The best way to sort out the responsiveness problem is for CC members to work harder to elicit people's ideas, attracting them to participate in all development activities in the commune. Nowadays, the only interaction I see between CC members and citizens is in the form of formal meetings. It is not active enough. After about five years of decentralisation reform, people's participation in the CC remains weak; some people are used to getting paid by NGOs to attend meetings and to receiving gifts from political parties, and they always demand things from leaders/politicians and NGOs. People are very dependent on leaders/politicians and NGOs. There is not much real interaction (villager, Kratie province, 30 September 2006).*

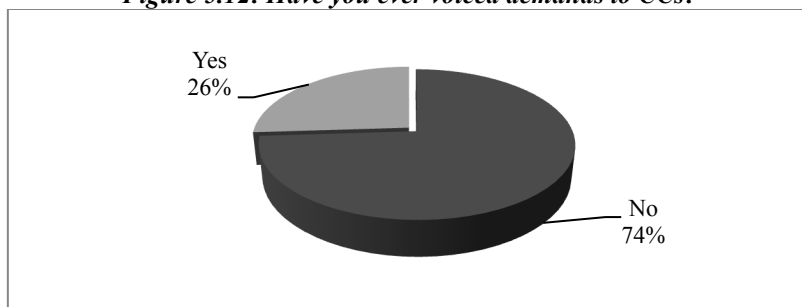
From this passage, it is apparent that citizens are overall fully satisfied with the CCs' performance, and people's participation in the commune councils is low.

People expect material outputs to be delivered by politicians or local leaders when people participate in various meetings in the community.

### ***Nature of demands from citizens***

This section examines the activities and styles used by citizens when putting forward demands to CC members and citizens' perceptions of difficulties of commune councillors in being responsive to people's needs.

***Figure 5.12: Have you ever voiced demands to CCs?***



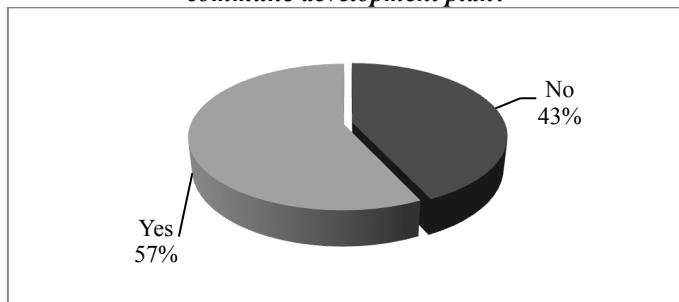
The survey found that 26 percent of citizens had voiced demands to CCs during a commune council meeting, when people have a chance to interact directly with CCs, while 74 percent of citizens had never posed any demands to CC members. A majority of citizens have thus never directly asked anything from a CC. However, indirectly through local talk, gossip, neighbours etc. there is a certain pressure on commune authorities.

Discussion with key informants revealed that within the social context, it is commonly accepted that ordinary citizens should not question or demand too much from the authorities, especially not during formal meetings (due to a desire to save face and a fear of dealing with leaders directly). Leaders are nevertheless supposed to fulfil their moral obligation to be responsive to the people, even though demands are articulated indirectly in citizens' complaints or through word of mouth without being publicly confronted. A former school principal made the following observation:

*People do participate in the meetings organised by the commune council, but there is not much interaction or questioning during the meetings. They do not like to talk with leaders or strangers, but they do share thoughts with or complain to friends and relatives. Most people who attend the meetings are women who do not have an incentive or the knowledge to question CC members (citizen, Battambang province, 28 April 2006).*

People expect CC members to initiate many development activities in the commune without people explicitly asking for them. People are usually reluctant to pose questions directly to CC members in order to avoid souring relations.

**Figure 5.13: Have you ever heard of/do you know about the commune development plan?**



CCs cannot respond to demands from citizens based on individual interests, but must follow the regulations and the commune development plan, which supposedly is constructed in a participatory process but which nearly half of the citizens do not know of. 43percent of citizens did not know what the commune development plan was, while 57 percent had heard of it.

A citizen and school principal described the nature of responsiveness and commune development plan thus:

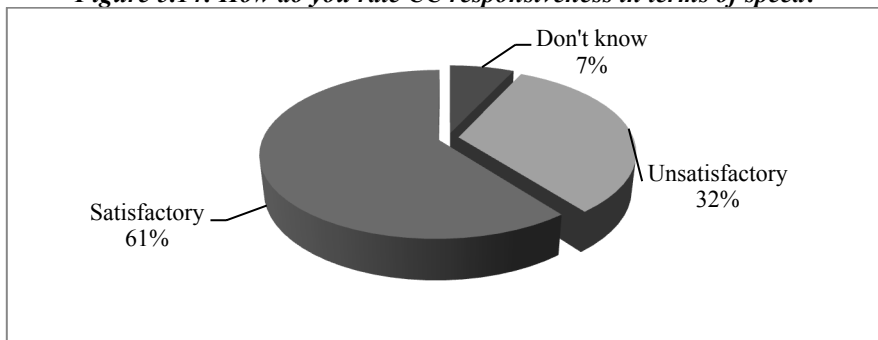
*Responsiveness is the interaction between CC members and citizens, and people's understanding of the CC's development plan. However, all of these aspects remain weak and limited. As a citizen, I can see that the CC does not have much money or support from different agencies of the national government. CCs face many problems as well as [needing to] be responsive to people (citizen, Battambang province, 3 May 2006).*

According to the above observation, the responsiveness of CCs to citizens depends on clear interaction with CC members and on people's understanding of the new development procedures.

### ***Citizens' perceptions of the outputs of responsiveness: speed, quantity and quality***

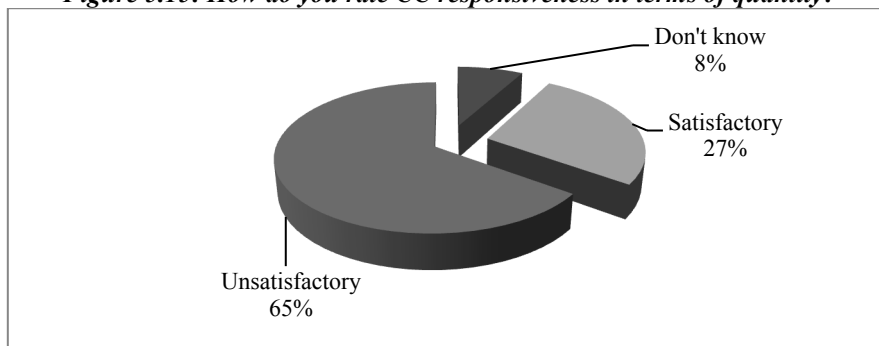
There are many everyday administrative activities undertaken by commune councils (civil registration, solving domestic disputes etc). The most important are the development projects funded through the government Commune Sangkat Fund. In the five-year commune development plan, CCs are responsible for socio-economic development, infrastructure, security and gender, but the most common projects implemented by councils are infrastructure related, notably roads and irrigation. Given that communes did not have any development budget prior to the decentralisation reforms, their CSF funds are relatively substantial. Up until 2010, every year each commune received USD15, 000-20,000 from the CSF for local development. The following is the view from citizens on the speed, quantity and quality of material outputs.

**Figure 5.14: How do you rate CC responsiveness in terms of speed?**



*Speed:* 32 percent of citizens were unsatisfied, 61 percent satisfied and 7 percent uncertain.

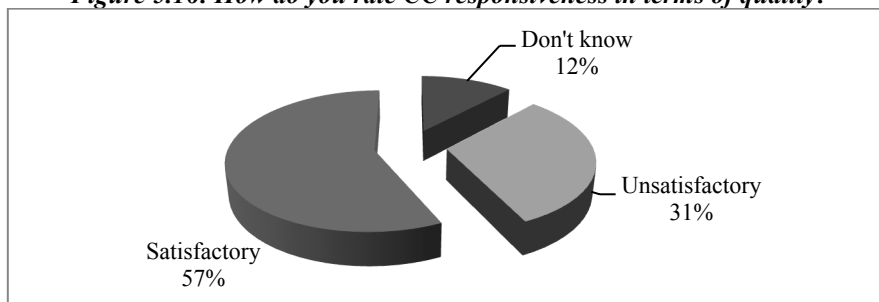
**Figure 5.15: How do you rate CC responsiveness in terms of quantity?**



*Quantity:* 27 percent were satisfied, 65percent dissatisfied and 8 percent uncertain. The majority of citizens were thus not satisfied with the responsiveness of CCs in terms of quantity.

*Quality:* Out of the 583 citizens interviewed, 57 percent were satisfied with the quality of projects supervised by CC members, 31 percent were dissatisfied, and 12 percent did not know. The majority of citizens were thus satisfied with CCs in terms of the quality of projects.

**Figure 5.16: How do you rate CC responsiveness in terms of quality?**



The survey results and in-depth interviews with and observations of citizens confirm the pattern of the survey on CC members' responsiveness. One villager in Kratie revealed this view on the speed of responsiveness of CCs:

*The speed of the CC members' response to people's needs is often late, but after many years of being late, people do not blame the CC members because we know that there is nothing that the CC members can do regarding the speed (villager, Kratie province, 30 September 2006).*

This indicates that even though the response by CCs is very often late, people seem to get used to it, not blaming or putting more pressure on the CCs. However, another villager expressed resentment of CCs' responsiveness, in particular with regard to quantity and speed:

*Some people are pleased with the responses by CCs in building infrastructure, but most villagers are not happy because they do not see real outputs from CCs soon after they have asked for them. In particular the quantity and speed of responses are not good. For example, if they ask for ten things, if they are lucky, only one is responded to. However, we know the constraints that CC members are facing, especially lack of funds (citizen, Battambang province, 22 April 2006).*

As mentioned earlier, people are accustomed from previous regimes to getting almost nothing from the authorities, so a late response is not a serious issue.

A villager in Kampot, who also serves as the chief of the committee for safeguarding natural resources in the commune, expressed his view of CC responsiveness:

*Responsiveness of the CC is very important for people in this commune. To win the election, a political party needs to realise the demands of the people, especially infrastructure and delivering different gifts (villager, Kampot province, March 29 2006).*

The views above indicate that a political party's election success depends on realising people's demands. However, not many political parties can realise their promises from the electoral campaign, as a villager in the same commune put it:

*All parties promise to give this and that to villagers if they are elected. Most of them are not able to follow through and leave people feeling really disappointed. Hence, if the parties can keep their promises, they will gain popularity with the villagers (villager, Kampot province, 29 March 2006).*

Generally, both CC members and citizens recognise that the quality of the infrastructure funded by the CSF is good. At least three factors ensure the quality. Firstly, the CSF is well regulated from above, which provides little room for corruption in construction projects. Secondly, each commune has a technical monitoring committee consisting of village chiefs, CC members and villagers who actively oversee the construction, ensuring that subcontractors deliver good quality work, as spelled out in the contract. And finally, there are not many projects every

year, so the technical monitoring committee can actively and closely inspect the quality of construction. Nonetheless, there are also some complaints from technical monitoring committee members that they do not have the technical skills to monitor construction as they would wish.

The matrix below is the view of the quality, quantity and speed of responsiveness in councillors' and citizens' views.

|                                 | Quality                                                                                                                                                                                                                                                                                                                         | Quantity                                                                                                                                                                                                                                                              | Speed                                                                                                                                                                                                                                                                                     |
|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Councillors' perceptions</b> | Almost 80 percent of CC members are satisfied with the <i>quality</i> of infrastructure projects completed because CCs, village chiefs and citizens have the right to monitor construction. However, some councillors are not satisfied because of a lack of technical capacity to ensure quality from the contractors.         | About 75 percent of CC members are not satisfied with the <i>quantity</i> of projects they could initiate to respond to citizens' requests. The cause of low quantity of responses is normally lack of funds.                                                         | Similar to the quantity of responses, about 73 percent of CC members are not satisfied with the <i>speed</i> of their responses. The reason for slowness is usually the lack of cash from the central government—late and insufficient funds to carry out projects requested by citizens. |
| <b>Citizens' perceptions</b>    | Citizens' view of CCs' responses in terms of <i>quality</i> of infrastructure is high, 57 percent being satisfied, about 31 percent not satisfied and 12 percent not knowing. The satisfaction with the quality of projects is because there are always representatives of citizens and village chiefs monitoring the projects. | Similar to councillors' views, about 65 percent of citizens are not satisfied with the <i>quantity</i> of responses from CCs and only 27 percent satisfied. There are many requests from citizens every year, but the number of projects in response is very limited. | More than 60 percent of citizens are generally satisfied with the <i>speed</i> of responsiveness from CCs. The reason that citizens are satisfied is that, as long as they get projects built in their village, slowness is not a problem.                                                |

Judging from the interview information, there seems to be a shared understanding among citizens and CC members that people are informed by CC members about the reasons for late response, commonly late allocation of funds from the central government and other procedures such as paper work, bidding and technical procedures. Citizens seem to be fairly confident and patient with the material output responses by CCs.

## ***Findings on citizens' perceptions of CCs' responsiveness***

Below is a summary of key empirical findings on citizens' perceptions of CC performance.

- The majority of citizens acknowledge that CC members do not have any problem in understanding the daily life and local situation of the commune. The main activities of CCs when dealing directly with citizens are meetings, dissemination of information and civil registration. Overall, citizens are optimistic about CC responsiveness because, since the commune election, they have at least seen that CCs have been able to deliver various small-scale infrastructure.
- Citizens make demands based on individual interests or do not pose any demands to CCs. Only a limited number of citizens surveyed are accustomed to putting demands to CCs. There are at least two reasons for this lack of interaction between citizens and leaders. First, citizens expect leaders to be aware of their roles and responsibilities to respond to people's needs, and second, where possible, ordinary people normally avoid direct interaction with leaders because it might sour their relationship and because people do not expect many of their demands to be responded to.
- Citizens are satisfied with responsiveness in terms of material outputs because they have seen at least some local infrastructure built. Citizens seem more positive than CC members about the speed, quantity and quality of responsiveness. Most do not mind that their demands are met late and that the quantity is much less than hoped for.
- The views of the councillors fit rather well with those of the citizens. This is interesting and indicates that there are rather developed consensus on the responsiveness of CCs. It also a sign of mutual understanding about responsiveness between electors and CCs. Electors are optimistic that CCs are working hard to realise the demands from the people.

## **Concluding remarks**

The empirical findings on commune council responsiveness are critical to our understanding of the current decentralisation process. They shed some light on the relationship between the local authorities—who are the actors expected to be responsive to the concerns of the electors—and citizens. The output of CC responsiveness to demands of the people is not what was expected by the people, but there is a general recognition that commune councillors have been working hard for the “public good”—in particular there have been some improvements in local infrastructure. It is still uncommon for people to present their problems to or question the authorities, and their demands are mostly based on individual interest. Nevertheless, decentralisation has established an institutional mechanism and space for constituents to demand services and responsibility from their councillors. It is clear that responsiveness to the needs of people has been introduced in terms of the

ability and knowledge of CC members. The outputs or actions of responsiveness to citizens' needs remain limited. However, there seems to be a mutual understanding between citizens and councillors of the difficulties in realising demands, which is a key aspect to make democratic decentralisation successful. Responsiveness cultivates an ideal type of leadership in which the aim is to listen to the people, and in present-day Cambodia, a bottom-up leadership style has come into practice. Despite CC members' responsiveness in terms of material output being limited, posing demands from people has fostered people's bargaining power and opened space for the people to negotiate with the authorities and to have much franker interactions. The mechanism of responsiveness makes leaders listen to people's complaints and resentments, and thus puts pressure on CCs. Lack of financial resources, as CC members are not financially independent and cannot generate local revenue, makes them mostly unresponsive to citizens' needs.

## CHAPTER VI

### FINDINGS ON ACCOUNTABILITY

Previous chapters have shown that decentralisation reform is progressing with a certain level of responses from CCs to citizens. This chapter examines the nature of *accountability* between commune councillors and voters. Accountability here is taken to be the ability of elected CCs to answer to voters for the use of their authority (cf. Chapter II). The focus of this chapter is the accountability mechanisms used by CCs to be accountable and voters' perceptions of CC accountability. For example, what does it mean to be accountable in the Cambodian context? What mechanisms do CCs use to be accountable to voters? Who are CCs primarily accountable to? The discussion in this chapter will seek to explain CCs' and voters' perceptions of accountability.

Accountability is essential to democracy and requires revealing the truth (Huntington 1991; Moncrieffe 2001). Accountability mechanisms work within government to set limits on the arbitrary exercise of power, to set checks and balances in the separation of powers and to constrain the activities of politicians (Grindle 2011). Scholars on decentralisation argue that accountability is a central aspect of democratic decentralisation and consider it to be instrumental in securing optimal performance by elected representatives and by the public (Grindle 2011; Ribot 2011; Manor 1999; Legowo 2003; Crook & Manor 1998; Blair 2000; Smith 1985; Johnson 2001; Schmitter 2004). Accountability depends on the electorate's belief that the government and other public officials are operating in the public interest (Manor 1999; Grindle 2011; Crook & Manor 1998). Accountability is commonly seen as a key concept in establishing efficient and democratic local government (Ribot 2011). James Manor, in his 2008 study, argues that accountability provides the crucial link between increased participation and good performance by government institutions. If accountability mechanisms are weak, then the performance of decentralised institutions will suffer (Manor 2008). Accountability could *ex-ante* serve citizens' interests, but elected representatives must know what these interests are to enable the citizens' appraisal of policy choice (Moncrieffe 2001). Periodic elections are necessary (but not necessarily sufficient) to provide for a reciprocal relationship between officials and citizens, and to allow officials to answer for their performance to voters (Johnson 2001; Schmitter 2004). The ideas of accountability above will be used as the analytical tools to explore accountability in the of decentralisation reform in Cambodia.

In Cambodia, the term accountability remains unclear and confined to the rhetoric of high-level strategy (Horng *et al.* 2007). Despite its significance, some recent studies focusing on good governance and decentralisation indicate that there many variations and differences in understanding the term (Pak *et al.* 2007; Rusten *et al.* 2004; Öjendal & Kim 2006; 2011; Horng *et al.* 2007). Empirical studies indicate that accountability of commune councils to constituencies, civil society groups, political parties and government bureaucrats is still unclear (Burke & Nil

2004; Blunt & Turner 2005; MacAndrew 2004; Mansfield & MacLeod 2004). According to Manor (2008), in Cambodia national officials in line ministries legitimately insist that their employees at lower levels should be accountable to them in order to maintain standards and adherence to policies. But many in the government believe that there has been too much emphasis on upward accountability in the past but not much downward accountability of elected representatives to voters. In Cambodia, accountability mechanisms are working at a level that would be expected, not in a functioning democracy, but in a patronage-based system (Hughes 2003).

Here accountability refers to answerability for actions, policies and use of funds by CCs to citizens, or contractual and reciprocal relations between CCs and citizens. In Cambodia, the word accountability (*kanak neiyakpheap*) is difficult to communicate or understand since the word is new.

Drawing from the above ideas about accountability, this chapter discusses three underlying factors:

- *The vocabulary of accountability*: Since the concept is new among Cambodians, it is valuable for this thesis to explore the meanings of the term “accountability” in the Cambodian language and how the word is perceived or understood by commune councillors and voters.
- *Councillors’ perceptions of accountability*: In this section, the chapter will examine how accountability is implemented (mechanisms) and viewed by CC members in their day-to-day activities, including: a) perceptions of how to be accountable to voters, b) upward accountability and c) sources of funding.
- *Voters’ perceptions of accountability*: This section explores voters’ perceptions of different aspects of CC accountability, including: a) information flows from CCs to voters, b) voters’ awareness of the sources and amount of funding for CCs and c) voters’ views of electoral accountability.

### **Vocabulary of accountability: vernacular meanings**

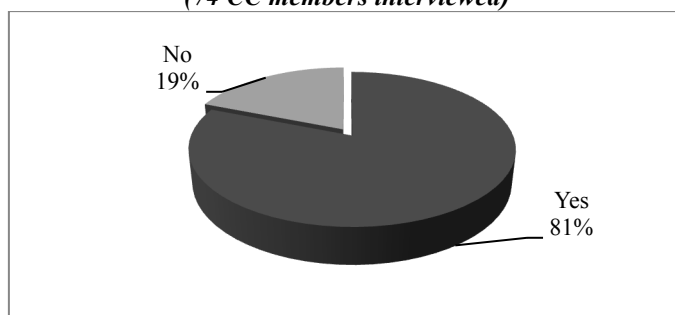
Various studies of accountability in Cambodia indicate that the concept is locally understood in a wide variety of ways because the explanation is largely driven by Western public administration thinking (Pak *et al.* 2007; Horng *et al.* 2007). The concept is rarely used and understood; its meaning is vague due to cultural, traditional and historical conditions and not typically related to local democratic discourse. Within this context, accountability continues to mean different things to different people, so developing a consistent and shared understanding between Cambodians and relevant development partners is crucial (Horng *et al.* 2007). It might not be important what word is used; most important is how things should work. However, it is critical to discuss the meaning of the term in Khmer in order to understand the differences in meaning and how they are reflected in actual decentralisation.

According to the English-Cambodian dictionary, *kanak neiyakpheap* (accountable/accountability) is a noun which means *tortoul khos trov* (responsibility) and *arch ponyul bann* (explainable or able to explain) (Huffman & Im 1987). The terms did not exist in Cambodian dictionaries before the 1990s. If we look at the term *responsibility* closely (*tortoul khos trov*), it is related to the idea of action. It means being responsible for one's actions, both when doing wrong (*tortoul khos*) and when doing right (*tortoul trov*). The implied meaning refers to individuals' (not the state's) use of rights and authority and, in particular, to their responsibility for their conduct. The term "accountability" is also confused and blurred both in the way it is understood and in the way it is regarded by Cambodians. How is it used and understood locally? In the following, we seek an empirical understanding of how the term is perceived by CC members and voters.

### ***CC members' perceptions of the term 'accountability'***

A question was posed to the commune council members to gauge their understanding of the term. The questions were formulated as open ended. About 81 percent of the CC members had heard the word accountability.<sup>21</sup>

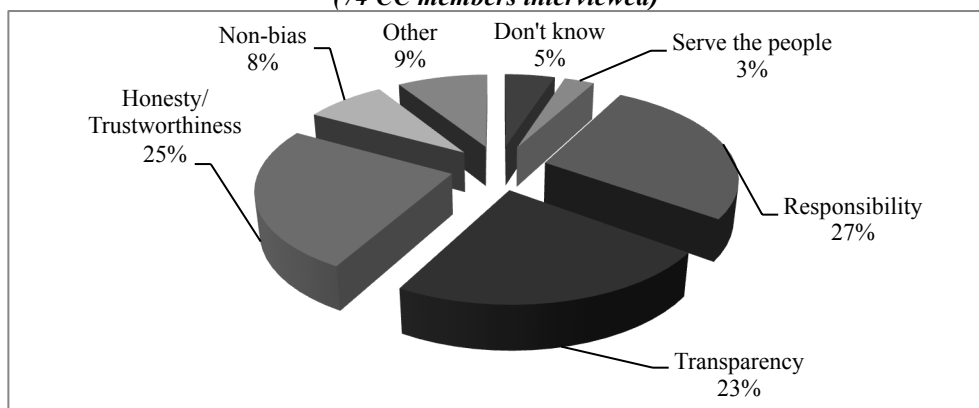
***Figure 6.1: Have you ever heard the word accountability?  
(74 CC members interviewed)***



The 81 percent who had heard the word had a mixed understanding of its meaning. About 27 percent thought that the term was a synonym for responsibility, 25 percent thought it related to honesty or trustworthiness, 23 percent thought it meant transparency, about 9 percent thought that it might relate to other things, 8 percent thought it meant lack of bias, 5 percent did not know and 3 percent thought that it means serving people. Councillors' views of the word accountability are thus primarily related to three terms: responsibility, honesty or trustworthiness and transparency.

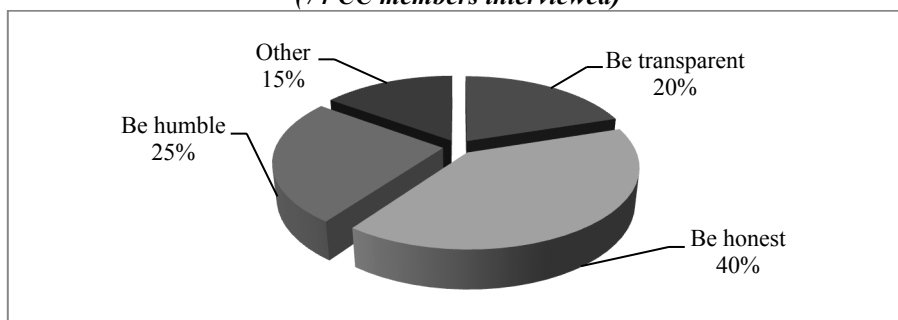
<sup>21</sup> Many CC members had heard the word *kanak neiyakpheap* via training, documents from the central government and NGOs and broadcast media.

**Figure 6.2: In your personal view, what does “accountability” mean?  
(74 CC members interviewed)**



Building trust is vital for enhancing accountability. 40percent of CC members said that to build trust they believe that leaders should be honest, 25 percent said humble and 20 percent said transparent.

**Figure 6.3: How do you build trust between CCs and electorates?  
(74 CC members interviewed)**



The meanings of accountability are both implicitly and explicitly embedded in the concepts of responsibility, trust, transparency, honesty and lack of bias. In order to understand how accountability is being practised in local society, we need to investigate how leaders actually relate to citizens. Commune councillor interviews suggest that, in their view, to be an accountable leader, one needs to comply with principles of political culture such as proper attitude, symbolic expressions and norms. Many CC members expressed the view that to be accountable, local leaders must practise the principle of *samak thor*, which is a Buddhist teaching that means mutual virtue or tolerance. A group of CC members described the role of elected leaders:

*Elected or benevolent leaders must have the moral principle of samak thor. By so doing, leaders should be transparent, fair and humble, behave with*

*morality, listen to people and be responsive (CC members, Kompong Speu province, 3 April 2006).*

The principle of Buddhist teaching is still being used among local leaders to gain legitimacy within the community. Many older people directly or indirectly involved in leadership activities in the communes believe that the essence of being an accountable leader is to share power and responsibility with colleagues, while being humble and, most importantly, responsive to citizens. These ideal types of leadership are thus not new, but incorporated in Buddhist teaching. A group of CC members explained:

*It is simple for the leaders to follow the four principal virtues of Buddhism: (a) meta is responsibility and accountability for your own role, (b) karuna is compassion, patience and tolerance, (c) mutita is humility, softness, gentleness and generosity and (d) upikha is fairness, justice and balance (CC members, Battambang province, 27 April 2006).*

Many villagers strongly expressed the view that the type of leader they want is someone who is *slod* (humble, gentle and patient). Leaders with these personal attributes are approachable, not aggressive and, most importantly, have gained trust and respect. These types of leaders, even if they do not perform their professional roles effectively, are accepted as considerate and accountable.

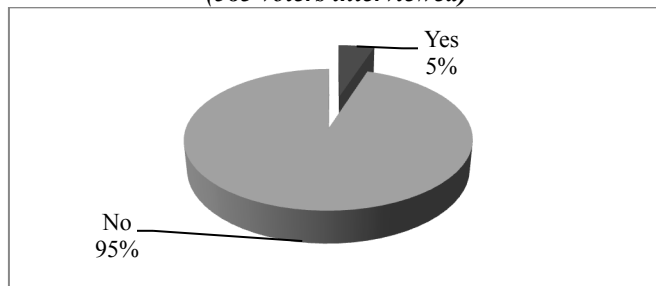
To be accountable on rational-legal grounds is difficult, but it is even more difficult to be accountable on these traditional grounds. Local leaders believe it is almost impossible to separate *anarchak* (rational-legal domination) and *puthichak* (Buddhism) because the two are like “the two wheels of an oxcart: we need a pair of wheels to make the cart move forward” (CC members, KD commune, Kompong Speu, 3 April 2006).

### ***Voters’ views on the term ‘accountability’***

We have seen commune councillors’ perceptions of accountability because they have heard or been exposed to the word engaging with government activities and training. As discussed in chapters IV and V, ordinary citizens are not interested in interacting with authorities; their exposure to government policies may, thus, be limited. Now let us look at voters’ perception of the term.

Of the 583 voters who were asked if they had ever heard of “accountability” (*kanak neiyakpheap*), only 5 percent responded that they had, and nobody knew the meaning of the term (Figure 6.4).

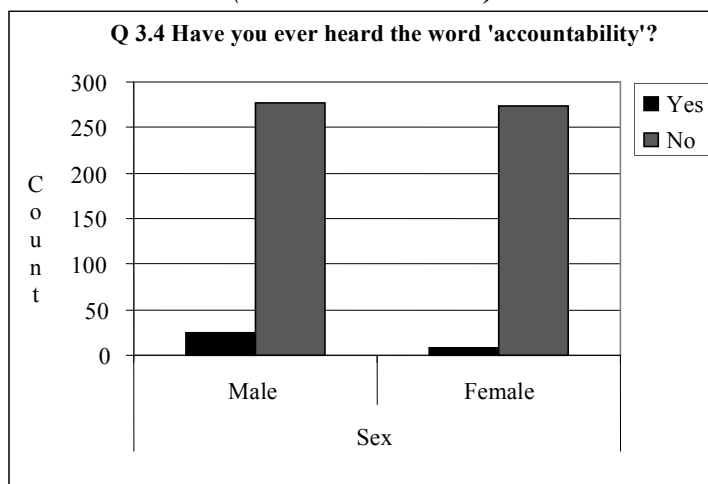
**Figure 6.4: Have you ever heard the word “accountability”?**  
(583 voters interviewed)



The 5 percent who had heard of accountability had done so at different meetings, in informal interactions with local authorities (CC members and village chiefs) and on the radio.

As the survey shows, the term *kanak neiyakpheap* does not really exist among voters, so it is difficult to directly ask them to explain it. However, voters are familiar with the term “responsibility” used in connection with their leaders, which in Cambodian generally refers to accountability.

**Figure 6.5: Have you ever heard the word “accountability”?**  
(583 voters interviewed)



One voter in Siem Reap province commented:

*As voters, we are curious to know about the responsibility and performance of CC members. Responsible leaders should be well behaved, humble, have good relationships with ordinary people, be transparent and morally responsible for their leadership (villager, Siem Reap province, 22 April 2006).*

It is difficult to elicit the “direct” views of ordinary citizens on the word “accountability” since the overwhelming majority of citizens have not heard the

word. However, some of people's ideas seem to relate to the meaning of the word, as an elder person in Battambang put it:

*The older people do not like to engage with authorities too much because we think that it is the job of the authorities to deal with politics and other development activities. This is that why you do not see much interaction between authorities and people (villager, Battambang Province, 10 May 2007).*

From this passage, it seems that in Cambodian society *kanak neiyakpheap* (accountability) refers to the responsibility of the leaders. Since people do not fully understand the term accountability, it is difficult to implement it or for people to demand accountability from leaders.

### ***Summary of key findings of CCs' and voters' views on the term "accountability"***

Following are the key findings:

- The majority of CC members have heard the term "accountability" through their engagement with government activities. There is no meaning in Cambodian that matched, and the meaning is confused. The term is synonymous with three Cambodian terms: responsibility, honesty or trustworthiness and transparency.
- Almost no voters had heard the term "accountability", and the small number who had did not know the meaning.

Below, this chapter will look at various implementations of accountability of commune councillors to voters.

### **Commune councillors 'perceptions of accountability: mechanisms within the councils**

*The problem of accountability is the conflict of interest between political parties and commune councils. Political activists and elected representatives need to exercise their power with professionalism. Accountability also depends on the political will of leaders at every level of government. Having enough resources and power to collect local revenues is crucially vital for elected CCs to be accountable to people (H.E. Leng Vy, Secretary General, Ministry of Interior, 20 July 2005).*

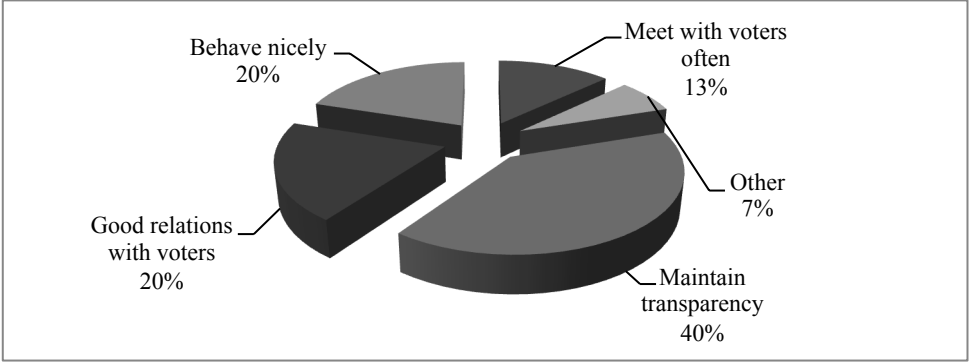
Accountability seems to be one of the most vital elements of decentralisation for CC members. In the new political system, commune councils must be answerable to the electorate for their use of authority. Hence, commune councils are downwardly accountable to the electorate, upwardly to central government, but also horizontally to political parties that make them eligible through party lists. Therefore, the accountability of commune councillors constitutes a conflict of interest in the way they exercise power and the extent to which they respond to community preferences, such as balancing traditional and rational authority. The

conflict of interest between elected councillors and their political parties might be caused by the party-list electoral system. The line of accountability of CCs is blurred between political parties and the work of CCs for the commune. Elected councillors, especially the ones from the CPP, are often accused of putting their commitment to the party first. The conflict of interest between political parties and CCs is a constraint on commune councillors enhancing accountability and generating broad-based legitimacy. Below are some survey results on different dimensions of accountability, mechanisms and commune councillors’ perceptions of accountability, upward accountability of CCs and sources of funding for CCs.

***Councillors’ perceptions of how to be accountable***

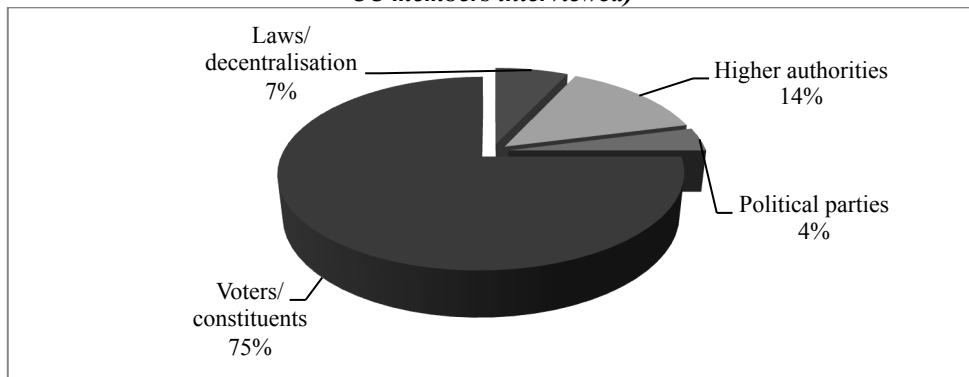
The survey results show CC members’ mixed views on how to be accountable to their constituents.

***Figure 6.6: How to be accountable to voters? (74 CC members interviewed)***



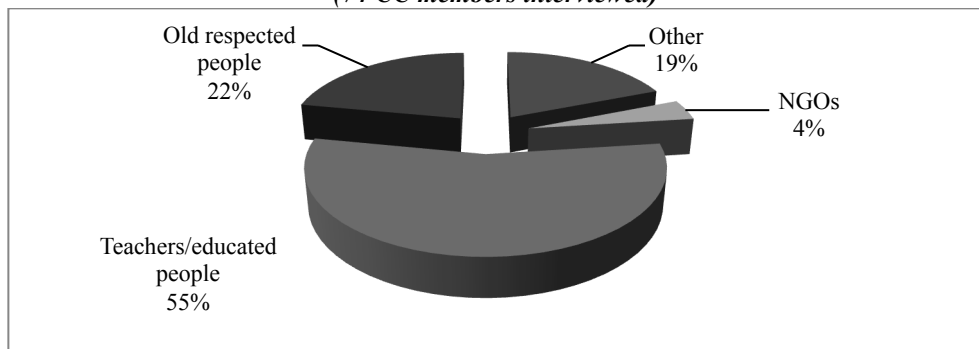
When asked how they could be accountable to voters, about 40 percent of the CC member respondents thought that they should be transparent with voters, 20 percent that they had to build good relationships within their constituents, 20 percent that they should be humble and behave nicely towards voters and 13 percent that it was important to meet with voters often. There are thus at least three perceived mechanisms through which CC members can be accountable to their constituents: transparency, behaving nicely and good relations with voters. These ways to achieve accountability seem to confirm councillors’ views of the term, as explained in the previous section.

**Figure 6.7: Who/what kind of people do you think you should first accountable to? (74 CC members interviewed)**



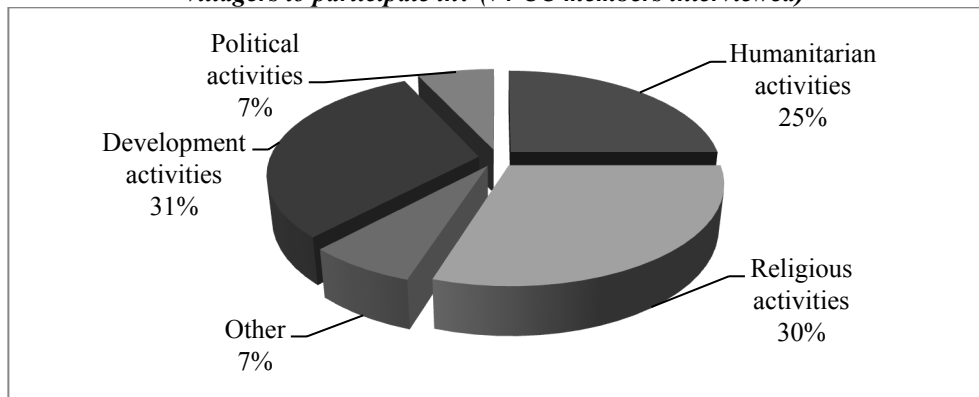
Which agencies should CC members answer to? This is perhaps the most complicated of all questions for councillors. In the survey, 75 percent of commune councillors seemed to understand their role as to be primarily accountable to citizens/voters, while about 14 percent thought they should be accountable to higher authorities, about 4 percent to the political party that they belong to and about 7 percent to the law. The overwhelming majority of the elected CC members were thus well aware that they should first be accountable to their constituents, putting downward accountability at centre.

**Figure 6.8: Who/what kind of people do you feel most comfortable working with? (74 CC members interviewed)**



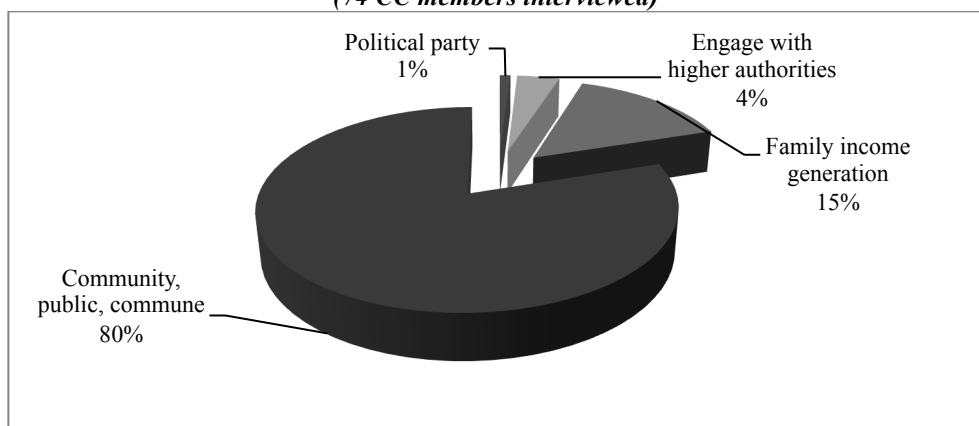
Accountability is about feeling comfortable working together. When asked what kind of people they felt most comfortable interacting with, 55 percent of CC members said teachers or people with some education, 22 percent said old respected people (such as achar), 4 percent said NGOs and 19 percent others.

**Figure 6.9: What types of commune activities do you think you can mobilise most villagers to participate in? (74 CC members interviewed)**



The ability of CC members to mobilise people for different community events depends on people's trust in and respect for the CC members. However, such trust and respect are often confined or related to different domains such as development, politics and humanitarian, religious or other social events organised by CC members. Commune councillors were asked about the types of public activities they thought they could mobilise most villagers to participate in. The results (Figure 6.9) were mixed: about 25 percent of councillors thought it was fairly easy to gather people for humanitarian activities (normally receiving gifts from politicians or NGOs), 31 percent for development-related activities, about 30 percent for religious purposes, 7 percent for political activities and the remaining 7 percent for other purposes. CC members could thus mobilise people to participate in three main areas: development and religious and humanitarian activities.

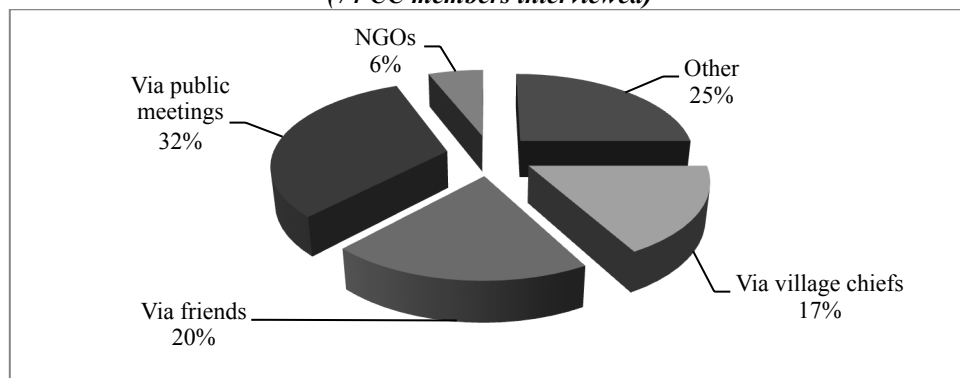
**Figure 6.10: How do you spend most of your time? (74 CC members interviewed)**



80 percent of the commune councillors said that they spend most of their working time on commune affairs, 15 percent said assisting their own family small business or farming, 4 percent engaged with higher authorities who come to work in the commune and only a small fraction, 1 percent, spent time dealing with the political party they were associated with. This last figure might not be accurate, because observation suggests that CC members work for their political parties during weekends and sometimes use working hours for party activities, especially before an election. This is also confirmed by the 2005 TAF and CAS survey of 620 CC members, which indicated that 12 percent of CC members spent some time of their commune council working hours on party work. Sometimes the CC members did not dare to reveal how much time they spent working for the party.

The accountability of CC members is critical for voters to be able to assess the performance of CCs. The survey included a question on how councillors believe that voters assess or evaluate the performance of commune councils and understand the conduct of CC members. Seventeen percent do so through village chiefs, 20 percent via word of mouth or friends, 32 percent at public meetings with authorities, 6 percent via NGO activities and 25 percent by other means. These figures indicate that there is little opportunity for voters to engage directly with CC members except via formal meetings.

**Figure 6.11: How do voters assess the performance of CC members?**  
(74 CC members interviewed)



The accountability of CCs to voters depends on their engagement with voters. There are four major activities where voters engage with CCs. Development activities are mostly the discussion and implementation of the commune development plan and engaging with provincial and national line agencies. Religious activities are the traditional ceremonies of Buddhism in which CCs assist the wat. Humanitarian activities are meetings for receiving food or gifts from NGOs, politicians and the Red Cross. Political activities take place when politicians come to the village to disseminate their political agenda to their supporters and often also deliver gifts.

In-depth interviews with CC members reflected similar views as those revealed in the survey data above. Many CC members were well aware of the different means of being accountable to voters. These means are combined with traditional norms with which people are familiar. A group of CC members in Kompong Speu noted:

*To be responsible or benevolent leaders, we need to rely on samak thor (mutual tolerance) and to build trust between authorities and people. The mechanisms are simple: leaders should be transparent and tolerant, have good behaviour and morals and pay attention and listen to people's problems (group of CC members, Kompong Speu province, 3 April 2006).*

A commune deputy chief from the opposition party seemed pessimistic about the current situation of the CCs:

*The leadership in the commune nowadays is not good because people often complain about the high charge for different services and about corruption and poverty. There is some material support from politicians, but they do not deliver to everyone in the commune, only to their own party members (CC member, Battambang province, 6 May 2007).*

Only 4 percent of CC members expressed the view that they should be accountable to a political party, and 75 percent answered that they should be accountable to voters (figure 6.7). The figures above might reflect that CC members are aware that, as elected leaders, they should be accountable to or work for voters, but the current system is not clear. However, observation suggests that CC members are primarily accountable to their own political party. A commune councillor in Siem Reap province explained:

*In theory, as elected commune councillors, we should answer to people in the community. However, the electoral system of Cambodia is a party-based system in which the political party has strong power to fire or promote CC members, so we must also think about the party (CC member, Siem Reap province, 23 April 2006).*

From this passage we can judge that CC members are possibly aware that they should be accountable to the voters. However, since political parties hold the political and financial power, CC members must balance between being accountable to voters and being accountable to political parties.

A group of CC members further stated:

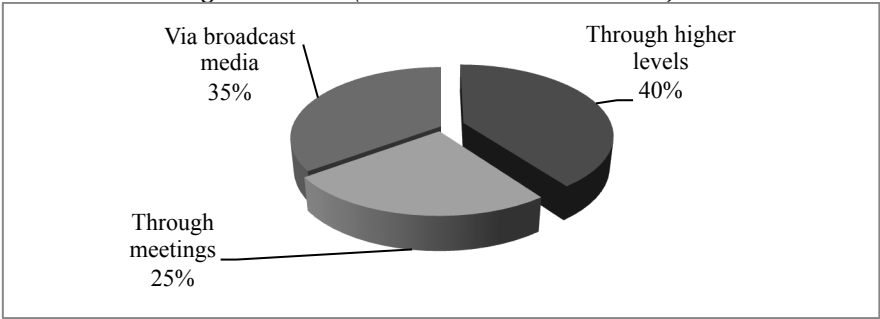
*As you know, people have lived under civil war for a long time and are very depressed by different regimes and leaderships. This makes them distrust the authorities; some even become selfish. To heal this social fragmentation, the authorities and citizens need to understand and tolerate each other (group of CC members, Kompong Speu, 3 April 2006).*

Getting people to trust the authorities is essential for enhancing accountability. Given the different social and political interruptions that people have experienced, it is difficult to build trust between people and authority.

**Upward accountability: CC members’ views**

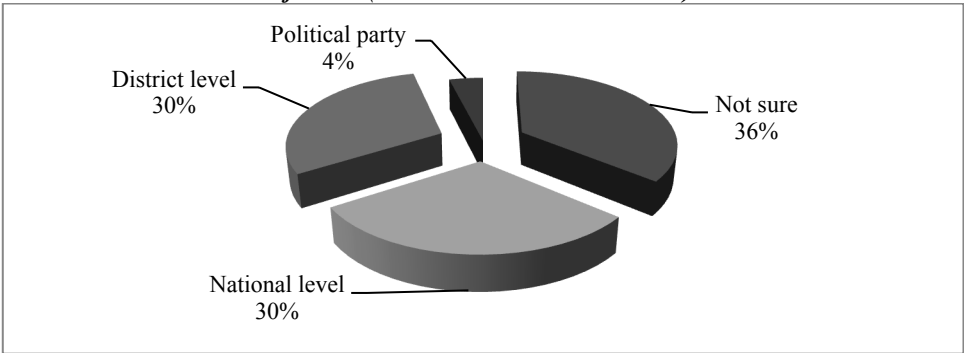
In order to create a better understanding of the upward accountability of CCs, this section will discuss various mechanisms that CCs use to learn the policies of the central government. The mechanisms that CCs use to obtain information from the central government and CCs’ views of who their direct supervisors are discussed below.

**Figure 6.12: How do you learn of the current activities and policies of the central government? (74 CC members interviewed)**



The survey data on how commune councillors learn about current activities of the central government indicates that 25 percent learned from meeting with central officials, 35 percent from broadcast media and 40 percent from district and provincial officials. CC members are dependent on information from higher authorities such as line ministries, provincial and district authorities and political parties.

**Figure 6.13: From your own perspective, who is the current direct supervisor/boss of CCs? (74 CC members interviewed)**



The data on who CC members believe their direct bosses are suggest confusion, which makes it difficult for them to be clearly accountable. 30 percent of them thought the district to be the direct boss of the commune, 30 percent thought it was the national government (Ministry of the Interior), 36 percent were not sure, and 4 percent thought it was their political party. These figures could be compared to a 2005 TAF and CAS survey of 620 CC members, according to which 70 percent endorsed the statement that they were subordinate to district and provincial authorities.

One of the remarkable results in the quantitative data is the confusion about who the CCs are accountable to. During the fieldwork, I asked many commune councillors who the bosses of the CCs were. A commune councillor in Siem Reap explained:

*In theory, as the elected commune councillors we should answer to the people in our community. In fact, our real boss is the district authority because they have been our boss since 1979, so we are used to that traditional norm/habit. Another problem is that CC members are still reluctant to exercise decentralised power, bypassing the district authority, because the district is still powerful and officials there are in the same political party (commune councillor, Siem Reap province, 23 April 2006).*

Many CC members fully understand that they should be accountable to voters (as above). Despite the fact that the district does not have direct control over commune administration and finance, many CC members still consider the district as the boss and hierarchically superior. The district has the power as the general commander of the military, military police and police. In the political party structure, the district governor is usually the district head of the political party, to whom CC members are subordinate as party members. In this regard, the district governor remains the boss in the party system (see Öjendal & Kim 2008).

As stated above, although local elections have helped to define the role and responsibility of the CCs, the complex patronage network within the political parties and electoral system does not allow CC members to operate fully independently from their political party and from higher authorities. The political party and electoral system confuse the role and accountability of the CC members. I asked some commune councillors which agency has the right to fire them, and got mixed responses. A commune chief in Battambang said:

*I am not sure. It could be the national government such as the Ministry of the Interior, the provincial or district level, the political party and people. All of these agencies have influential power over councillors. Each CC member must be affiliated with a political party. If he or she is fired from the party, he or she automatically loses her/his position in the council. However, if a party is not elected, one cannot come to power either. The upper authorities at the national and provincial levels are in charge of rules and*

*regulations. So to speak, I do not understand the procedure (commune chief, Battambang province, 4 May 2007).*

According to the above data, elected CCs are still directly receiving information from the upper authorities such as the district level. Although the media play a critical role in disseminating information, the state has an influential role in controlling the media. Besides the central government, a political party has ultimate power to determine the fate of the commune councillors who belong to that party. Councillors seem to be confused about accountability or who to report to between the national level, district level and political party.

### ***Sources of funding for CCs***

Chapter V showed that the demands for materials outputs from CCs are many, and that CCs have very limited resources to realise these demands. In this difficult situation, politicians or rich business people provide the material outputs in return for political loyalty. Informal funding from politicians makes CCs upwardly accountable to those funders. Other sources of funding are vital for creating a clear line of accountability between CCs and voters. The discussion below will present the different sources and the views of voters on this issue that are relevant to accountability. First comes a description of current funding of commune councils.

There are not many sources of funding available to CCs. Article 75 of the Law on Administration and Management of the Commune) specifies the right of the commune/*sangkat* to receive grants from the national revenue. First, the CSF includes both national transfers and national donor funds for the communes, which are earmarked for development and administration. The only reliable sources of funding are the CSF and donors' support to development projects, which are mostly run by NGOs. On-budget or direct cash flow from the national transfer to CCs, which is about USD15,000-20,000<sup>22</sup> for each commune annually, depending on population, is spent on councillors' salaries,<sup>23</sup> administration and small development projects in the commune. Besides these sources, from time to time there are other funding sources that are not permanent or reliable. These include contributions by generous people or private donors,<sup>24</sup> NGO projects, the Social Fund of Cambodia (funds from the World Bank in the form of services and infrastructure projects), political parties or politicians<sup>25</sup> and local villagers.

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<sup>22</sup> By 2010 the CSF had almost doubled to US\$15,000-20,000 for each commune.

<sup>23</sup> From January 2011, the government has increased the salary of commune councillors and village chiefs by 50 percent (60,000R about \$15).

<sup>24</sup> In the north-west, for example in Battambang and Siem Reap provinces, most of the private donors are Cambodian expatriates in America and Europe. However, there are some cases of rich people in urban areas, mostly politicians, paying huge contributions to build local infrastructure. This kind of contribution is mostly perceived by people as vote buying. It has been common in rural areas, occurring especially before election time.

<sup>25</sup> It was very difficult to elicit information about funding from political parties. Very often, informants categorise it as part of private funding, or called it a gift (*omnoy*) from generous

The communes' own sources of revenue are currently service charges and revenues for performing agency functions of civil registration, i.e. the issuing of birth, death, ceremonial and marriage certificates. The rate set by the government for issuing such certificates is 400 riels (US\$0.10). The annual amount of such fees collected by a commune range from about US\$ 440 in Phnom Penh, US\$ 300 in provincial towns and US\$170 in district towns to US\$ 100 in rural areas (EIC 2006). The actual fees and charges, however, vary from place to place because of petty corruption. It is reported that, to get a certificate issued, one needs to pay at least 10,000 riels (US\$2.50) unofficially, and this price could be many times higher in urban areas. As we have seen, the remaining funding is not reliable and the amount is low.

Major development projects funded by the CSF<sup>26</sup> are paved roads, irrigation schemes and school buildings. Minor projects are the construction of wells and latrines, training and advocacy by NGOs and various repair and maintenance schemes.

Below are the sources of funding for the commune councils each year from 2002 to 2005 and their share of total funding. It is sensitive for CCs to disclose the exact amount of funding, i.e. from politicians, and contributors rarely provide cash to CCs but only infrastructure, so that the calculations of funding are based on the number of projects. Sometimes there are many small projects, whereas other communes may have fewer projects but larger amounts of funding. These four sources of funding commonly exist in every commune in the country (cf. Pak 2011).

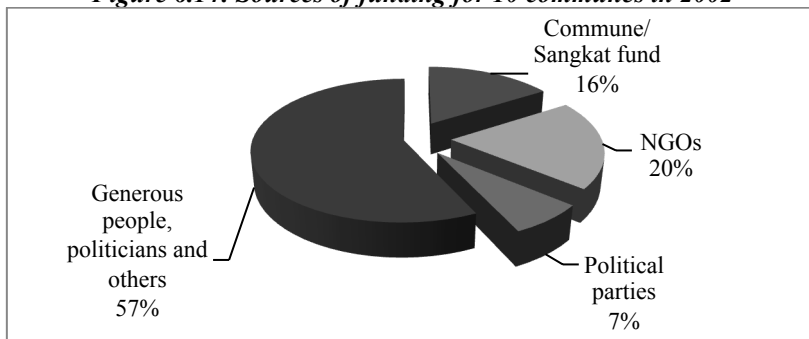
For 2002, the data from the 10 communes surveyed show that 57 percent of project funding came from generous contributors, politicians and others (this year was an election year, and many politicians sponsored projects during the electoral campaign; it was also the first year of the CSF), 20 percent from NGOs, 16 percent from the CSF and 7 percent directly from political parties.

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people (*saboros chun*). This funding is normally in the form of infrastructure such as roads, schools or irrigation.

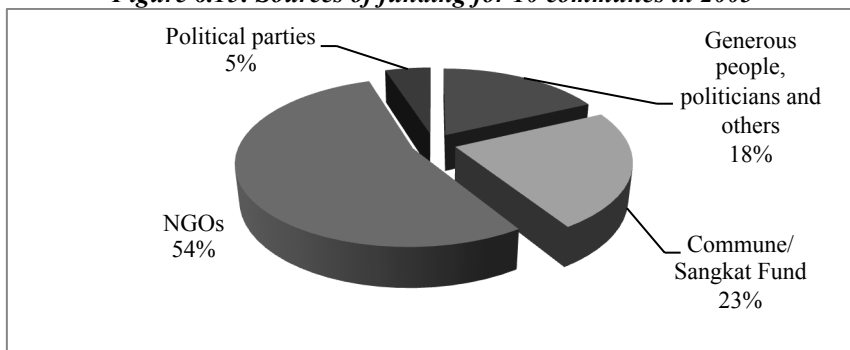
<sup>26</sup> These kinds of project are frequently funded by politicians from Phnom Penh because the CPP has a structure of working groups down to the commune level. Also many business tycoons are normally loyal to the CPP; they help to fund a lot of local infrastructure, especially before elections (Cf. Pak, 2011).

**Figure 6.14: Sources of funding for 10 communes in 2002**



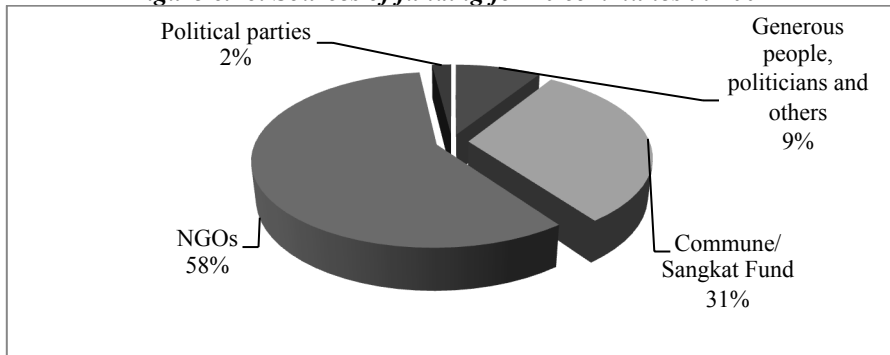
The figures for 2003 show an increase in the share of funding from the CSF to 23 percent. NGOs provided 54 percent (NGOs normally have many but smaller projects, and sometimes the CCs include training as projects by NGOs); 18 percent was contributed by generous people and politicians, and 5 percent came directly from political parties.

**Figure 6.15: Sources of funding for 10 communes in 2003**



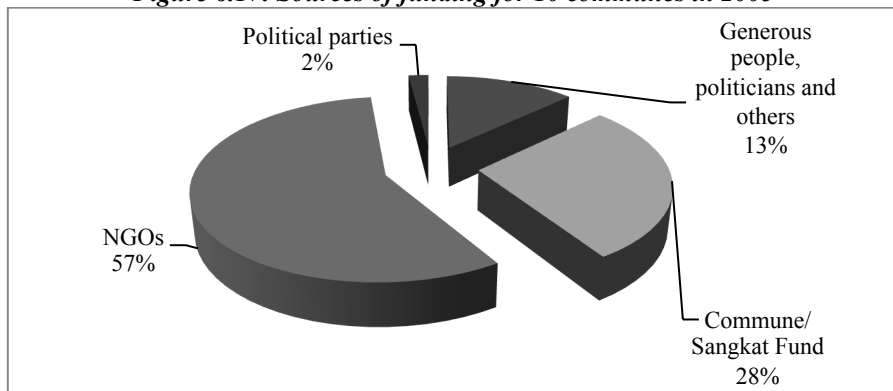
In 2004, the level of CSF funding increased further. Meanwhile, since 2004 was not an election year, funding from political parties, politicians and generous people decreased. The data indicate that 31 percent of the funding was from the CSF, 58 percent from NGOs, 2 percent from political parties, and 9 percent from generous people, politicians and others.

**Figure 6.16: Sources of funding for 10 communes in 2004**



The distribution between different funding sources in 2005 was similar to 2004, and NGOs were the main project funding source in all 10 communes. The number of projects funded by the CSF decreased a little to 28 percent (observation suggests that after many years of experience with development planning, the CCs think that instead of spending CSF on many projects they should spend the money on a few major projects—mainly roads and irrigation, which aid productivity in the local economy—by accumulating the funds for a few years). Funding from NGOs remained the same at 57 percent, 2 percent came from political parties, and 13 percent came from generous people, politicians and other sources.

**Figure 6.17: Sources of funding for 10 communes in 2005**



By way of comparison, the survey by TAF and CAS in 2005 with a much larger sample indicates that 45 percent of CC funding for development projects came from the CSF, 23 percent from NGOs, 16 percent from the Social Fund of Cambodia, 11 percent from generous people and 2 percent from political parties.

Commune councillors are from time to time asked to perform other agency functions such as service delivery and civil registrations, but without corresponding funding to cover the administrative costs. CCs get little support from the line departments. Sometimes they feel that they are only the servants of the officials

from the line department, yet get all the blame from the villagers. A commune council deputy chief described how this affects them:

*We, the CC members, are sometimes the servants of the villagers and the officials from the line departments at the provincial level. For example, the officials always come to ask us to do this and that for them. We must spend our own time and fuel to work for them. You know, what we get in return is just a thank you (CC deputy, Battambang province, 5 May 2007).*

Besides inadequate funding, CCs face difficulties in raising awareness about their constraints, in particular regarding their sources of funding. Voters are confused about the sources of funding and the distinction between the CSF and funding from political parties, NGOs and generous people. CC members are castigated by voters when they collect local contributions because people have heard that the CCs have other sources of funding.

According to commune councillors, there are various reasons why villagers are unaware of or confused about funding sources and other financial procedures. Lack of awareness or information about the sources of funding to CCs would blur accountability. First, CCs inform villagers about the sources of funding only when they receive a project. Second, villagers are not curious about the activities of the authorities. Third, when they come to meetings there is no interaction or curiosity from villagers. Finally, the large number of rules and regulations about decentralisation are difficult for villagers with limited education to understand. As one commune chief in Battambang explained:

*It is extremely difficult to raise villagers' awareness of the commune's sources of funding. Normally, we disseminate this information via village chiefs and CC members for them to help explain to people. However, we have several meetings with the villages that will get the development projects, so they understand most of them. They are not curious to know about it. You see in front of my house we put a bulletin board, but I have rarely seen anyone stop and read it. We do have accountability boxes [every commune council is required to have accountability boxes in villages for letters of complaint, if villagers want to express grievances] but there are not many letters when we check them (commune chief, Battambang province, 27 April 2007).*

In the communes in Kratie and Kompong Speu, councillors face difficulty in collecting local contributions. Local contributions are designed to improve people's ownership and participation in community development activities. The rates of contribution vary between communes, depending on living conditions. Most people face poverty, do not understand the purpose of local contributions and also do not trust the local authorities. A commune chief in Kratie described the difficulty in collecting local contributions (see Chapter III for the discussion of this local contribution):

*In this commune, collecting local contributions is a burden for councillors. Villagers are not willing to pay local contributions because most of them*

*are poor, some do not understand the procedures of local development, and most of them do not trust the authorities to spend their money effectively. People sometimes question the authorities about why they need to collect money when they receive a lot of money from the central government and NGOs (angkar) every year (commune chief, Kratie province, 29 September 2006).*

It is very often the lack of trust, CCs' weak responsiveness to people's needs, difficulty in convincing people to interact with the authorities, bias towards a political party and blurred information sharing. There are many reasons for this leader-villager gap, such as the political history, the poor performance and low legitimacy of representatives (commune councillors and sub-national government authorities) and the lack of a clear line between private and public domains (blurred accountability and blurred funding).

Many commune councillors also expressed the view that humanitarian activities are mostly funded by gifts from politicians, which happens frequently but especially before national and local elections. Humanitarian activities, such as development projects, are also sometimes carried out by NGOs. People in the north-western part of the country are used to a programme of the 1990s called "Food for Work". This programme was designed to help alleviate poverty in the short term by paying people in rice for their work as labourers to repair roads or construct irrigation canals. Moreover, some NGOs pay villagers to attend meetings and training programmes, though this usually involves only selected villagers of local CBOs and NGOs. Many CC members blame these rewards for contributing to the difficulty that authorities experience in mobilising people to participate in community activities. Sometimes, when people face natural disasters, gifts are also delivered by the Cambodian Red Cross, NGOs and politicians.

As outlined above, the data on the sources of funding to the 10 communes show that each has implemented many projects funded by the CSF, and that the funding is used for major projects, especially irrigation and paved roads, based on demands from voters. Some project activities, mostly small scale such as training and advocacy, are funded and/or implemented by NGOs, and most such projects bypass the commune councils. The other three sources of funding—political parties or politicians, private donors or generous people and other sources (for instance in Battambang there are some remittances from the Khmer diaspora)—are included in the statistics because many CC chiefs do not want to disclose the exact number of projects funded by politicians or political parties. The empirical data reveal that there are no independent generous people; most contributors are politicians and the number of projects undertaken decreases during years when there are no national or commune elections.

### ***Summary of key findings on CC members' accountability***

Various aspects of CC members' accountability are summarized below:

- Elected CC members are not clear on the meaning of accountability. Hence, various accountability mechanisms are used by CC members:

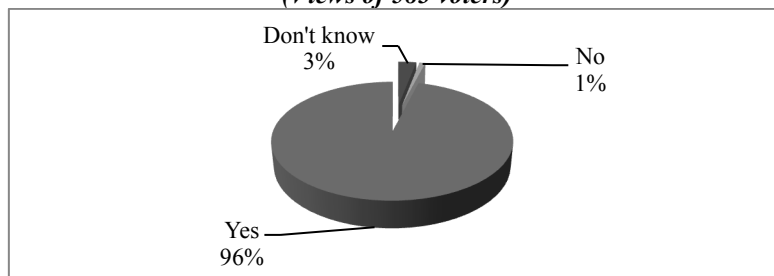
being transparent, nurturing good relations with voters and behaving pleasantly and with humility.

- Some CC members are still confused about who they should be mainly accountable to. However, there is an increasing awareness among them in this regard. Most CC members feel an obligation that, as elected councillors, they should be accountable to voters.
- The empirical data show that CC members prefer to work with educated people such as schoolteachers and old respected members of the community.
- There are no clear mechanisms by which voters can evaluate the performance of CC members. There are three mechanisms through which people can learn about the performance of CCs: public meetings, village chiefs and friends.
- Obtaining information from the central government is centred on direct engagement or meetings with upper authorities (district and provincial level), broadcast media and attending seminars and workshops.
- Sources of funding are the backbone of CC members' accountability. The sources of funding currently make CC members upwardly accountable and encourage them to lean on individual politicians and the central government.

### ***Voters' perceptions of CC accountability***

As outlined in chapters I and II and at the beginning of this chapter, accountability depends on the electorate's belief that elected representatives are operating in the public interest. This section explores voters' perceptions of commune councillors' accountability. The empirical aspects which will be investigated in this section in particular include: CC members' performance, information flow from CCs to voters, awareness of voters on sources of funding and electoral accountability.

***Figure 6.18: Can everyone in your village access the CC members?***  
***(Views of 583 voters)***

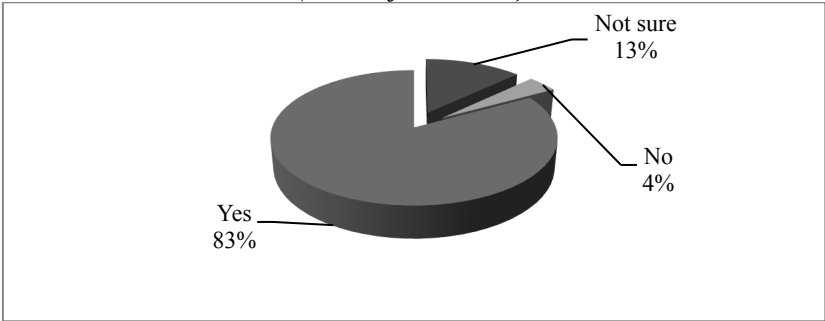


Voters recognised that CC members are accessible to everyone in the commune if they need assistance. Some 96 percent of voters agreed that CC members are accessible. Voters are thus benign about CC members, believing that

when they need services from them, they are able to gain access, although they are not sure that the services they ask for will be realised (see Chapter V).

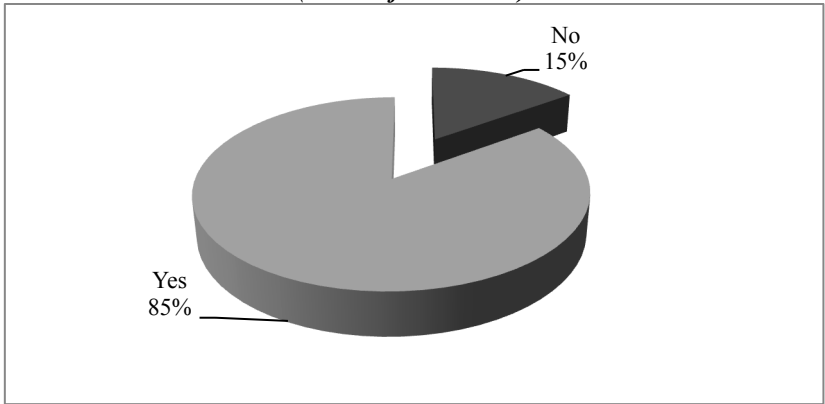
When voters were asked whether they thought CC members would help them if they sought their assistance, about 83 percent said they felt that CC members would. This is a very high proportion given the particular historical context. Only 4 percent did not believe that the CC members would help them, and 13 percent were not sure.

**Figure 6.19: Do you think CCs would assist you if you go to them?**  
(Views of 583 voters)



Generally, voters pay attention to the conduct of CC members. Voters were asked whether the commune councillors ever come to their village: 85 percent agreed that they had seen CC members come to work in their villages, while 15 percent said no. In other words, a clear majority of voters agree that the commune councillors come to their villages to meet with people and for various activities.

**Figure 6.20: Do the commune councillors ever come to your village?**  
(Views of 583 voters)



According to the in-depth interviews, voters generally feel positive about CC members. Most of them are confident that CC members now are more

approachable for everyone in the commune, hence being ready to answer. Many voters observed that CC members often come to meet people and try to understand the general situation at village level. Furthermore, CC members are trying to assist voters where needed. A villager in Battambang described:

*I think CC members now are much better than before. All commune councillors seem to pay more attention and be very concerned about community matters. They are humble and approachable by everyone in the community regardless of the differences of political parties. People's interaction and participation with the authorities depends on the personality and behaviour of leaders. If leaders are soft and nice to everyone, people feel safe and comfortable about interacting closely (layperson, Battambang province, 28 April 2006).*

According to the remark above, to be accountable and make people more comfortable about working with CCs depends on the personality of the leaders (CC members). People do not judge their leaders based only on legal-rational grounds. CCs face a difficult task in getting people to understand the legal framework. There is, however, also a different aspect of the general accountability of CC members. A well-educated school principal expressed his view on the relationship between leaders and voters:

*After four years of having the elected commune council, there is still a gap between CC members and voters. This gap remains wide, and they are not well harmonised with each other. We can see this relationship like mixing oil and water, which are not easy to integrate. For the role and responsibility of CC members, they should have done better than this, providing more services, being transparent to everyone and the public, like water and fish. However, CCs are more accountable to their own political party and family first before being accountable to voters (school principal, Battambang province, 28 April 2006).*

Overall, people's assessment of CC members' performance seems positive. However, there were some complaints from villagers during the time of the fieldwork that people needed to pay an extra fee to the clerk or councillors when seeking services or assistance from them. This is a form of petty corruption. Sometimes councillors, it is claimed, are biased towards people from their own political party, friends or those with kinship ties. CC members are also too busy with meetings or other work with upper authorities and therefore do not pay attention to solving people's problems. A respected elder in Battambang described this:

*I am normally curious about the work of the commune authority and people. There are always people complaining that clerks or CCs charge extra fees when they go to seek services in the commune—civil registration and other paper work. Sometimes when people need to sell cows or need approval from village chiefs, they must pay extra as well (villager, Battambang province, 11 November 2005).*

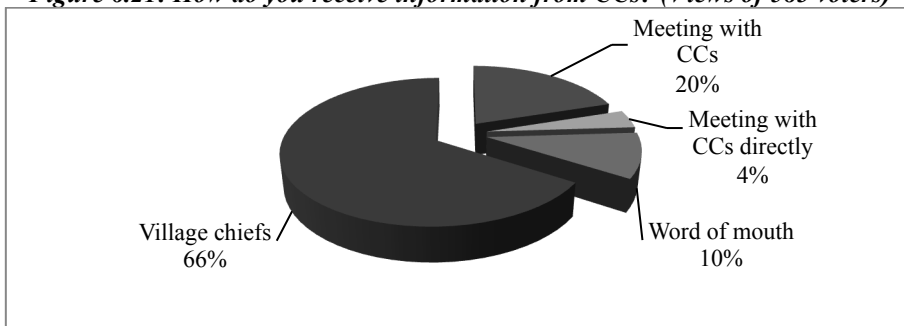
People also blame local authorities (village chiefs and commune councillors) for being biased when it comes to delivering charity gifts. Normally, charity gifts are attached to, or delivered by, politicians. CC members commonly help mobilise people to welcome and receive gifts when there are high-ranking government officials visiting (mostly from the CPP because the CPP is the dominant ruling party). Despite working within official hours, CC members generally invite only people from their own political party. This creates a lot of resentment and frustration among villagers towards CC members and shows that the ruling party has been increasing its political influence by using state institutions.

### ***Information flows from CCs to voters***

Information flows and the freedom of people to express their ideas to commune councillors are important conditions for promoting accountability. Findings from my fieldwork show that village chiefs control information from the commune to the villagers (see Chapter IV) or play the key role in channelling it via meetings and direct announcements. Buddhist temples and laypersons also play a critical role in disseminating information to villagers, in particular during the meetings for traditional worship ceremonies. It is normal in rural society for information to be shared informally by word of mouth. Such information flows, via village chiefs and informal word of mouth, have some disadvantages such as risks of miscommunication and information being distorted. In every commune of this study, it is difficult to mobilise people to attend meetings in the commune. Usually people ask those who have been to the meeting for information. Frequently, information shared in this way becomes blurred or distorted and the source of rumours. Below are the results from the survey of voters' views on information flows from CCs. There are different sorts of information related to different issues such as elections, policies from the central government, civil registration and services.

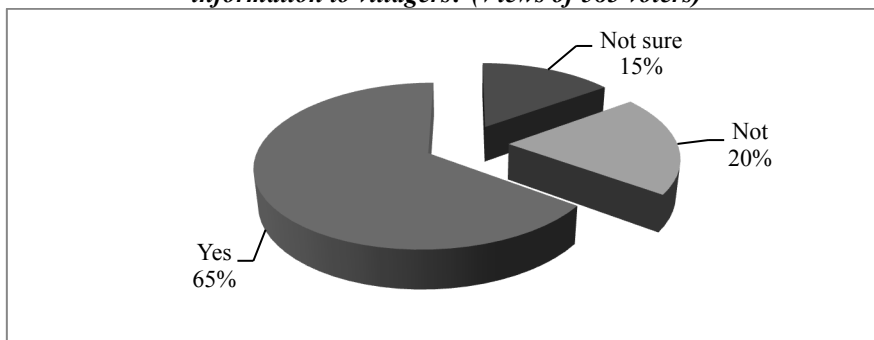
About 20 percent of voters received information from the commune council by attending meetings in the villages, about 4 percent went to meet CC members directly, about 10 percent received information by word of mouth, and about 66 percent usually obtained information via the village chief. The majority of villagers thus depend on the village chief for channelling information while the second most important means of receiving information is meetings with the CC.

**Figure 6.21: How do you receive information from CCs? (Views of 583 voters)**



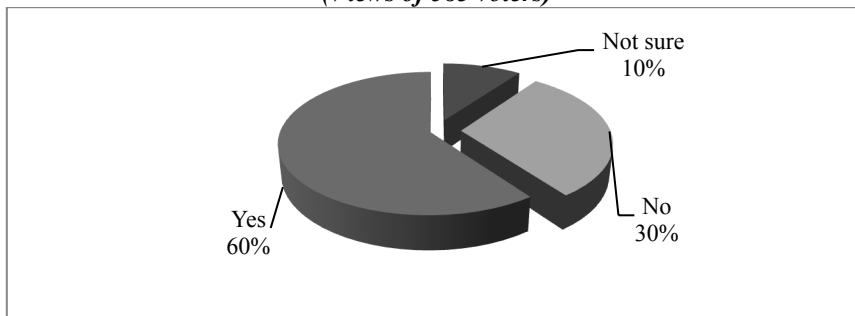
65 percent of respondents stated that the CC members were honest in information dissemination, 20 percent did not believe so, and 15 percent were not sure.

**Figure 6.22: Do you think that CC members are honest in terms of disseminating information to villagers? (Views of 583 voters)**



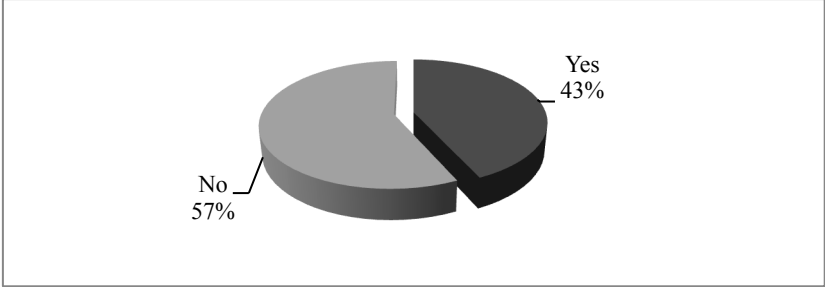
60 percent of voters felt that they were encouraged by local authorities to critique or express their ideas about the performance of CCs, 30 percent felt that they were not encouraged, and 10 percent were not sure.

**Figure 6.23: Are villagers encouraged to have opinions on the activities of CCs? (Views of 583 voters)**



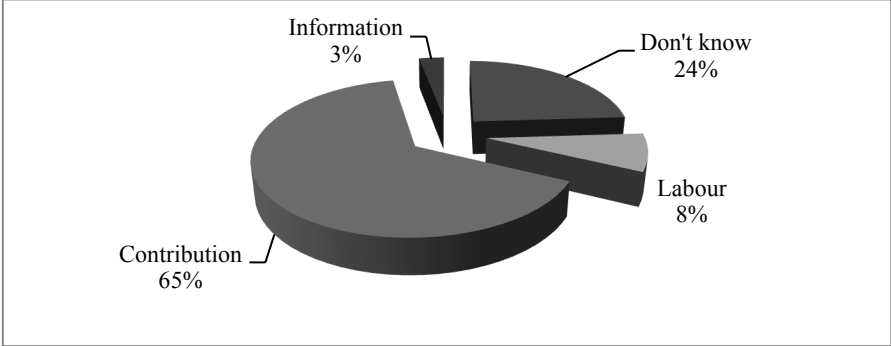
Approximately 43 percent of voters surveyed stated that they had been invited by CCs to attend meetings, while 57 percent, i.e. the majority, stated that they had never been invited. Villagers do not feel comfortable attending meetings unless they are invited.

**Figure 6.24: Have you ever been invited or informed to attend a meeting at the commune council? (Views of 583 voters)**



The interaction between CCs and voters is somewhat limited. When asked whether CCs have ever sought assistance or information from voters, 65 percent said that the CC had asked for local contributions, 8 percent that the CC had asked for labour, 24 percent were not sure, and 3 percent said that the CC had sought information. In villagers’ perceptions, CCs thus mainly engage with them when collecting local contributions.

**Figure 6.25: Has the CC ever sought assistance or information from you or other villagers? (Views of 583 voters)**



People’s interaction with the authorities is not genuinely active because attendance at meetings is by invitation. There are still mixed views about this among villagers given their past experiences with previous political regimes (the Khmer Rouge and the PRK). Meetings at that time meant listening to the commands of the regime leaders. Many people expressed the view that being invited to a meeting is good because it is a way to get information such as updates

on development activities and to learn new things. However, some people still have the feeling that an invitation by the authorities to attend a meeting is a command.

CC members do not often go to meet villagers directly. Most of the work and reporting between villagers and the commune authorities is done through village chiefs. The activities that CC members typically do in the villages include chairing meetings, disseminating information, seeking information from people for the development plan, distributing donations, accompanying NGOs and conducting civil registration. Villagers are not curious about the financial resources of the commune as long as they get the outputs, and the norm is that ordinary people should not question or pose many demands on the authorities. Sometimes people's lack of curiosity creates the relationship, illustrated by the saying *sach min ban si yourk choeung pchour kor*, "You have not tasted the meat but only have the bones attached to your neck" (If something does not concern you directly, you should ignore it because otherwise you might get involved with the problem). Holding leaders truly accountable to the people remains a long way off, according to the empirical findings.

Villagers generally observed that, since the commune election, they have not been afraid to express their ideas in public, even on political issues. As mentioned earlier, most information sharing among villagers is informal. It seldom happens that villagers pose questions directly to their leaders (except to village chiefs, those with kinship ties or close friends). Political opinions are very seldom discussed in public or with strangers. I was trying to understand the motives and the implicit views behind this reluctance to express oneself in the public sphere, and almost everyone said that this is the norm, and a result of being shy and of people, due to political matters, not trusting anyone other than their kin and close friends. Villagers, in particular women, who have no education and limited exposure to the authorities, are normally very submissive to leaders. They lack self-confidence, feel shy in public, are afraid of being impolite to the leaders, view themselves as ignorant and just listen but do not interact. A woman in Siem Reap said:

*In every meeting in the village with commune councillors or other leaders, most people do not express or raise questions because they fear being wrong in public and losing face. But they always whisper with one another and float rumours around—sometimes this leads to conflicts (villager, Siem Reap province, 24 April 2006).*

A villager in Kratie province similarly said:

*People in the village are not used to talking in public meetings or gatherings, but rather whisper behind commune councillors' backs. I personally think this is a bad habit. Another thing is the issue of non-interference or not challenging leaders, being afraid of using the wrong words or of being impolite (klach khos) (villager, Kratie province, 30 September 2006).*

Villagers agree that commune councillors and village chiefs inform them about meetings and, during the meetings, villagers are encouraged to express their

opinions and to question the authorities. However, villagers rarely stand up to express their views in the meetings because they are not used to this direct interaction with authorities, which would be contrary to habitual behaviour. A well-respected person who is also a layperson working in the wat described this:

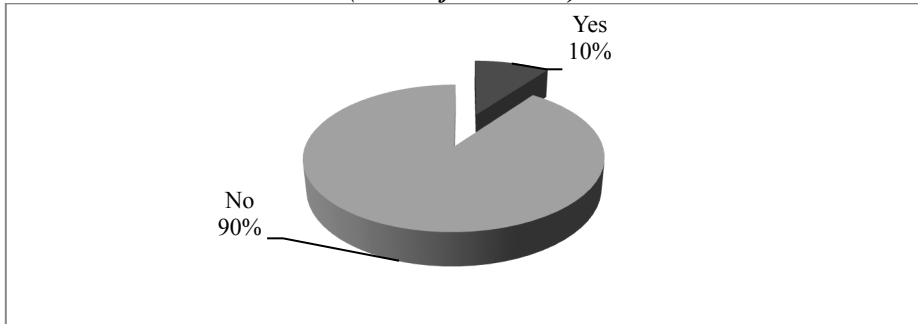
*All heads of households are informed by the village chief about the meeting in the commune. For me, the meeting is important. I am never absent from the commune or the village. I get informed all the time. However, a lot of people do not pay attention or do not attend the meeting, so they do not know what is going on in the commune, and some of them confuse the information, leading to misunderstandings about activities in the commune. I think information sharing is very important for villagers and the authorities to understand each other (layperson, Battambang province, 3 May 2006).*

The discussion on the information flows between CCs and voters shows that the village chiefs are the most important in providing information, acting as liaisons between CCs and voters. Voters are informed about meetings and are encouraged to express their ideas in the meetings, but they are constrained by norms and habits, and by the belief that attending meetings involves just listening to the leaders or being informed, but not sharing views and ideas or questioning the leaders. This weak participation and interaction lead villagers to think that they have no power or ability to share information with leaders or authorities, and that their role is simply to listen to the command from the top. This information flow is a major constraint on the accountability of CC members. In rural Cambodia, it is rare for people to mobilise collectively to react directly against the authorities because people are afraid of authorities and not used to challenging them (because in past experience the authorities suppressed the people). However, exceptions to this occur when gross mismanagement is revealed.

### ***Voters' awareness of the sources and amount of funding for CCs***

Accountability depends on the extent to which voters can discover the truth or the conduct of leaders. Although CC members are doing their best to share information through meetings and the village chiefs, voters have limited information, for instance, about the resources that CCs receive. Below are the results of the survey of voters concerning their knowledge and understanding of the annual CC budget.

**Figure 6.26: Do you know the amount of funds in the commune every year?**  
(Views of 583 voters)



According to the commune/*sangkat* law, CCs have to inform people every year of the amount of the CSF that the commune receives. The results of the survey indicate that 90 percent of people do not know the size or the sources of funding for their commune (Figure 6.26). There are arguments on this issue: many CC members argue that they try their best to disseminate information about the sources of funding to people via bulletin boards, accountability boxes and meetings, but the message does not reach people well.

Some villagers who are educated and curious about the performance of CCs resent the lack of clarity about accountability between political parties and commune councils. However, most people are not curious about the sources of funds or how CCs obtain revenue, whether from a political party or the central government. People's only concern is to get the projects completed for their community. A villager gave these ideas on the CC's performance:

*Accountability is directly linked to the leadership style of the elected representatives. There is a tricky business now among political parties. The ruling party is rich and trying its best to make its councillors accountable to constituents via different achievements by using resources from the party and financial resources of the commune. Obviously people do not understand the amount and sources of money in the commune, but they appreciate whatever is done by the CC. If the commune chief belongs to the ruling party, people might think that the money is from the political party to which the chief belongs (villager, Kratie province, 26 September 2005).*

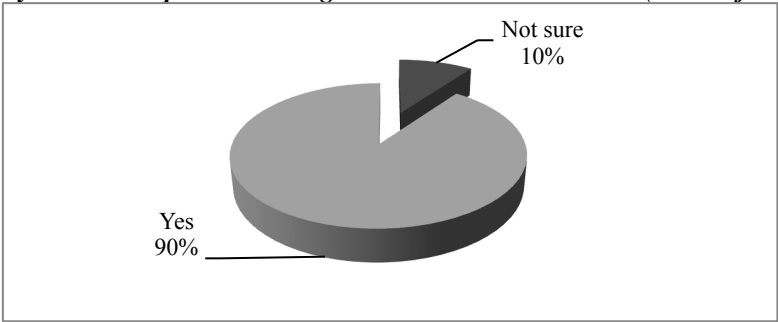
This passage reveals that voters appreciate the material outputs delivered by CCs but do not care about the sources of the money that CCs use. Most of the councillors who are able to respond to a demand of citizens during election campaigns are those from the ruling party because the party has resources. People are typically not able to distinguish between the Commune/*Sangkhat* Fund and political party funding.

***Electoral accountability: voters’ views***

Electoral accountability has the potential to establish a contract between elected councillors and voters. There are at least three critical aspects concerning voters’ perceptions of their elected councillors: Do voters believe that they can change their leaders through the ballot? How many political parties are represented in a commune council? And, can elections increase the trust of voters in their elected councillors? Below are the results of the survey and in-depth interviews with voters on these issues.

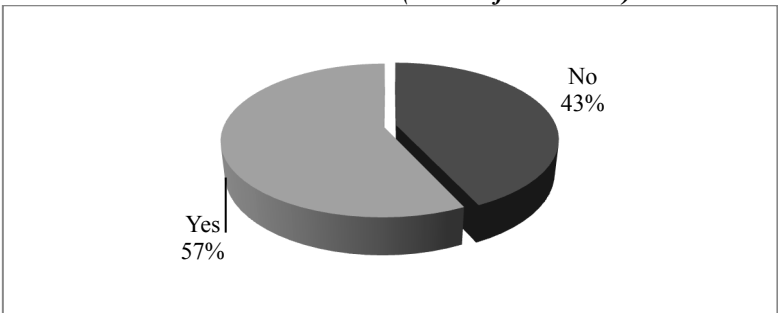
When voters were asked whether they have the power to change the CC members in the next election if they do not perform well or do not serve the people, about 90 percent said they thought that they could vote CC members out of office (Figure 6.27).

***Figure 6.27: If commune councillors are not accountable to people or do not serve the people, do you have the power to change them in the next election? (Views of 583 voters)***



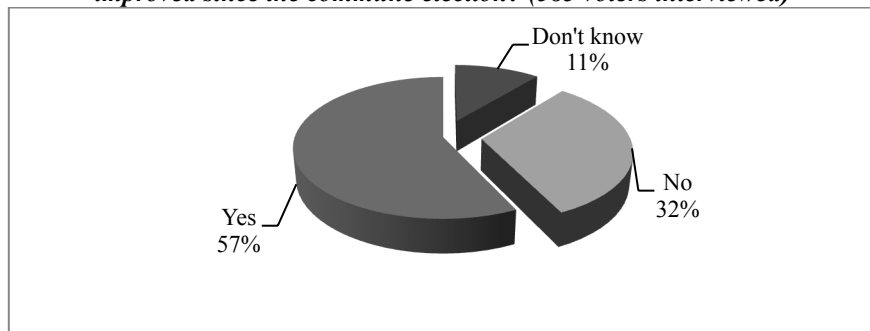
The interaction between voters and CCs takes place via political parties. However, voters were not sure how many political parties there were in their commune council; 43 percent did not know the exact number (Figure 6.28).

***Figure 6.28: Do you know how many political parties there are in the commune council? (Views of 583 voters)***



The survey indicates that 57 percent of voters thought that the level of trust had improved, 32 percent thought it had not, and 11 percent were not sure.

**Figure 6.29: Do you think that trust in commune councillors in this village has improved since the commune election? (583 voters interviewed)**



According to the in-depth interviews, the understanding of electoral accountability is high among voters. People are largely aware that leaders can be voted out in the next election if they do not perform well. Decisions on what party to vote for depends on “gifts” from, and the performance of, each party. As mentioned earlier, gift sharing from politicians is very effective because people are still mainly driven by material needs. Also, they often do not see the link between vote buying by politicians and the corruption and political manipulation that provincial and central power-holders use to exploit resources from the community via rent seeking and patronage. The current system also allows the ruling party to use its network and power to extract more resources that can be channelled through the party and used to win people’s trust, which in turn further undermines the electoral process and state institutional norms (cf. Pak 2011). This gift sharing [*omnoy*] during elections creates a heavy burden for smaller parties since most of them lack resources to deliver gifts and have weak grass-roots networks. A school principal explained:

People’s knowledge of elections is high, regardless of whether they are old or young, educated or uneducated. During election campaigns, people are well aware that they could get something from politicians, and they know that they have the power to elect their leaders. Some are even very smart, willing to take gifts from all political parties, but they vote for the party that they like the most (school principal, Battambang province, 11 May 2007). Voters believed that, since the election in 2002, trust between voters and CCs had improved.

A villager in Battambang said:

*People do understand the importance of an election, that if the leaders are not performing well they will not be elected in the next election. This is because many people have experienced many elections since 1993. However,*

*there are two problems: people do not understand the electoral system that we have now and whatever the system is, is not important, but the role of the political party is more important so they can attract people to vote for them by using gifts and other influence (villager, Battambang province, 5 May 2007).*

People appreciate the multiparty system and are glad to have many elected members in the commune councils. An elderly person in Kampot revealed his feelings:

*I do support the multiparty system that we have currently in the commune council, which is good and necessary for Cambodia's development. Since the commune election, the coordination and teamwork between CC members from different political parties have been okay. However, individual CC members are still biased towards their own political party, which is why I think they give priority to their political party, then the public responsibility of the commune secondly (villager, Kampot province, 30 March 2006).*

The survey data and in-depth interviews with voters show that they appreciate having the commune elections and elected members from different parties. However, it seems that it is difficult for CC members to be truly accountable to voters since they are more dependent on and accountable to their political parties, and there is a mix of electoral accountability and gift-giving, which is hard for the villagers to be clear about.

### ***Summary of findings on voters' perceptions of accountability***

At least five important factors have been identified in voters' perceptions of the commune council's accountability:

- The general view of voters on CC accountability is positive. Most voters recognise that CC members now are more approachable by everyone in the commune. Voters seem to trust that CC members are working hard to help voters when they need assistance. CC members are more engaging and interactive with voters than previously, not only with people from their own political party, but with everyone in the commune.
- Voters feel that the information from the commune councils is honest, and that councillors do not distort the information for their own political advantage. Voters recognise that CCs are working hard to encourage voters to express their opinions during meetings. However, the majority of voters think that information goes through the village chiefs and that voters must be invited in order to attend a meeting.
- Despite the fact that the information flow from CCs to voters is relatively good and there are many meetings and attempts by CCs to channel information to voters, many voters are confused and do not know how much funding their commune council receives annually. This confusion about the sources and amounts of funding weakens and blurs

accountability. The role of village chiefs is critical for information from CCs to voters.

- The awareness among voters of electoral accountability is very high because most of the voters have experienced many elections. Through media and electoral campaigns, voters are well aware that they have power, that if their leaders do not perform well, voters can vote them out in the next election.
- There are still blurred lines of accountability between the commune “state” and political party and different levels of government. People are not well informed about the sources of funding, which political parties mostly use as a form of vote buying.

### **Concluding remarks**

The accountability of commune councils in Cambodia is not easy to understand—the context is complex, and accountability remains embryonic because of the low level of political education of both the elected and the electors. Although the ultimate degree of accountability to elected remains to be seen, the decentralisation reform has introduced many soft principles of accountability, such as interaction between voters and leaders, information sharing, people’s participation, voice of the people, leaders taking an interest in understanding people’s situations and electoral accountability.

It is not easy to cultivate accountability in a post-conflict society such as Cambodia’s, because accountability of both leaders and people were historically used by commandist or autocratic and centralised regimes. The practice of accountability remains unclear because the concept is new. Currently, it seems that commune councillors use the term while broad practice stems from old norms and habits.

Information and freedom of expression during election campaigns depend largely on the village chiefs, who are overwhelmingly from the same political party. People’s knowledge of the CCs’ sources of funding is limited, which allows the ruling party (CPP) to take funds from its own political party and uses for its own political benefit. Even though voters receive education and their awareness is high, their decision on what party to vote for depends on gifts from politicians, making them vulnerable to indirect vote buying.



## CHAPTER VII

### FINDINGS ON DEVOLUTION OF POWER

*In Cambodia power rests only with the chief. The chief holds ultimate power and the subordinates need to listen to him. Being an ordinary villager, I have no choice but to listen to the leaders without posing any questions to them. As a Cambodian proverb says, there is room for only one tiger on a hill, and when big people fight among themselves, small people die “Domrei chol knea, ngaib sromoch sang ar” [the elephants fight, the ants die] (older villager, Kratie province, 23 September 2005).*

My aim in this chapter is to present the empirical findings concerning the devolution of power to elected commune councils within the Cambodian decentralisation reform. A number of questions will be investigated empirically, such as: How do people and leaders generally perceive power? What is the political power structure in Cambodian society? Who actually possesses power in relation to decentralisation? To what extent is power devolved to commune councils, and what are the different ways of exercising power by the CC members? How do CCs and voters perceive the devolution of power in decentralisation?

Before presenting the empirical findings on the devolution of power, it is critical to highlight some fundamental domains of power and power relations in Cambodian political culture. Previous chapters (I, II and III) have shown that power is a contested and complex concept which is arguably the single most important organising concept in social and political theory (cf. Hay 2002). According to a range of studies, power relations in Cambodia are intertwined with patron-client and neo-patrimonial networks (Heder 2005; Pak *et al.* 2007; Marston 1997; Mabbett & Chandler 1995; Luco 2003; Collins 1998; Roberts 2008) and with traditional relationships and values of loyalty, gratitude/obligation and hierarchy (Thon *et al.* 2010). Along with its neo-patrimonial features, power in Cambodian society is found within strict social hierarchies, personalised kinship patronage relations and informal personal relations (Chandler 2000). According to such customs, lines of authority and loyalty exist between individuals rather than between offices (Mabbett & Chandler 1995; Ledgerwood & Vijghen 2002; Chandler 2006), providing a challenge for any formal reform such as decentralisation.

Gottesman's study (2004) describes the moral capacities of commune and village officials as being less important in determining their relationships with villagers than the institutional setting within which they operate. He further describes the appointment of village and commune authorities in the 1980s as entrenching existing patronage systems, but also points out that these authorities were not particularly disciplined in following the orders of their patrons. Political power in Cambodia in the 1980s involved coercion and force and was centralised, which meant that leaders practised an authoritarian form of power and gave commands to and ruled their followers from above.

Scholars have been sceptical about the potential outcomes of the decentralisation reform given the reform-resistant context and the interplay between a new structure of power and the pre-existing patterns of political culture (Blunt & Turner 2005; Slocomb 2006; Un 2005; Un & Ledgerwood 2003). A study by Sovatha Ann (2008), *Patron-Clientelism and Decentralisation*, reveals that despite the new decentralisation, the old practices of patronage and one-party control still exist. However, decentralisation has changed the nature of power structures and patron-client relationships in that it has introduced a new discourse on power—one that places certain elements of control on the client's side. A power structure of this sort was not possible during the socialist era of the 1980s (Ann 2008; Kim & Öjendal 2009; Öjendal & Kim 2006). According to Ann, decentralised power structures fit with the Cambodian context, in which the old patronage practices and democratic decentralisation could interact (Ann 2008).

Some would argue that one of the main difficulties for decentralisation in Cambodia is that the central government retains control and does not wish to devolve “too much” power to lower levels or elected bodies. For instance, Peter Blunt and Mark Turner contend that the government lacks a genuine desire to devolve power and that Cambodian political culture is not conducive to this kind of reform (Blunt & Turner 2005; Turner 2002). However, such a view is too harsh regarding the decentralisation reform, given the lack of empirical evidence. This chapter will explore the nature of the devolution of power to CCs.

This chapter examines the exercise of power in the commune councils. It is divided into two sections. First it will explore the vocabulary of power in Cambodian society, as viewed by CC members and voters. How do CC members and voters perceive power in Cambodian local politics? This section will examine the contents of power, the relationship between rational and traditional power, how power is exercised and with whom power rests. Secondly, the chapter will examine empirically the devolution of power through decentralisation. We will seek to understand CC members' perceptions of the devolution of power that they are part of. What kind and how much power are delegated to the CCs? This section also seeks to understand voters' perceptions of the nature of the power exercised by CCs and the situation of power in commune councils. The outcome will be an assessment of and whether the mandate/formal power imbedded in the decentralisation reform is served for a functioning democratic decentralisation.

## **Vocabulary of power in Cambodian society**

To understand the functioning of the devolution of power to commune councils, it is necessary to understand the meaning of power as defined and understood by people. The primary focus of this section is to discuss the meaning of the Cambodian term for power (*om narch* or *rot om narch*). In Cambodia, Weber's (1947) “rational mandate” ground is embedded in local concepts of power.

In Cambodian, power *om narch* and *rot om narch* are used interchangeably. According to the Cambodian dictionary, they mean force, the ability to do something, bravery, the ability to do something according to one's will, and the

ability to act according to the law (Cambodian dictionary 1967: 1156). *Om narch* is the content and means that individuals can use, but also applies to local authorities such as village chiefs and commune councillors.

In Cambodian society, *om narch* is often perceived as abstract. It mostly revolves around individuals, and is understood as the informal and invisible power that an individual possesses, but is occasionally attached to institutions. Typically, *om narch* is abusive, threatening and commanding. When it comes to authority (*rot om narch*), people regard it as based on rules and institutions. *Rot om narch* refers to individuals or a group of government officials, and it can be viewed as the state.

A synonym for authority is *agnar thor*, which, according to an English-Cambodian dictionary, means institutionalised power or the power of the state (*rot om narch*)(Huffman & Im 1987). For day-to-day use, *agnar thor* and *rot om narch* are interchangeable and refer to village and commune leadership.

The Cambodian terms for chief or boss are *chau vay*, *me*, *pro thean* and *machhas*. In informal situations, people call the commune chief *lok me khum* (“Mr Commune Chief”—the majority of CC chiefs are male) and in more formal and official situations such as meetings, *lok pro thean krom preuk sa khum* (“Mr Chief of a commune council”). At the local level, people use the term *krom preuk sa khum* (commune council) to refer to all the elected councillors in the commune, and *sala khum* or *karyalai khum* for the commune office (*sala* is a Pali word for a large room or a meeting room). The village chief is called *lok me phum* or *me phum* (“Mr Village Chief”) or *pro thean phum* (leader of the village).

In Cambodia the term *agnar thor moulthhan*<sup>27</sup> (local authority) can refer to the commune or village. Apart from commune chiefs, councillors and village chiefs, people talk about *neak deuk noum moulthhan* (other government employees) which literally translates to the person who leads and navigates the local/rural community or leads something or someone by the nose. Another Cambodian term is *arng om narch*, which literally means “lean on power” or “with power back-up” and which is frequently used for power holders and well-connected people who abuse their power to exploit the powerless.

The meanings above generally hold conceptions of *om narch* (power) and *agnar thor* (authority) in Cambodian society. They could be related to leaders’ and voters’ perceptions of the meaning of power. How is power understood by local leaders and voters? And with what groups of people does power reside?

In the following, I will present two sections related to the term power: firstly, CC members’ perceptions of the term *om narch* and secondly, voters’ perceptions of the term *om narch*. Each section will be initiated by the quantitative data and followed by related qualitative discussions. At the end of each section, there will be a summary of key findings. At the end of the discussion of these two sections, I

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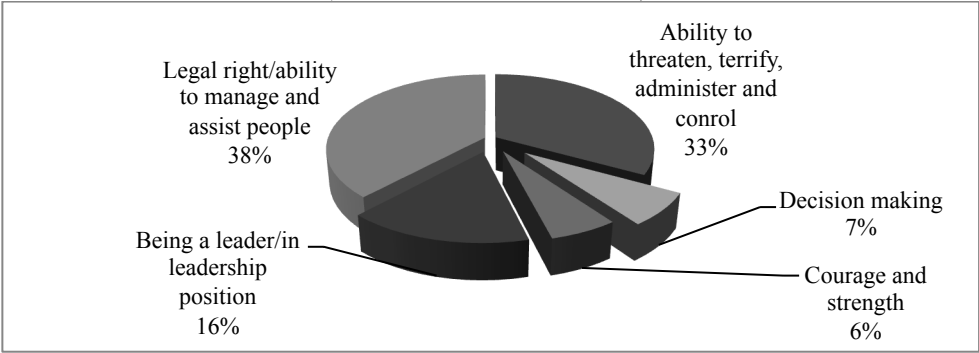
<sup>27</sup> Note that the term *moulthhan* (local/rural) during the Khmer Rouge referred to local leaders or people who opposed urban dwellers, who were considered to be enemies of the *angkar* (organisation of the Khmer Rouge).

will highlight the similarities and differences of perceptions of CC members and voters.

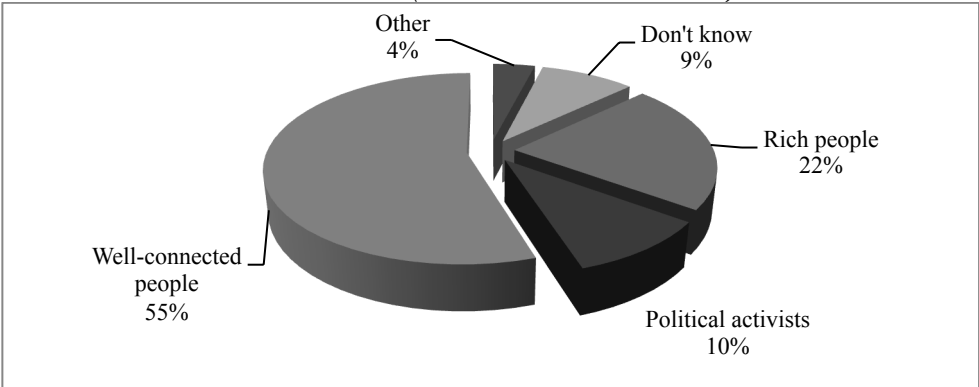
***CC members’ perceptions of the term ‘power’***

The survey of 74 commune councillors found that, to 38 percent of respondents, *om narch* primarily means the legal mandate to fulfil the legal responsibility and rights to manage and assist citizens; to 33 percent it means the ability to threaten, terrify, control and administer others; to 16 percent it means being the leader or being in a leadership position; to 7 percent it means the ability to make decisions; and to 6 percent it means courage and strength or force. It is evident, therefore, that the perception of *om narch* varies widely among councillors. To some power is viewed as rational and as a legal right, the ability to manage and assist people, naturally vested with a modern state. To others it is crude, regarded as the ability to threaten, terrify and control, governance pursued on a personal and illegitimate basis.

***Figure 7.1: In your view, what does the word “power” mean?  
(74 CC members interviewed)***



***Figure 7.2: Other than local authorities (CCs and village), who are the power holders in the commune? (74 CC members interviewed)***



As illustrated in Figure 7.2, besides local authorities such as commune councillors, village chiefs, police and military, there are three major groups of people whom commune councillors perceive as power holders: well-connected people, rich or better-off people and political activists. About 55 percent of the CC members believe that power rests with well-connected people (the ones who through patronage networks based on kinship and friendship have affiliations with powerful people at provincial and national levels). About 22 percent believe power rests with rich or better-off people (normally local entrepreneurs who build connections with powerful people through rent seeking, which links economic and political resources). About 10 percent of CC members think that power rests with local political activists (people who are active in political parties), and about 9 percent are not sure about where power rests. Furthermore, rich people usually have connections to powerful people in the city. In Cambodian society, rich and well-connected people are sometimes difficult to distinguish from each other, and they are usually connected to the ruling political party, which ensures reliable patronage protection.

As could be assumed, the survey results indicate that, in local society in Cambodia, power rests with different tiers of province, district, commune and village authorities and elites (see Ledgerwood & Vijghen 2002). However, the authorities that villagers have been exposed to and interact frequently with are commune councillors and village officials.

In order to cross-check with the quantitative data above, below are the discussions from the in-depth interviews.

The in-depth interviews with local leaders, especially CC members, indicate that it is almost impossible for local leaders to exercise their full legal mandate. In fact, legal rationality must be pragmatically applied with traditional norms in order to be accepted and understood. Commune councillors from opposition parties made numerous complaints, saying that they did not have the decision-making power that is stipulated in the law. According to them, power resides only with the CC chief from the ruling party. For example, the first deputy chief of a commune council from the opposition party holds the following view:

*Having power means you can do whatever you want. No one would dare to complain or challenge you. Normally, power in Cambodia is not in line with the rule of law, but with the rule of man. As an elected commune councillor, I have very limited power, not what I am supposed to have, as spelled out in the law on decentralisation. Power rests only with the chief, with rich, well-connected people and people with guns. During the 1980s, whoever had a gun was very powerful, but now things have changed a bit (CC member, Battambang province, 6 May 2007).*

Power, in the minds of the councillors, seems to have both positive and negative connotations. For example, a commune councillor said:

*In Cambodia, the notion of power is divided into positive power and negative power. If you exercise positive power based on the rule of law, you*

*are respected and listened to. However, power is mostly negative because individuals with power always abuse others—threatening and exploiting—and no one dares to resist. As we can see nowadays, the power holders are rich and well-connected people who are backed up by even more powerful people at the top. Power rests only with groups and individuals, not with public institutions (CC member, Battambang province, 4 May 2007).*

Similar perceptions were expressed by a group of commune councillors:

*There are at least two kinds of power: first, personalised power, which is not good for the leaders—if one thinks of individual too much, this would lead to the abuse of power against the powerless. And secondly, public power for the community; this power could be shared or built for a collective community. This kind of power is really needed for our community (group of commune councillors, Battambang province, 27 April 2006).*

Another CC member in Battambang expressed a similar view:

*Power is absolute and personalised, resting with individuals and groups, but not with state institutions. Power holders are rich and well-connected people. But people who exercise power do not do so based on state regulations, but on personalised and informal network bases to which they are personally bound (samrosh samroul). To be in power, one needs to have patronage connections and political party affiliation, and one needs to be respected as well (CC member, Battambang province, 5 May 2007).*

A CC member in Siem Reap further elaborated:

*In our society, rich and well-connected people are very arrogant and abuse power at the expense of the poor. And the poor are envious and pessimistic about the rich (CC member, Siem Reap province, 23 April 2008).*

Expressing a similar understanding of the meaning of power, a group of commune councillors from different political parties claimed that power holders in Cambodia lack tolerance:

*People with power are normally the chiefs, who usually control the administrative power (om narch rotha bal). Power is not shared with other people of different groups or networks. Having power means having no tolerance. Power rests only with individuals. As we say in Cambodian: kbal neakna sak neak neung [your hair is always with your head: people are selfish—personalised power] (group of CC members, Kampot province, 28 March 2006).*

CC members explained that, to achieve effective state law enforcement, leaders must now understand traditional values as well as having such qualities as tolerance, forgiveness, sharing and mutual understanding. Some people have different views based on their practical observations. A group of commune councillors including from the opposition indicated:

*Currently, commune councillors from the ruling party use their power for the benefit of their political party and associates. Power is not shared with other elected councillors, but rests only with the chief from the ruling party. Currently, the ruling party can do whatever it wants. There are numerous proverbs in Cambodian that illustrate this view: “Your hair is always with your head” or “Whoever has the opportunity takes or eats”[neak na rok neak neung si] or the powerful person “eats the big part and the less powerful get the smaller part”[toch si tam toch and thom si tam thom] (group of CC members, Kampot province, 28 March 2006).*

As described in previous sub-chapters, in the 1980s in particular, people at large had a limited idea of political systems other than that under which they lived. This situation still prevails. Many local leaders have revealed that it is difficult to strike a balance between rational state law and traditional or religious beliefs. Local leaders are often biased towards a traditional or religious belief because through such a bias they can gain more legitimacy and popularity. As mentioned, local leaders said that they are used to traditional practices and have many kinship ties in the community. As a result of experiences in the turbulent past, when the function and effectiveness of state law was weak (and harsh), most local leaders are reluctant to execute strictly the rules, laws or regulations of the state because they do not know what will happen to them when they lose power. However, if you follow traditional norms, you can hope to be supported. For instance, should there be an emergency, only the villagers in the community would be able to assist you promptly since the state law is too far away.<sup>28</sup> Hence, CC members seem to be trapped between traditional beliefs and rational state law because the two are sometimes in conflict. As a commune chief eloquently described:

*It is extremely difficult, especially when you are a leader in your own community. You need to strike a balance between rational state laws and traditional beliefs. I see that the traditional norms are also valuable because they teach people to have mutual tolerance, share compassion and improve reciprocity. However, sometimes, if I favour friends and traditional norms too much, it would make me act against the rule of law (youl ngeat klead chbarb) (commune chief, Battambang province, 5 May 2007).*

Power is not easily shared in Cambodia. As a group of CC members in Kampot noted:

*The power that CC chiefs possess is in administration and other important services. It seems that he does not share it with other elected councillors from different political parties. No clear responsibility is given to other councillors. All power rests with him. This is not democracy according to decentralisation because the boss always controls everything. You know tolerance, forgiveness and sharing are the traditional beliefs we have, but*

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<sup>28</sup> According to the interviews with many local councillors and villager chiefs, they do not trust law enforcement when facing problems; only friends and relatives in the same commune would be able to help them in an emergency.

*they are not practised (group of CC members, Kampot province, 6 April 2006).*

A commune council deputy chief in Battambang stressed:

*I would like to share with you that in our culture, power usually rests only with individuals and bosses, not with state institutions. Anyway, it is accepted by the people. For example, there are 11 commune council members from three political parties, but people just value and refer to the CC chief. However, I hope with electoral decentralisation they will change this attitude over time (commune council deputy chief, Battambang province, 28 April 2006).*

According to a Cambodian saying, *youl ngneat klead chbarb*, if someone is tolerant with relatives or friends, he or she would act against the rule of law. This is reflected in leadership style. Local leaders put a lot of effort into following traditional norms since they see that state laws as far away from the community, and that to intervene based on state laws, one needs to go through a complex bureaucracy and patronage network, while in the local communities people still follow traditional and informal norms.

Some people see traditional norms and state laws as overlapping. If the leaders can take advantage of both, they are able to foster their legitimate power. An older person who is also a commune councillor echoed this view:

*State law is normally regulated and must be obeyed. Of course, in Cambodia, there has been a weak tradition of law enforcement. However, traditional norms (tum lorb) are not much different from the rational state laws (tum neam or chbarb). In fact, they have been valued and practised for generations in this society. People are used to them, for example, to the mutual tolerance and reciprocity that we have in our society, especially for Cambodians. We have suffered from civil wars for many decades; we need peace and tolerance to avoid conflict (CC member, Battambang province, 5 May 2007).*

*Tum neam tum lorb* is used interchangeably with *tum neam* (state law) and *tum lorb* (traditional norms). To be effective in leadership, leaders must be aware of the need for a balance between the two sources of power. This also shows that rational state law is difficult to enforce.

Creating a balance between traditional norms and rational state law could bring just leadership and mutual tolerance to the community. A commune chief in Kompong Speu shared his view:

*To be a benevolent leader one must be aware of the situation in the community. Especially, leaders must be balanced between traditional norms and state laws. For example, leadership should be based on samak thor. This samak thor in leadership could lead to soft power (CC chief, Kompong Speu province, 3 April 2008).*

It appears that ordinary people get used to suppression and the abuse of power by leaders, especially abuse by power holders. A female commune councillor in Siem Reap described this:

*Cambodians are always patient with suppression by leaders. But we hope to see leaders change their attitude to be more soft, humble, committed and tolerant. In reality, for example, we have seven elected councillors in the commune council, yet it seems that only the chief holds power over everything. But as you know, in our society and in Buddhist teachings, people, especially the ones with power, are always greedy and selfish. It comes as no surprise. Now, in this commune, the political agenda of political parties is always good, but individuals sometimes create problems (female CC member, Siem Reap province, 22 April 2006).*

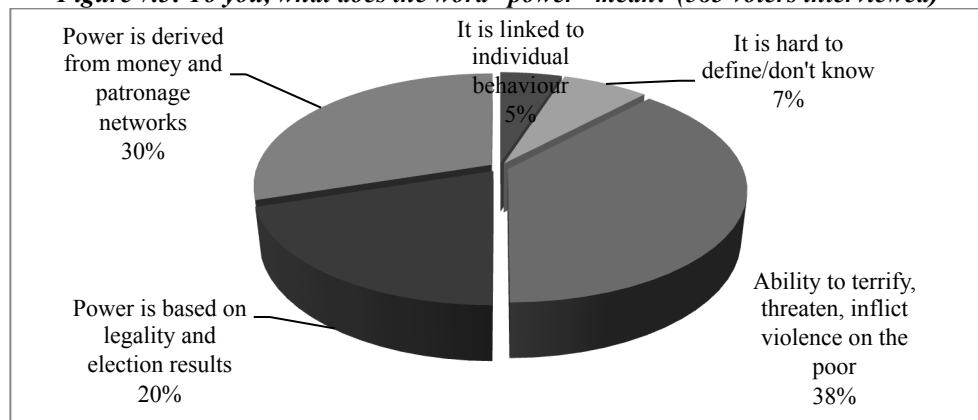
A summary of the key points of CC members' views on power (*om narch*) in Cambodian society is outlined below:

- *Om narch* is viewed by CC members as having mixed meanings. Some CC members think that *om narch* has a rational association referring to legal rights and the ability to manage and assist people, while others think that it is the ability to threaten, terrify, administer and control.
- Many CC members hold the view that, besides local authorities (CCs, village chiefs, police, military, public servants etc), *om narch* predominantly resides with well-connected people, rich people and political activists. Some CC members, especially from the opposition, think that power mostly resides with the chief, not with ordinary commune councillors.
- CC members regard formal state power in Cambodia as being intertwined with traditional and Buddhist norms. To gain public support, leaders should exercise power based on both moral responsibility and on the legal rationality of state law.

### ***Voters' perceptions of the term 'power'***

Voters seem to define *om narch* in a similar way to CC members. The following looks at voters' perceptions of power.

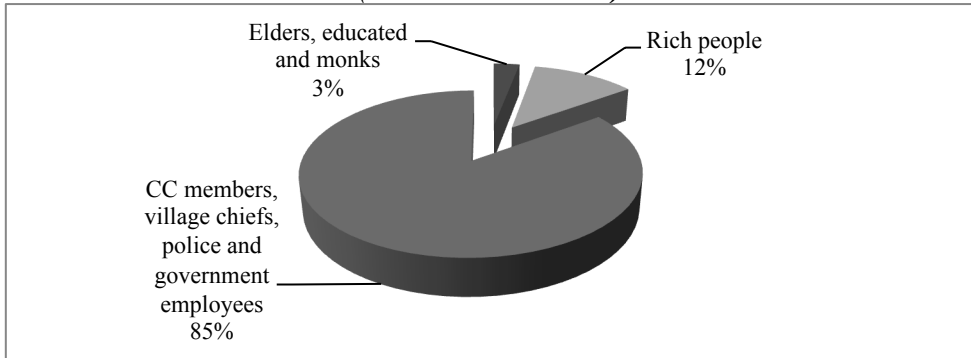
**Figure 7.3: To you, what does the word “power” mean? (583 voters interviewed)**



The survey found that 38 percent of voters thought that power is the ability to terrify, threaten and inflict violence on the poor. For about 30 percent, *om narch* is derived from networks related to money and patronage. About 20 percent thought that power can be gained through elections or legal rights; about 5 percent thought that power depends on the nature of the individual who has it; and about 7 percent were unable to define the concept. These results (Figure 7.3) indicate that voters generally believe that power is negative and harsh, residing within patronage ties, and that leaders use their power against the poor. The overall views of power by voters reflect perceptions similar to those of the CC members. The difference is that voters see power as more negative and some CC members (38 percent) view power as implying legal rights.

In local communities, *om narch* not only resides with individuals but also with different groups. For instance, power can be seen as largely residing with state institutions, such as commune councils, as well as with people who hold positions within the government, commune chiefs, councillors, village chiefs, police/military, various government employees and people with close connections to government officials. As indicated in the previous section, power is traditionally rooted with rich and well-connected people. These groups are mostly creditors and entrepreneurs or business people who own large plot of land or export/import businesses. Below are the survey findings concerning citizens' views on who power rests with in the village.

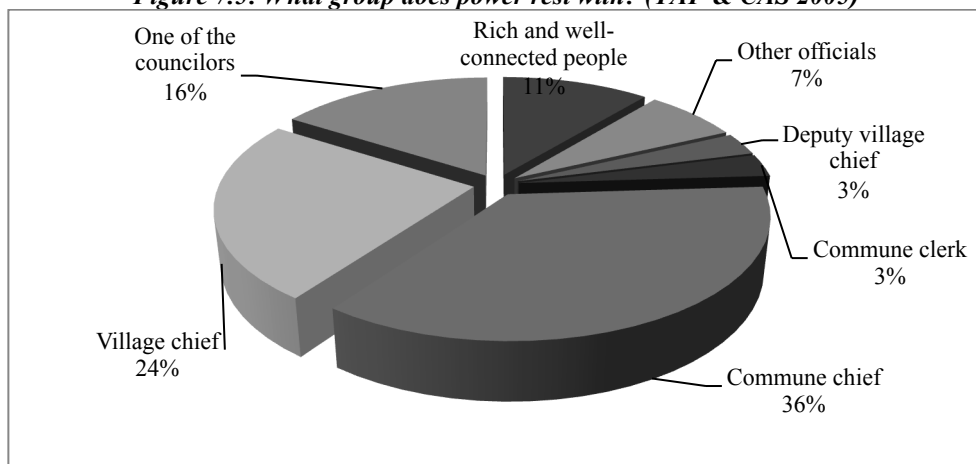
**Figure 7.4: From your own observation, who are the power holders in your commune?  
(583 voters interviewed)**



As illustrated in Figure 7.4, 85 percent of respondents said that government officials hold power. About 12 percent said that power resides with rich people and only 3 percent that power resides with the educated, elders and monks. This might be because people do not understand the power structures beyond the local authorities who they normally interact with.

Figure 7.5 reveals the responses to a similar question, but from another source with a larger sample of 1,240 voters (Ninh & Henke 2005). In this study, 36 percent of respondents said that power rests with the commune chief, 24 percent with village chiefs, 16 percent with one of the councillors, 11 percent with rich and well-connected people, 13 percent with other officials. A comparison of the two surveys shows a similar result, namely that many people believe that the most important person in the commune is the chair of the commune council, while the second largest group of respondents believes that power resides with village chiefs. Below are discussed voters' perceptions of decision-making and who holds power, as expressed in the in-depth interviews.

**Figure 7.5: What group does power rest with? (TAF & CAS 2005)**



The issue here is to what extent the power vested with the commune councils is sufficient and where effective power is to be found. It is, in people's and leaders' perceptions, dispersed among different groups of people.

The quantitative data indicate that power is often popularly viewed as harsh, hard, negative, absolute and personalised. This sort of power cannot be resisted, while a legitimate power must be rule-based. Voters largely think that power rests with local government officials and well-connected or rich people.

A former commune chief in the 1980s expressed his view on the meaning of power in Cambodian society:

*The immediate meaning of om narch is negative. We of course say that power is kach [cruel and forceful]; intimidation and power cannot be resisted. In democracy, power can be good as [legality] om narch plov chbab; people with power must responsible for their role, transparent and accountable [responsible] for their performance (former CC chief, Battambang, 7 May 2007).*

A respected layperson in a Buddhist wat defined power in positive terms:

*Power is the ability to perform well, with good capacity and education. To have power means that one must be able to perform effectively and to be a good role model—to be a chief you need all of this. Personally, I think that having power means you need to have an education—better than wealth. If you do not have good knowledge and skills, you are not respected and you cannot protect your wealth. It will disappear by your own ambition and ignorance (achar of wat, Battambang province, 7 May 2007).*

Some experienced villagers believe power can be divided into: formal power, which is the government authority (state authority); economic power; which is the wealth of rich people; and nepotism and cronyism within the system (former commune chief, Battambang province, 11 November 2005).

The ethnographic observations and interviews with voters showed again that in Cambodian society, power normally rests with the chief at every level. For instance, there are several councillors in the commune council, but the most powerful and influential person is the commune chief. As one villager described it:

*In Cambodian society, people seek assistance only from the chief. For example, there are many elected commune councillors working in the commune council, but when people talk about commune authority, they refer to the commune chief (chau vay or me) and not the rest of the CC members. This is because the chief possesses all of the decision-making power; he can get things done and make the final decision (villager, Battambang province, 11 November 2005).*

Villagers commonly state that in Cambodia, powerful people normally abuse power. As one village couple noted:

*The problem in our society is that people with power arng om narch[abuse power]. These people with power, such as the rich, well-connected and powerful people in the government, exercise power to exploit people for their own sake. They can do whatever they wish, acting aggressively to the poor (couple, Kratie province, 21 September 2005).*

According to Cambodian beliefs, ideally leaders should practise the four principles taught by Buddhism, which would lead to good exercise of power: *meta* (compassion), *karuna* (pity and tolerance), *mutita* (sympathetic joy) and *upikha* (impartiality, neutrality and sincerity). A layman in a Buddhist temple explained:

*Leaders must be careful in exercising power and must be humble in order to be trusted. I think it is not that difficult for leaders to love the four principles of Buddhism, which are: meta, karuna, mutita and upikha. With these four principles, leaders obviously could avoid the abuse of power against the poor (Layman, Kratie province, 29 September 2008).*

A villager expressed his view on who power normally resides with:

*In Cambodian society, to have power is to be rich and connected with different powerful people at the top. Normally, only the chief holds the ultimate power, and the subordinates need to listen to him without making any objections (villager, Kratie province, 23 September 2005).*

A villager in Kratie province described the meaning of power and who held power in his commune:

*The word power means someone is influential who dominates others without much complaint [resistance]. But in our society the way that power is exercised is good or bad depending on the personality of individual leaders. Power holders in this commune are people who engage with authorities in the commune and village or police (villager, Kratie, 28 February 2011).*

For most Cambodians, power is imbued with the notion of Buddhism and the concept of *karma*. It is pervasive in the patronage and hierarchical terminology of

Cambodian thinking, politics and social relations. For instance, people in power are thought to be more meritorious than other people.

Power relies on the subjective perceptions of people—how people view themselves and their leaders. Many farmers and villagers I talked to consider themselves as *prachea chun keu lgnong*, which means that ordinary people are always ignorant, that they are born with bad luck (*karma*) for this life, so they just need to be patient. Meanwhile, a common perception is that leaders (mostly referring to urban dwellers)<sup>29</sup> are born educated or intelligent: *neak deuk noum keu neak chesdoeung*. A woman said briefly, “It is simple being a leader; you must have good luck and fate from the previous life” (villager, Kratie, 23 September 2005). *Tveu bon dohl pi cheat mun* is literally translated as having accumulated enough merits from the previous life.<sup>30</sup> Accordingly, by Cambodian traditional and social norms, leaders are legitimately recognised from birth.

Power in rural Cambodia is generated and exercised in different ways. Some key points of voters’ perceptions of the term power are:

- Power is viewed by the majority of voters as negative and harsh, including the ability to threaten and act with violence against the poor, and building on networks of wealth and patronage. Only a small number of voters perceive power as a legal capacity that can be gained from elections.
- The majority of voters think that power rests with two main groups: local authorities and government officials and another group of well-connected and rich people.
- Power is often perceived—by voters and CC members similarly—as personalised, resting only with the chief, not shared, negative and with other harsh connotations.

Having described CC members’ and voters’ views on the meaning of power and whom holds it, there are some similarities and differences. Both CC members and voters shared the view that power carries few positive connotations but mostly has negative connotations, such as the ability to threaten, inflict violence and intimidate. In another similarity, power is imbued with socio-political norms, personalised and not shared, resting mostly with the chief.

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<sup>29</sup> During the Khmer Rouge regime rural people/leaders considered all urban dwellers as rich, educated and holding high positions; they became the enemies of *angkar* (the Khmer Rouge leadership) and most of them were killed.

<sup>30</sup> This is also related to the notion of *karma*, which is the centrepiece of Buddhist concepts, referring to the sum of one’s good and bad actions. For example, good actions in this life will lead to better spiritual and material existence in the next life. This is still pertinent to how people think of leaders, believing that leaders have good *karma* from the previous life and that people are poor and desperate because they have bad *karma* from the previous life. According to Buddhist teaching, desire or ambition and greed cause suffering. A person’s status in society is viewed as the result of his/her performance in the past. To improve personal status, one can accumulate merit by performing virtuous acts, such as contributing to Buddhist temples or being generous to monks and financing religious festivals.

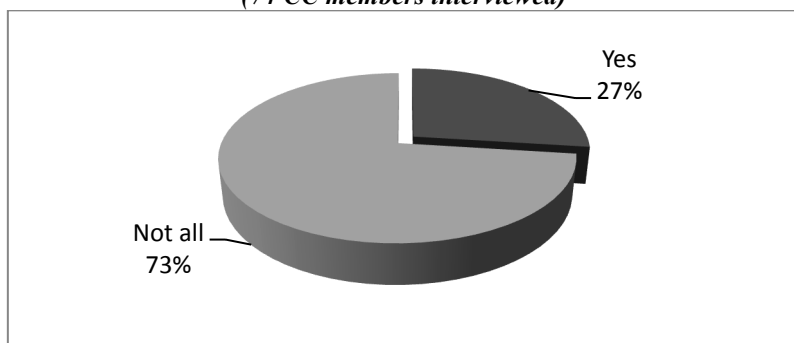
While CC members and voters shared some views, there were differences on which group or individual's power rests with. Commune councillors and other local officials who are exposed to and interact with higher authorities at the district, provincial and national level have a different view. For these local officials, power rests with well-connected and rich people (who normally have strong patronage backing from higher authorities) because they not comply with the rule of law put forward by local authorities or pay much attention to local authorities, usually bypassing them. In some cases, local officials and well-connected or rich people cooperate to enrich themselves (e.g. in natural resource-rich locales). However, in voters' view, power rests with local officials or people with guns. Voters have little interaction with other officials beyond commune councillors, village chiefs and police, and their experiences with authorities in previous regimes may have been oppressive.

The following sections will explain the devolution of power within decentralisation. Each section will start with the quantitative data on CC members' and voters' perceptions, followed by discussion of the in-depth interviews.

### **Devolution of power: CC members' perceptions**

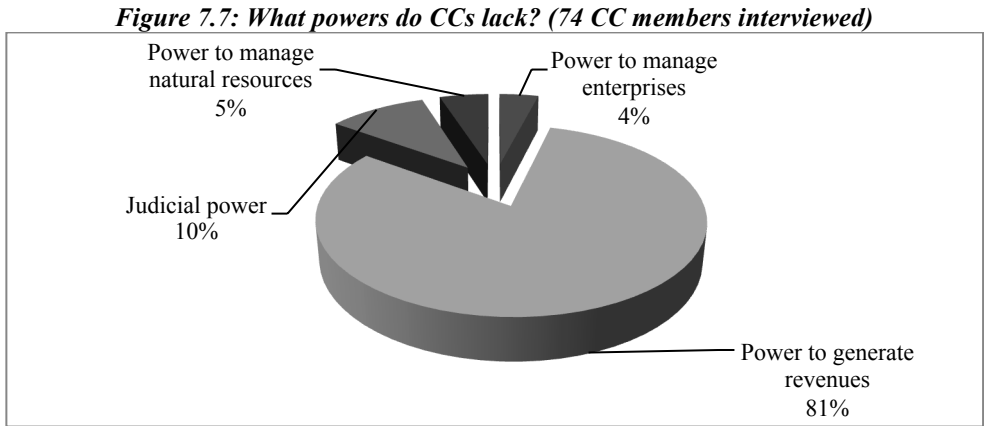
This section presents and discusses the findings of the survey and the in-depth interviews with CC members on various aspects of the devolution of power to commune councils. Do CCs have as much power as the law stipulates? What kind of power do the CCs lack? The various aspects of power that CCs have and do not have will also be discussed. First will be presented what the survey says on the devolution of power.

***Figure 7.6: Do CCs have all the power that is stated in the laws?  
(74 CC members interviewed)***



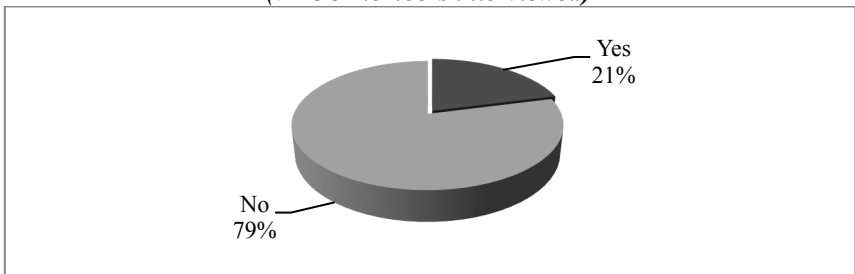
The majority of commune councillors believed that they cannot do what they are required to do, since power is not sufficiently devolved from relevant agencies and the central government. The direct question was whether CCs have the power that is stipulated in the decentralisation laws. 73percent of the CC members felt that they do not have the power they are supposed to have, and only 27 percent felt that they have the power the law stipulates. A majority thus felt that they are not

given sufficient clout, neither to carry out their tasks nor in agreement with the law. The possibility of a significant gap between mandated power and real power is a challenge for decentralisation, and is likely, if not remedied, to destabilise the reform in the long run.



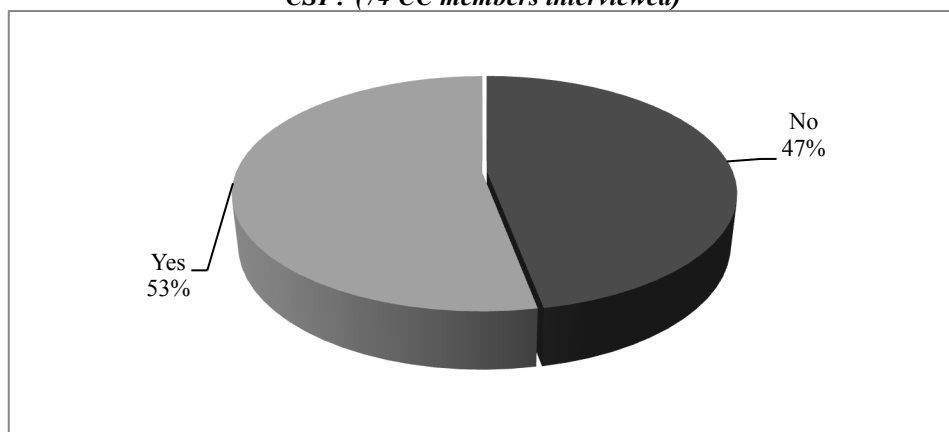
Another question posed to the CC members was which major discretionary powers they primarily lack. As illustrated in Figure 7.7, 81 percent stated that they do not have the power to generate local revenues, 4 percent that they lack power to manage enterprises, about 5 percent that they lack the power to manage natural resources and 10 percent that they lack judicial power, which means that they are unable to resolve conflicts efficiently. A large majority of CC members thus said that they lack what may be the key to making CCs accountable and responsive to local needs, namely the right to generate revenues.

**Figure 7.8: Do you currently have the power to generate your own revenue? (74 CC members interviewed)**



CC Members were also asked specifically whether they have the power to generate revenue. Consistent with the findings just presented, 79 percent said that they do not and 21 percent said that they do. The reason that some CC members said that they have this power is that CCs are currently allowed to charge a small fee for civil registrations, though the fee does not really “count” for all councillors (see Chapter III).

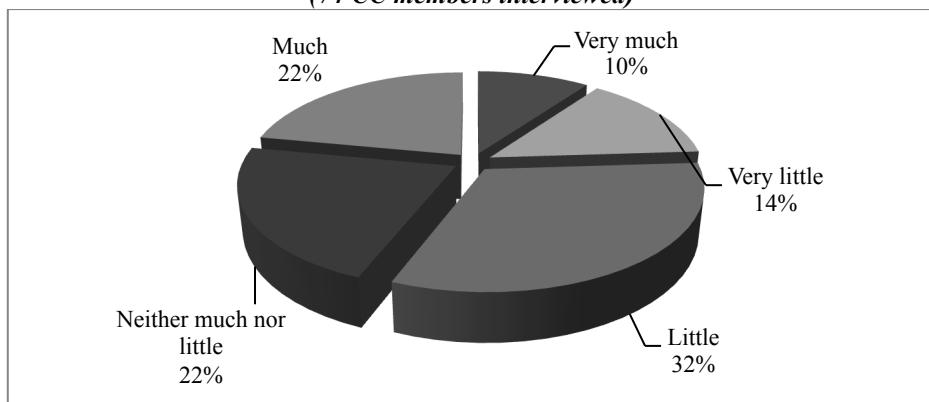
**Figure 7.9: Do CC members currently have the power to manage commune finances or CSF? (74 CC members interviewed)**



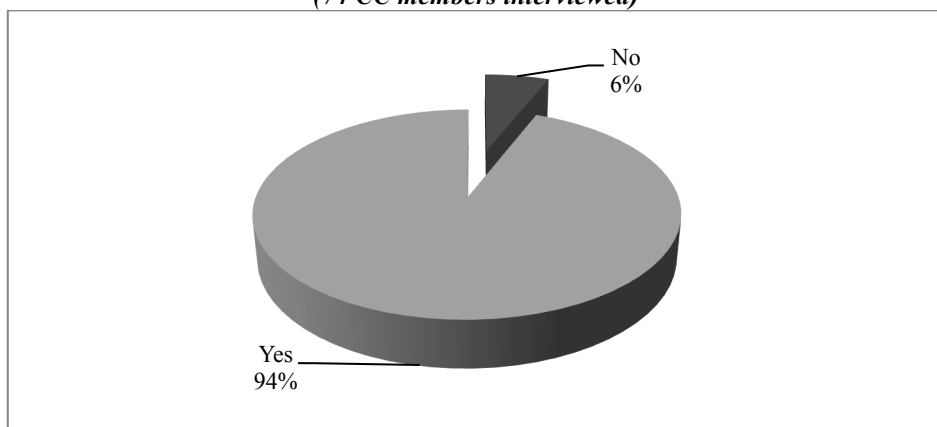
The Commune/*Sangkat* Fund is allocated by the central government annually and mainly used for small-scale development activities. CC members revealed mixed views about the commune's finances. The majority thought they had some power to manage the finances of the commune. Almost as many, 47 percent, believed that they do not have the power to manage this small CSF, although that mandate seems to be clear in the law and the *prakas*. This is explained by the fact that CCs cannot unilaterally make decisions about the use of the fund, but need to go through a bidding process for small-scale infrastructure in which many relevant agencies are involved (during the field interviews, many commune councillors complained that they cannot fully manage the CSF due to financial regulations of the provincial treasury). As mentioned in Chapter III, the CSF is divided into two parts: salary and administrative costs in the commune and funds for the development of small infrastructure. The CCs have the right to manage only the administrative costs; for commune development funding, CCs do not have direct power of control because it has to go through a bidding process and several financial procedures.

A controversial aspect is the lack of power to protect and manage natural resources, such as fisheries, water, land and sometimes forests. When CC members were asked whether they had enough power to safeguard such natural resources, about 32 percent said they had a great deal of power, while 46 percent said that they had little or very little power. The responsibility of CCs to protect and manage natural resources is understandably confusing because most natural resources are still formally controlled by line ministries in the national government. While commune councils have the overall mandate to protect those resources, they do not have the technical capacity and decision-making power to use those resources for the benefit of the commune or people.

**Figure: 7.10: Do you currently have the power to safeguard natural resources?  
(74 CC members interviewed)**

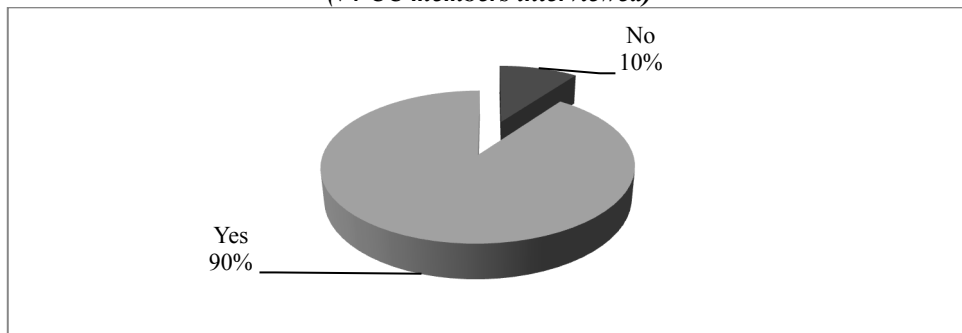


**Figure: 7.11: Do you currently have sufficient power for service delivery?  
(74 CC members interviewed)**



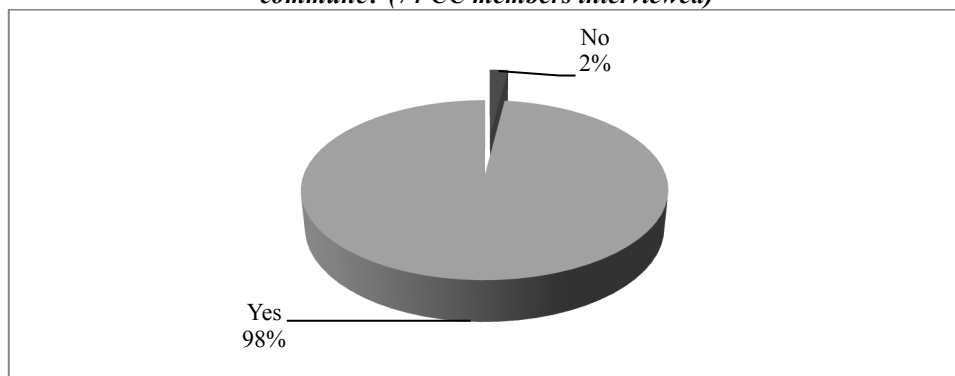
Service delivery is an important way in which CCs can be responsive. As Figure 7: 11 shows, 94 percent of councillors thought that they did have power to design service delivery. The problem is rather that there are not many services to deliver. This is a bit of confusing for CCs. CCs are engaging with all the activities of service delivery under their jurisdiction (this is probably why they think that they have power in services), but it is not clear to what extent or what kind of services they can deliver or what other technical responsibilities they have. For example, CCs do not have power to decide on health, education or agricultural extension, all of which are in the hands of line ministries.

**Figure 7.12: Do you currently have the power over security in the commune?**  
(74 CC members interviewed)



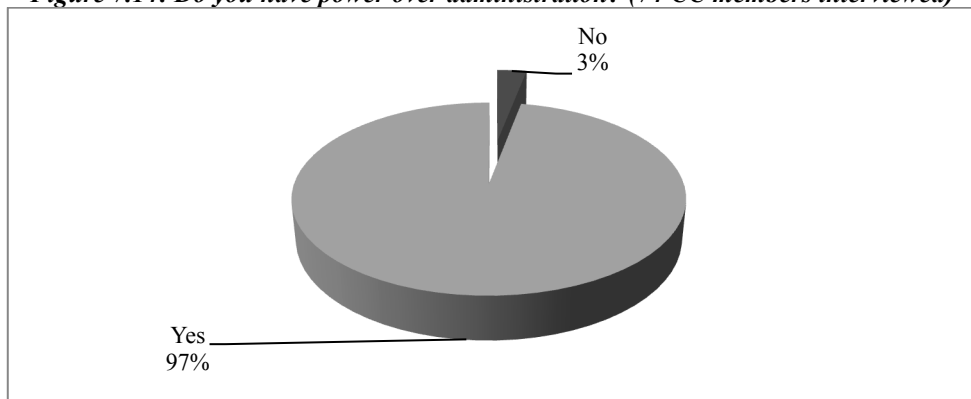
An overwhelming majority of the CC members recognised that they have the power to maintain security in their jurisdiction, such as by protecting people from robbery, gang fights, domestic violence and other crimes. Figure 7.12 illustrates their views on this issue. About 90 percent agreed that they have the power to maintain security and 10 percent did not. Security and maintaining social order are core responsibilities of the CCs. Currently, each commune has a limited number of policemen under its direct command, but often nowadays this is not enough to cope with the increase of crime.

**Figure 7.13: Do you currently have the power to resolve minor conflicts in the commune?**  
(74 CC members interviewed)



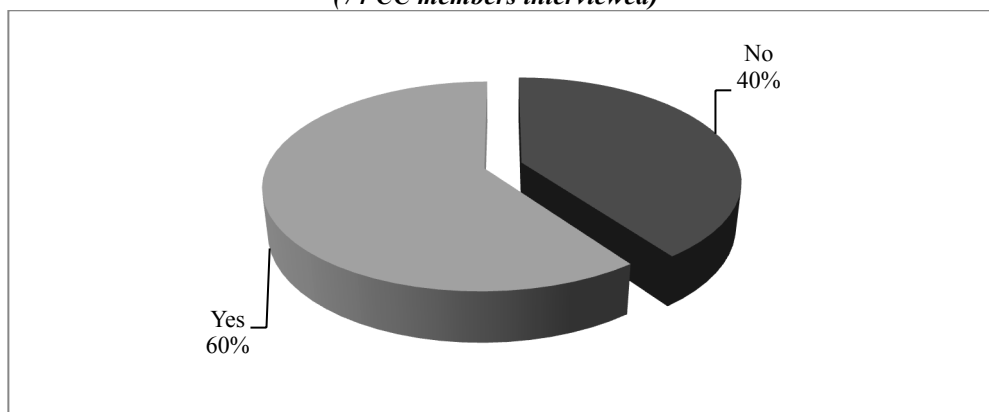
98 percent of the CC members recognised that they have the power to resolve minor conflicts legally (Figure 7.13). One of the main responsibilities of CC members is advising and sharing ideas with different committees in the commune councils. CCs do not have a formal mandate to resolve conflicts, but they are allowed to establish an informal conflict resolution committee under their supervision. This committee plays an important role to resolve conflicts informally outside the court system. Two categories of conflict dominate in the commune: land conflicts and domestic violence.

**Figure 7.14: Do you have power over administration? (74 CC members interviewed)**



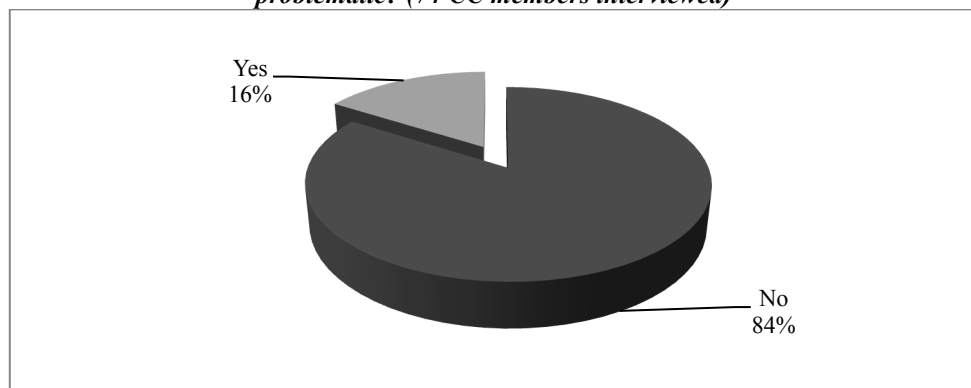
CCs have the power to mobilise people to attend meetings and different activities in the community, which 97 percent of CC members agreed that they have (Figure. 7.14). Commune councillors also have administrative powers such as to issue birth certificates, marriage licences, identification cards etc. The administrative power of CCs has been very critical because administration is the most needed by people for their day-to-day activities. This power is important because if people do not have a good relationship with authorities, people are not granted any permission documents.

**Figure 7.15: Do commune chiefs have the power to hire and fire personnel? (74 CC members interviewed)**



To be fully responsible, CC members and in particular the council chief needs to have the power to fire and hire personnel in the commune administration. 60 percent of commune councillors thought that they have this power and 40 percent thought that they do not (Figure 7.15). The reason that some CC members felt that they do not have this power is probably that during their time in office, they had never fired or hired any personnel.

**Figure 7.16: Is power sharing among CC members from different political parties problematic? (74 CC members interviewed)**

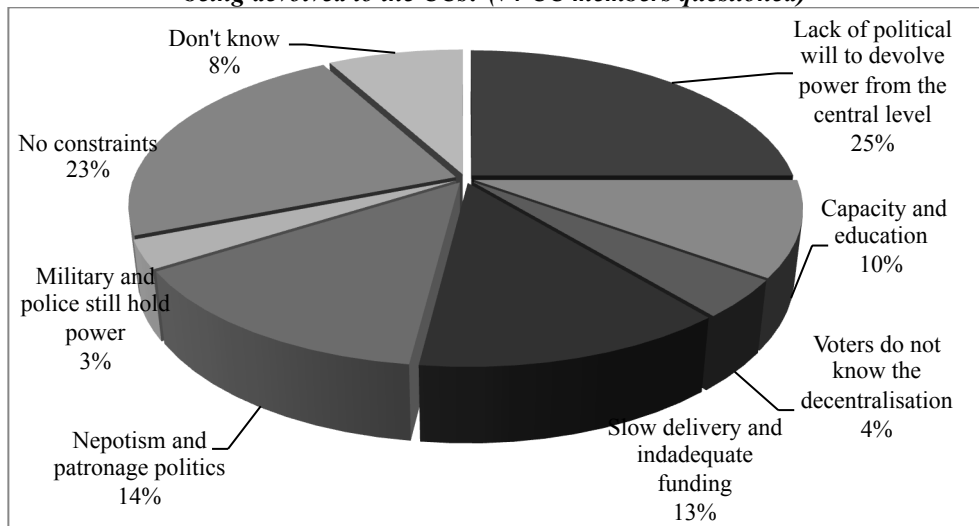


Power sharing among CC members from different political parties is important to ensure peaceful processes of local government. When CC members were asked whether they thought that this was difficult, about 84 percent of respondents thought that power sharing was not a problem and 16 percent felt that it was problematic (Figure 7.16).

A general question was asked about constraints that hinder power from being devolved to the CCs. As illustrated in Figure 7.17, CC members have mixed views on what the main constraints are. About 25 percent said that the central government did not yet have the political will to delegate power to the communes. About 23 percent said that there were no constraints that they could see. About 13 percent said that the delivery of funding from central government to CCs was slow and inadequate. Fourteen percent said that the meagre rational mandate of CCs was difficult to exercise effectively because people with connections to powerful people at the top and the police and military do not listen to CCs and sometimes threaten them. About 10 percent said that CCs lack the capacity to articulate the laws. Finally, 8 percent said that they did not know.

The quantitative data indicate that there are at least two distinct fields of power associated with CCs. First are the powers that CCs have sufficiently, such as administrative power, conflict resolution (informally), maintaining social order and security, engaging/supporting with service delivery with line agencies and power sharing among CC members. Second are the powers that have not been fully delegated to CCs and that remain murky, including the powers to generate local revenues, manage natural resources, manage the CSF and hire and fire personnel. In the following, I will illuminate the above two fields with the in-depth interview information.

**Figure 7.17: From your own observation, what is the main constraint hindering power being devolved to the CCs? (74 CC members questioned)**



Some CC members, especially from the opposition party, are frustrated and resentful about the slow pace of devolving power. They have been waiting for almost a decade to see a deeper devolution, but there is still little hope for that to take place. A group of CC members complained:

*Comparing what is stated in the law on decentralisation and what we actually have on the ground in terms of power, the power of the elected CCs just rests on paper, but little of what was anticipated has become reality. The only decentralised power we have is paperwork, not the resources to survive independently (group of CC members, Kampot province, 28 March 2006).*

A group of commune councillors in Battambang from both the ruling party and the opposition expressed their view in particular on the devolution of power:

*The problem that we face now is lacking power to decide on particular issues because the decision-making power remains with provincial technical agencies. We are the elected commune councillors; the power we have through decentralisation is mostly paperwork and administration, not the power to generate revenues for development in the commune (group of commune councillors, Battambang, 14 February 2011).*

Similarly a district deputy governor frankly described his view on decentralisation:

*The constraint of D&D reform is the lack of devolving power from the centre and line agencies. It means that decentralisation or the delegation of power to the sub-national level [district and commune] only works for paperwork but not real power to generate revenues. All of the potential revenue*

*collections are captured by provincial line agencies. For example, there are four markets in this district. All the revenues from the markets are taken by provincial line agencies. It is a real problem that CCs and districts do not have money to provide services to people such as sewerage and trash collection (deputy district governor, Battambang, 17 February 2011).*

It seems that higher agencies have not fully committed to delegating power to the decentralised authorities and CCs. A deputy governor in Kratie put it like this:

*Power should not be delegated to CCs yet, especially the power to collect local revenue, because it would lead to elite capture of the local economy and because elected commune councillors are not yet ready and equipped with the technical capacity for this complex field of finance (provincial deputy governor, Kratie province, 21 September 2005).*

This passage seems to reveal that the higher authorities are not yet ready to devolve power, especially the power to generate revenue.

A commune council chief in Battambang disagreed with the above description:

*There was a pilot project last year to experiment with local tax collection by allowing CCs to collect taxes at the commune level such as transportation tax on motorbikes and other vehicles. The total number of vehicles that were taxed was about 700. However, this year, since the provincial and district authorities took this power back and collect the tax themselves, I have heard from the district that they have collected tax for only 300 vehicles in this commune. This shows the effectiveness of CCs, that if they were allowed to collect local revenue, there would be less leakage of revenue (commune chief, Battambang province, 10 November 2005).*

A number of talks with commune councillors, including councillors from the ruling party, revealed that they are well aware that their primary role as elected leaders is to serve the electors. A commune councillor put it: "It is difficult being a local leader now because we do not have the power we are supposed to have to serve the people" (CC member, Battambang, 5 May 2006).

Lacking the power to generate revenue is apparently the most challenging factor that the CC members face because they are in the difficult situation of having to be responsive and accountable to voters. A commune chief in Kompong Speu noted:

*I think, if we had the right to collect local revenue such as taxes on different forms of transportation and enterprises in this commune, it would be beneficial in terms of development. I think that traders and people in this commune would be keen to pay taxes to the commune council instead of the provincial tax office. Another factor is, if we had the power to collect tax, no one could avoid paying because we know them all individually (commune chief, Kompong Speu province, 3 April 2006).*

Moving to the second field, many CC members expressed the view that the kind of power that is most immediately needed by CCs is the power to crack down on criminal activities that destroy natural resources, including fisheries and forests. So far, these two sectors have remained bureaucratically controlled by the technical agencies, which put the CC in a very difficult situation when it comes to answering to the people. A group of CC members in Kampot noted:

*The immediate need is power and support from the central government to CCs to handle natural resources crimes affecting fisheries and forests, and land conflicts. Without the power to solve the problems, CC members are not trusted by voters. For example, one of the largest coastal fishing zones is in this commune. There are many state authorities from different powerful provincial and central agencies stationed here. Those agencies are not protecting the natural resources but come because there is potential for them to generate illegal money (group of CC members, Kampot province, 29 March 2006).*

The same group of CC members also said:

*We are the elected CC members sitting here to see the problems, listening to the complaints from villagers. And the best we can do, after receiving the complaints related to various fishery crimes, is just to report to higher authorities. But we have no expectation of intervention from those powerful authorities. We feel so guilty when villagers have asked us for help and we, as the local leaders, can do nothing (group of CC members, Kampot province, 29 March 2006).*

A commune council chief in Kratie expressed her view on the power to manage natural resources:

*As elected commune councillors, we do not have power to command those line agencies, especially fishery and forestry. There is no more forest to cut, so it is no problem. For fishing, it is hard to crack down on crimes because fishery officials are taking bribes from the perpetrators. The best way, CCs need to help solve problems for people. What we do is try to convey information to higher authorities, for example dropping a letter in the accountability box or [using] the media (CC chief, Kratie, 27 February 2011).*

There is improved management of natural resources because CCs and villagers keep asking the fishery authorities to crack down on fishing crime. A commune councillor in Kratie described:

*Dealing with fishery issues in this commune is getting better because all commune councillors and people with some technical support from NGOs [advocacy skills] file a lot of complaints to different district and provincial agencies. Fishery crime is declining (female CC member, Kratie, 28 February 2011).*

The remaining challenge of decentralisation is not caused by CCs lacking capacity and interest to carry out their responsibilities, but the lack of power to implement their job responsibly. A group of commune councillors in Kompong Speu said:

*The constraint we are facing is lack of real power to implement our job as the elected commune councillors. As you know, our response to people's demands for different services is limited because the central government still controls the key sectors (group of commune councillors, Kompong Speu, 3 April 2006).*

Administrative work takes up a lot of time in which CCs might provide services to people. The role of CCs in conflict resolution is important because domestic violence and land conflicts are frequent. However, CCs do not have a formal mandate to deal with conflicts. A commune councillor in Siem Reap described:

*Conflicts happen often in this commune. Many cases are submitted to the commune office, and people need councillors to get involved in solving the problems, but we do not have formal authority to solve the conflicts; only the court does. The conflicts accumulate every month, making people view CCs as unresponsive, and popular participation becomes less (CC member, Siem Reap, 23 April 2006).*

CC members see decentralisation as introducing power sharing (in the law) from the central to local level and within councils by having elected councillors from different political parties work together. A former commune chief in Battambang said:

*Decentralisation up till now is getting better in terms of power sharing among councillors from different political parties [to a certain extent from the national government to the local level]. Power is important for elected CC members to be responsible and accountable to people. I am interested to know about this; from time to time I go to chat with councillors to exchange some ideas, but they told me that they do not have power they are supposed to have in the law (former CC chief, Battambang, 17 April 2006).*

A similar expression came from a commune councillor from the opposition party in Kratie:

*The power that the commune councils have does not match the law and decentralisation policy of the national government. The day-to-day management of CCs now is okay. We have to be flexible to local situations to get the job done. However, the elected CC members do not clearly distinguish between their own political party affairs and the public (CC chief, Kratie, 19 June 2010).*

From the above information, one could conclude that commune councillors do not think that they are given the mandate that they need in order to be accountable and responsive to their constituencies. Most of the powers CCs

currently have concern planning, mobilising people for meetings, making decisions on minor issues, securing safety and routine administration. Meanwhile, there are two crucial types of power that CCs do not have: the power to generate local revenue and the power to protect natural resources. If, for instance, CCs were allowed to collect taxes, they might (in accordance with a key assumption in the theorising on decentralisation) be able to do that very efficiently since they know all the properties in the commune (for the criteria for local revenue collection, see Chapter V).

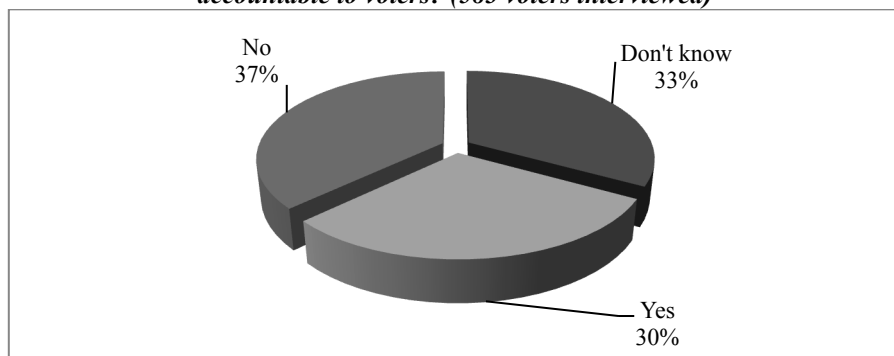
Below is a summary of major aspects revealed by CC members concerning the devolution of power:

- Besides local authorities, such as CC members, village chiefs, police and local government officials, people who possess power are those who are rich and well connected. According to CC members, these people normally bypass or do not pay much attention to CCs. These rich and well-connected people are usually loyal to the ruling party.
- Many CC members feel that, as elected councillors, they are not given the power stated in the decentralisation law. In particular they lack the power to generate local revenue, judicial power and the power to protect and manage natural resources. CCs do have some delegated power, however, in areas such as administration, development, service delivery, security and resolution of minor conflicts.
- Many councillors feel that two factors hamper the devolution of power to CCs: lack of political will in line agencies and ministries, and lack of financial resources.

### **Devolution of power: voters' perceptions**

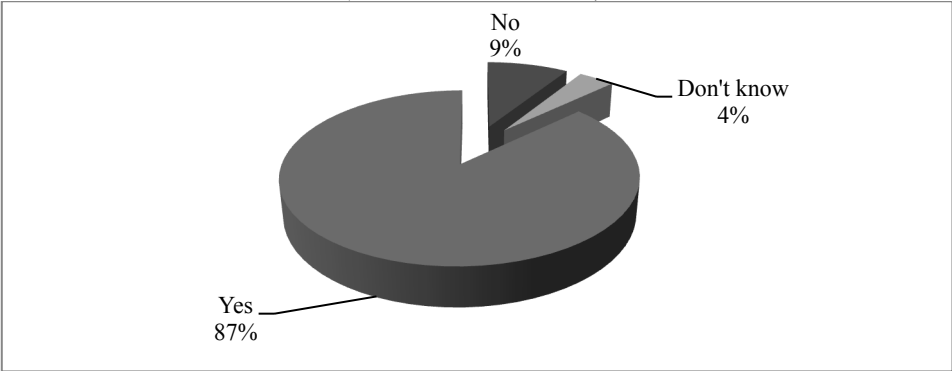
Below are presented voters' perceptions of devolution of power to commune councils. This section begins with the findings of the quantitative survey and follows with the in-depth interviews.

***Figure 7.18: Do you think that CC members have enough power to be responsive and accountable to voters? (583 voters interviewed)***



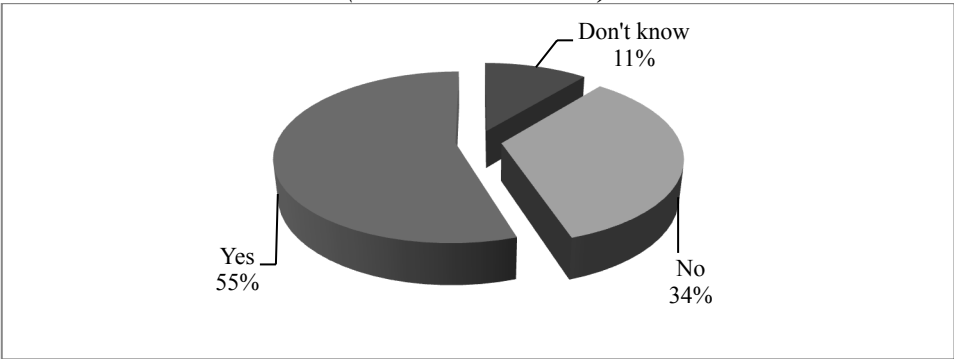
The survey indicated that voters have mixed views on the devolution of power from the central government to commune councils. As illustrated in Figure 7.18, about 30 percent thought that commune councils had enough power to be responsive and accountable to voters, 37 percent thought that they did not have enough power, and 33 percent did not know. By contrast, a larger citizen survey of 962 respondents found that 16 percent said that commune council members still lacked the authority to carry out their job effectively (Ninh & Henke 2005).

**Figure 7.19: Do you think commune councillors respect ordinary people?**  
(583 voters interviewed)



My survey also found that 87 percent of voters thought that CC members respect ordinary people, while 9 percent thought that they do not. This suggests that elected CC members do not abuse their power over voters (there may be a bias in the material since people may be afraid to say something bad of authorities).

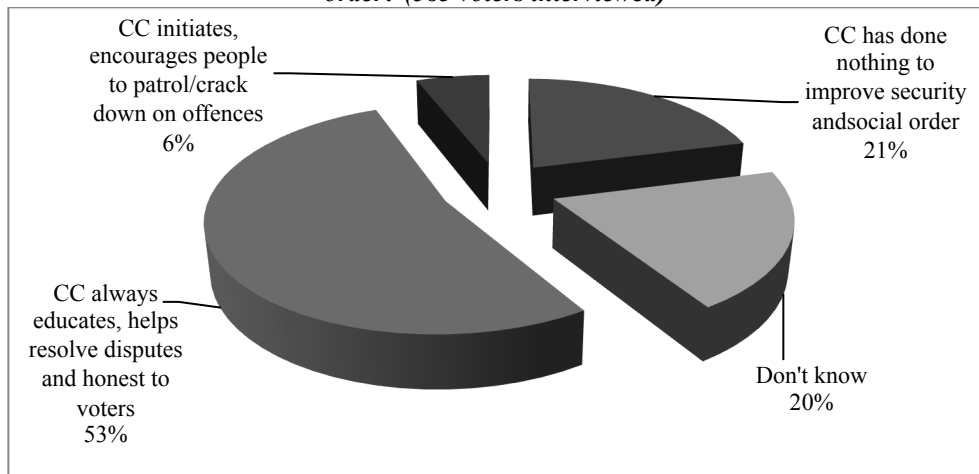
**Figure 7.20: Do CC members promote conflict resolution among villagers?**  
(583 voters interviewed)



Among voters in the survey, 55 percent thought that CC members were managing conflict resolution, 34 percent thought that CC members did not play this role, and 11 percent did not know (Figure 7.20). As noted, according to many CC members, they have not been delegated sufficient formal power for conflict

resolution. However, CCs seem to spend a lot of their time dealing with the conflicts that happen in the commune, for example domestic violence and land conflicts.

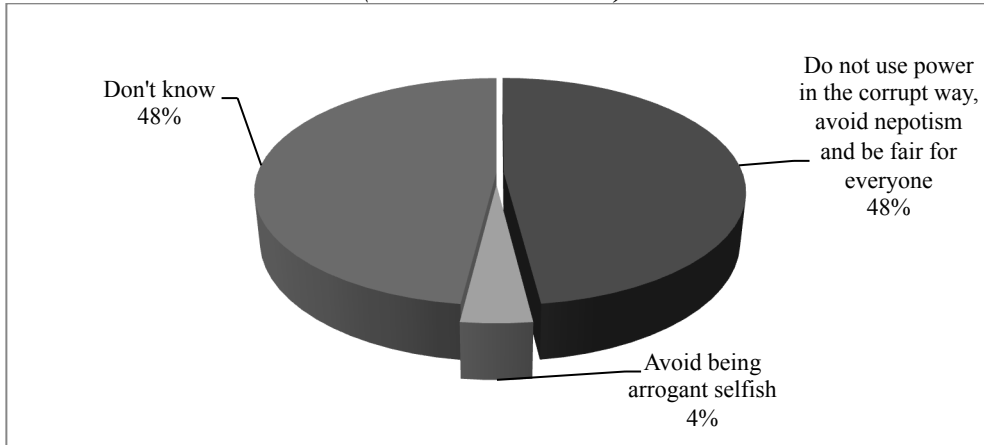
**Figure 7.21: What have the CC members done to promote community security and order? (583 voters interviewed)**



Voters seem confident of CC members' performance in improving security and social order. As illustrated in Figure 7.21, 53 percent said that CC members had educated, helped resolve disputes and been honest with voters. About 21 percent said that CC members had done nothing to promote security and order, while 6 percent said that CC members had initiated activities and encouraged people to patrol and crack down on offences. Security and social order are a fundamental responsibility of CCs. In many communities there are increasing social problems of gang fights, drug addiction, robbery and domestic violence, which sometimes CCs cannot cope with because of a limited number of policemen.

People were asked what commune councillors should stop doing to gain legitimate power or to be respected by voters. 48 percent said that CC members should avoid nepotism, corruption and using power corruptly; 4 percent said they should avoid being arrogant and selfish. 48 percent did not know.

**Figure 7.22: What should CC members stop doing to be respected by villagers?  
(583 voters interviewed)**



According to the quantitative data, many voters do not understand the power and mandate of CCs. Nevertheless, there are some tangible improvements of leadership of CCs, evident in the majority of people feeling that CCs respect ordinary people, make efforts to promote conflict resolution, maintain social order and are less abusive of power. Below we look at the voters' views on these issues by referring to the in-depth interviews.

The interviews indicated that villagers did not pay much attention to or have a genuine understanding of the extent of power held by CC members. A former school principal noted:

*Individual villagers mostly think that villagers do not have any role or the power to change or improve anything, especially the leaders. What they normally think of is the survival of their families. Usually, people think that they cannot carry or lift up the globe alone, so why care so much about the public or community? Some people do want to express their grievances to authorities, but they dare not do so because one must go through the hierarchy. As the Cambodian saying goes: pong mourn kom chul neung thmor [do not smash an egg with a rock, where the authority is the rock while the villager is the egg] (school principal in Battambang province, 10 May 2007).*

A villager in Kampot expressed his observation on the curiosity of people about the authorities:

*People in the commune do know the changing of leadership [commune elections] but I don't think they really pay attention to the work of local authorities; they just pay attention to their day-to-day living. The only thing that makes them curious about authorities is something directly touching their interests (villager, Kampot, 30 March 2006).*

The same person continued:

*The elected CCs' leadership now is different from the 1980s. It was a very authoritarian style (preu om narch). Commune councillors at that time did not come to meet people or get ideas from the people. But now they have meetings with people from time to time and they listen more to villagers (villager, Kampot, 30 March 2006).*

People also compare the way that CCs exercise power with previous regimes, which in their view is very different. Especially, CCs now do not collect taxes as pre-war CCs did. An old layperson said:

*Elected CCs are not that authoritarian (preu om narch), people are not afraid of authorities but are not happy with the way CCs perform in terms of services and development. Maybe they do not have money, because I never see them collect tax from people. I still remember that in the 1950s-60s, commune authority was powerful and they collected taxes (layperson, Battambang, 8 May 2007).*

People see some changes in the way that power is exercised by CCs. Collectively, power does not rest only with the chief, but councillors are more committed. A layperson explained:

*Since the commune election, power does not rest only with the chief (pra thean) but with other councillors too. The elected councillors are more committed to the community, trying to bring in different benefits for people (layperson, Battambang, 7 May 2007).*

Some people are aware of why power is not properly devolved to CCs and other constraints that make them unable to exercise power properly. A political activist explained:

*Personally, I see that the commune council lacks devolution of power from the central government. Perhaps it is too early to make such an assumption on the evolution of local administrative reforms. However, to make CCs work effectively, power must be devolved to CCs according to the law. Another challenge for CCs is the capacity of CC members. They need to have sufficient capacity to articulate laws and think creatively for the sake of the community. For example, there are 11 CC members in this commune council, but only three to four are capable of doing the job. The rest are not (political activist, Battambang province, 9 May 2007).*

A villager in Kratie expressed his view on the role of CCs in conflict resolution:

*There are some conflicts in this commune. Village chiefs and CCs always try to reconcile the conflicts in the village or the commune, not going to court (villager, Kratie, 28 February 2011).*

Villagers who have some education are curious about CC members' performance. However, the extent to which people actually act on their curiosity

depends on social norms of not liking to challenge leaders, of trusting leaders and of reluctance to replace leaders. It seems that ordinary people have a perceived obligation to respect and listen to leaders, and receive gifts from leaders in return (*koeung kun*, reciprocity, repay favours, loyalty). People also see power holding or leadership as natural gifts, a destiny or fate coming from merits in a previous life. An older layperson in a village described this:

*I think people in general do not like to challenge leaders and do not like to replace the leaders either. The way people think of the leaders is based on karma or doeung kun [reciprocity, loyalty]. They are extremely reluctant to break this reciprocal relationship with leaders. To be a leader, one needs to have good karma or good fate. To be in power, one needs to have back-up (layperson, Battambang province, 2 May 2006).*

The personality of leaders is critical to the way that power is exercised. There are a number of things that individual leaders should not do in order to be benevolent leaders. A school principal added:

*A good leader is needed. He or she must be very patient with all of the challenges and withstand all the problems that eventually occur. Leaders should avoid being corrupt, too greedy and arrogant. This society lacks face-to-face interaction, especially between authorities and the people. Good leadership depends on the personality of the leaders. If you are soft and nice, people will feel comfortable living with you. As a Cambodian phrase says: teuk tror chark Trey kom, [cold water could lure a lot of fish] (school principal, Battambang province, 28 April 2006).*

As indicated by the quantitative data and the in-depth interviews, voters do not know the extent of CCs' power, nor do they understand the importance of the separation of power. Voters do not distinguish between the power of the state (commune councils) and the personalised power that relates more to Cambodian political culture.

There are four key aspects of voters' views on the nature of power, in particular the power of the local authorities.

- The majority of voters expressed the view that power rests predominantly with different local authorities, such as commune councillors, village chiefs, police, military and, to a certain extent, government employees. The remainder think that power rests with rich people.
- Voters are confused and do not understand how much and what sort of power has been devolved to the commune councils. However, people agree that CCs are committed to the communities.
- People recognised that the way that CCs exercise power is less authoritarian and changing towards being softer and more participatory than in previous regimes (Kim & Öjendal 2007).

- Voters still hold the view that, in order to gain respect, local leaders should not use power in a corrupt way or practice nepotism. However, the majority of voters cannot say what leaders should do to be benevolent.

There are similarities and differences of the perceptions of power between CC members and voters. Both CC members and voters felt that CCs do not have enough power to generate revenues to be responsive to the people's needs for services and infrastructure. The way that power is exercised by local authorities (village and commune) is more participatory and softer (less authoritarian); authorities are paying more attention and listening to people and working hard for the benefit of the community.

There is still a gap in understanding between CCs and voters. For example, voters do not know the power and mandate of CCs. Voters are not curious to know or seek clarification from CCs about the leadership and political reforms. People do not pay attention to the performance of authorities unless they have personal problems. Lack of curiosity and understanding of the mandate of authorities limits demands for change from below, so leaders do not face pressure from below, making the reform progress slowly (trapped in a neo-patrimonial system). This gap in understanding of the power and responsibilities and rights of each layer of state institutions also exists among commune councillors and line agencies between state and political party affairs.

## **Concluding remarks**

The empirical findings on power and its devolution to commune councils indicate that the concept of power is interdependent and imbued with cultural, social, historical and other factors. Formal power is not yet fully devolved to the elected CCs to the extent mentioned in the laws on decentralisation. As indicated in the empirical findings, this is especially true for the power to generate local revenue and to protect natural resources. Decentralisation has introduced patterns of power sharing regarding administration and development planning and responsibility. With decentralisation and the establishment of commune councils, as mentioned in the literature review above, has come political education, in particular at the local levels, and local leaders (CC members and village chiefs) seem to understand the separation between state and personalised power and between different state agencies. In the future, decentralisation could cultivate demands from below for legitimate power and enhance awareness of the social contract between the electors and the elected.

## CHAPTER VIII

### CONCLUSION

Many findings and remarks about the ongoing democratic decentralisation in Cambodia have been presented consecutively in connection with the different discussions in the theoretical approaches. Three concepts—responsiveness, accountability and devolution of power—are used in measuring democratic decentralisation in Cambodia. This concluding chapter contains three separate parts. The first is empirically based, analytically reviewing the significance of the core findings in the three empirical chapters. The second is concluding, offering the key message of this thesis, answering its research problem. In the third part, the thesis concludes by outlining the possible implications for remaining issues and future research.

#### **Reviewing the findings**

When applied to the theoretical findings, the empirical results display connections between decentralisation and democratic consolidation and some bleak outlooks. Below I will discuss some of the key findings from the perceptions of both CC members and voters on the general emerging factors of democratic decentralisation.<sup>31</sup>

Overall, the findings point to a broad agreement that there has been an improvement in the quality of local governance with the democratic decentralisation reform. Before the reform, both commune councillors and the people had little experience of local democratic reform. However, after having been directly exposed to democratic decentralisation for almost ten years, councillors as well as voters recognise that it has introduced a different leadership system and reshaped local state institutions (CCs) and brought behaviour change of local leaders toward a more democratic manner with an increase in participation and engagement between authorities and people. The change is seen as caused by CCs being democratically elected and now consisting of many councillors from different political parties, so the way that authorities exercise power is less crude/authoritarian than in previous regimes and people do not fear authorities when expressing their ideas. It is also evident that there is an increase in cooperation and interaction between civil society organisations or community-based organisations and elected councils.

The village chief remains an essential figure in local politics and in villagers' everyday life as well as for democratic decentralisation as a whole. Village chiefs are ears and eyes for CCs, directly supervising villagers, being responsible for paperwork for villagers, mobilising people for development activities, raising funds (collecting local contributions) and serving as gatekeepers to CCs. The information flow from villagers to CCs has to go through the village chief. The overwhelming

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<sup>31</sup> For a summary of the empirical findings, see the concluding sub-chapter of each empirical chapter.

majority of village chiefs are from the ruling CPP. There are many complaints that village chiefs are CPP political activists and accountable mostly to their party, which affects democratic decentralisation.

Despite the fact that democratic decentralisation is progressing well and that many commune councillors are increasing their skills through learning by doing, there are some constraints. Age is important in the Cambodian socio-cultural milieu reflecting respect, hierarchy and social experiences. The majority of CC members in this study were more than fifty years old (see chapter IV). People of this age have experienced many authoritarian political regimes (with conflicting political ideologies during the civil war, and many CC members were in the army during the civil war which have a direct impact on the current democratic decentralisation reform, rendering it difficult for them to adapt to the new system. Limited education among CC members is also a factor in democratic decentralisation. The majority of CC members covered in this thesis received only primary school education (five years). Their limited education causes them difficulty in analysing laws and regulations from the central government.

*How has responsiveness been established under democratic decentralisation reform?* The findings of CCs' responsiveness to citizens' needs suggest that there is a rather developed consensus of mutual understanding between councillors and voters. Both councillors and voters seem to recognise that since the commune council elections in 2002, some local development projects have been realised in the form of local infrastructure such as paved roads, small irrigation works, water sanitation, wells, schools and bridges. Councillors have sufficient understanding of what people need. However, demands from the people are overwhelmingly for material outputs, and the demands exceed the resources available to CCs. Thus, in terms of the speed and quantity of projects, CCs are often unable to respond to the direct demands from individual villagers. Besides providing material outputs to voters, CCs are also engaged in activities such as information dissemination, service delivery and civil registration.

Given the experiences of previous regimes and the role of local authorities (top down commands), responsiveness is a new leadership style and responsibility for CCs and creates space for voters to make demands on authorities, which is a new possibility within Cambodian society. Leaders in previous regimes were accustomed to issue commands, and people were obliged to obey them. People used to get almost no material outputs from the authorities. In the democratic decentralisation reform, as we have seen in Chapter V, a degree of responsiveness does exist. Being elected with a clear mandate, councillors have to work hard in order to meet and realise voters' demands. That elected CCs are coming under pressure to realise such demands is a sign that grass-roots demands are being brought forward and put to local leaders. Such demands push commune councillors, who must now be more attentive to and interactive with voters and more responsive and transparent.

*What are the perceptions of accountability mechanisms under the democratic decentralisation reform?* According to the empirical findings, a certain

degree of accountability of CCs to voters is emerging under the decentralisation process. Commune councils are trying to account for, explain and communicate the decisions they make. There is recognition of downward accountability, driven by decentralisation reform, as popularly elected councillors realise they have to be accountable to voters first, though the current electoral system does not allow them fully to be that. In a narrow sense, accountability is gradually taking hold locally. Democratic decentralisation has introduced the notion of electoral accountability. The demand for accountability from leaders emerges as people learn that they are the owners of power because as voters they have the right to choose their leaders (electoral accountability). However, this might be a long way off because there are still problems of gift giving to voters and pressure or threats from powerful political parties during elections. The electoral system, specifically the party list system, may be the reason for the slow pace of improvement in electoral accountability. Currently well-resourced political parties operate in parallel with the state system down to the family level (working groups for a political party). This kind of political control at the grassroots makes it hard for people to decide who they would really like to vote for.

Sources of funding and financial dependency on the central government (CSF) and the ruling CPP have compromised CCs' autonomy, making it difficult for them to be downwardly accountable to voters. Curiously, in many communes, the CPP may contribute more to local infrastructure than the state does, thus making CCs dependent on the CPP, which could hinder them from fulfilling their responsibilities as elected councillors according to decentralisation principles (cf. Pak 2011). This financial dependency, however, has pushed CCs to engage more with NGOs to attract benefits for their communes, which in turn has given NGOs more leverage and improved cooperation between CCs and NGOs.

In the law, the CCs are primarily downwardly accountable to the people in their jurisdiction. CCs are downwardly accountable in a democratic political system, with its particular mechanisms determined by local contexts. The empirical findings in Chapter VI show that commune councils are perceived by themselves as unable to be fully accountable because many of the issues they are asked about from below are beyond their mandate; hence they cannot exert authority and consequently cannot be fully responsible for the outcome.

The channelling of information and people's participation with CCs has not improved much yet. Information flows from CCs to citizens mostly through village chiefs. Citizens' curiosity about the conduct of authorities remains weak. People do not question or engage with authority if it is not necessary. People's participation and interactions with CCs remain passive. Information sharing is still in the form of informal word of mouth and is sometimes subject to rumour and often the cause of miscommunication between CCs and the people. Public dialogue between leaders and citizens is not yet in the form of a frank open exchange with no fear of repression. From the empirical findings, it is obvious that fears of repression from the authorities are decreasing dramatically, but some elements of authoritarianism remain (cf. Öjendal & Kim 2011).

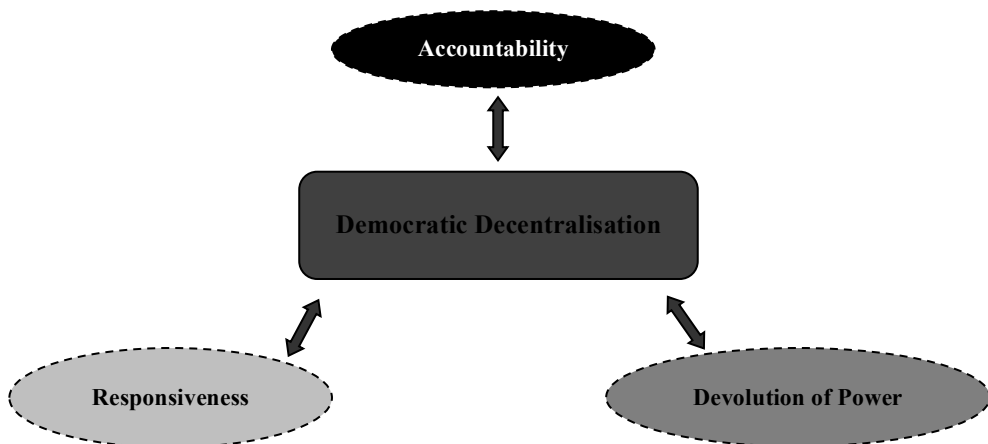
Historically, accountability has been absent among political leaders (cf. Chandler 1991; Mabbett & Chandler 1995) and the lack of accountability is the overshadowing political issue in Cambodia. It is rare in Cambodia that power holders are punished from below or even forced to account for their use of authority. Power holders do not expect to be asked, and ordinary people do not easily force power holders to answer for their actions. This is of course a critical aspect of the political culture for democratic decentralisation. According to the empirical findings, accountability mechanisms remain relatively blurred or confused. Local leaders and people may not well understand the exact mechanisms of accountability because accountability is relatively new for Cambodians—though they may have practised accountability for their day-to-day activities in a hybrid “traditional” way. Local leaders and people remain firmly in the straitjacket of party politics. The party list system and sources of funding have tied elected CCs to upward accountability to their own political party. Hence, we see that, via democratic decentralisation, accountability among CCs and voters has increased, altering a deep political order incrementally from below. Historical structural issues and weakness prevent this from blooming fully.

*How has devolution of power been working under the democratic decentralisation reform?* Decentralisation has changed the power structure of local politics in Cambodia (the devolution of power discussed in Chapter VII is the mandate that CCs are supposed to have from the decentralisation law). Delegation of discretionary power from the central level to the CCs, which was rare or absent in Cambodia’s patrimonial system during previous regimes, has been driven by the decentralisation reform. Empirical information reveals the gradual delegation of power to the CCs to serve the central level, such as administrative powers, authority to deal with minor conflicts, social order, local planning and other services. One of the most critical improvements is power sharing among CC members from different political parties. From the empirical findings, most of the CC members feel that they do not have any problems working peacefully with CC members from different political parties.

A large percentage of CC members feel that they do not have power as stipulated in the law. There are two types of power that CCs urgently need in order to be responsive and accountable to voters: power to generate local revenues (taxes) and power to protect and manage natural resources (fisheries, forests, land and water). Delegation of these two important powers has yet to happen, being held up by different technical institutions of the central government (this is the key interconnection of power with responsiveness and accountability) (cf. Heng *et al.* 2011). When it comes to claiming power from the central government via decentralisation, CC members do not only work for the interest of their own political party but also demand these rights of power for the sake of their communities and constituents. Some CC members complained that after almost ten years of decentralisation reform, the real power delegated to CCs consists only of planning, administration and other work-related activities that do not deal with financial resources and sufficient CSF for local development.

The perceptions of leaders and citizens on where power rests illuminate two critical aspects. First, the patrimonial and patronage system continues to influence formal state institutions, and people are unable to be independent; they must be connected to or lean on powerful groups or individuals. Second, power is a scarce and valuable commodity that normally rests with rich and well-connected people, and is typically vested in the hands of a few. Citizens see a great change in the attitude of CCs in terms of the day-to-day exercise of power in that CCs no longer exercise fierce power (commanding), and they put less pressure on ordinary people. Voters also said that power holders like the CCs should not abuse their power over the powerless; they should not be corrupt or resort to nepotism or favouritism. This is a sign that voters are starting to feel less afraid of the authorities, and that they deserve to have benevolent leaders.

I have discussed empirical findings (responsiveness, accountability and devolution of power) and consequences in local politics driven by democratic decentralisation reform in Cambodia. It is beyond doubt, I argue, that the three critical factors of democratic decentralisation—responsiveness, accountability and devolution of power—are interlinked (see chapter I & II and as argued by James Manor 2008) and serve as the theoretical potentials of democratic decentralisation in post-conflict Cambodia (see diagram below).



### **Answering the research problem: To what extent can democratic decentralisation reform address the process of democratisation in post-conflict Cambodia?**

The aim of this thesis is to investigate the quality of democratic decentralisation reform in post-conflict Cambodia. The focus is ultimately justified by the frequent arguments that democratic decentralisation is vital in deepening local democracy in a post-conflict context. This thesis tries to answer the overall research question:

*what is the quality of democratic decentralisation reform in post-conflict Cambodia?*

Some critical research questions were brought up in the beginning of this thesis: To what extent can democratic decentralisation reform address the process of democratisation in post-conflict Cambodia and how can democratisation be consolidated in post-conflict Cambodia? Is it possible to nurture democracy in a hybrid and post-conflict Cambodia? Answering these questions, this thesis has found that democratic decentralisation does seem to have been successful for the reconstruction of post-conflict Cambodia, establishing a benevolent state, fostering the regime's political legitimacy and consolidating peace and easing endemic fear. These findings support the ideas of Lederach (1997); UNDP (2007); UN-DESA (2007); Smith (1985); Manor (1999, 2008 & 2011); Braathen & Hellevik (2006); Johnson (2001); Heller (2001); Crook & Manor (1998); Ribot (2011); Grindle (2011) and Larson & Ribot (2005) that democratic decentralisation is a fundamental means for improving political accountability and democratisation through its political education, leadership training, political stability and regime legitimacy.

Without doubt, the contents of decentralisation are critical in deepening democracy. From the outset, the overall assumption was that decentralisation, as perceived by some scholars, may contribute to enhanced local political legitimacy, which in turn may support democratisation and overall political reconstruction (Öjendal & Lilja 2009). I contend that the democratic decentralisation that has taken place in Cambodia so far has led to a number of achievements that have influenced democratisation and reconstruction of post-conflict Cambodia, including creating political space and reinventing local democratic institutions, reconnecting the central and local government, serving as democratic education for local leaders, changing political culture and leading to other reforms.

*Firstly*, decentralisation has helped to create a pluralist political space and reinvent a local governance structure (local democratic institutions), especially setting up local multiparty councils through local elections. As the empirical findings tell us, political institutions of a democratic nature have been directly established (regular elections and relative pluralism) and have reconnected ruled and rulers, driven by the decentralisation reform. The elected commune councils have constituted a political pluralism (elected councillors mostly are from different political parties) and created a democratic platform for public dialogue with local leaders; and through this democratic decentralisation, leaders have been obliged to be more accountable and responsive to voters. The multiparty commune councils have helped to reconcile political differences by compromising differences in political ideologies at the grassroots for the ultimate aim of local development. Local political pluralism pressures the ruling party to be more accountable and responsible to voters by nominating popular candidates and forcing the leaders to change to a softer attitude. Since the majority of Cambodians still live in rural areas, democratic decentralisation is a crucial tool to promote democracy from below.

*Secondly*, decentralisation has reconnected local government with the central state because local government has been legitimately given more role and responsibility (this is a big shift given the complex and centralised system in Cambodian society). Local government's role is to serve local citizens and, to a certain extent, the central government has allocated financial resources to local government for various small infrastructure developments. The connection between local and central government has cultivated a loyalty from citizens towards local authorities, which has been a step forward because the gap between ruled and rulers has for a long time been wide through Cambodia's social and political transitions. The connection between local and central government has also helped to prevent possible social strife in a fragile society by creating a more stable regime, which could prevent the risk of state failure. As such, decentralisation has played a critical role in the post-conflict reconstruction of Cambodia.

*Thirdly*, democratic decentralisation has been playing a role as political educator, changing the attitude of rulers, who have switched from commanding and using fierce power to more democratic principles and following the concept that the ruler is not to command but to serve the people. Indeed, the previous local government structure, particularly the commune administration, was purposely created to control the people politically. In sharp contrast, under decentralisation reform, the local political institutions have been restructured or reinvented to engage deeply in particular with the ruling party, to change from within and more legitimately play the role of an agent of local development. For instance, since the inception of democratic decentralisation fear and violence have been drastically reduced since the inception of decentralisation (cf. Øjendal & Kim 2006).

It is clear that subtle forms of political pressure are applied, possibly being more efficient than the harsh political repression of previous regimes. As the dominant political party, the CPP has changed towards a version of openness. The CPP is a long established political party, and by using its power, resources and massive grass-roots network, it won the overwhelming majority of votes at the first and second commune elections. Because of its successful electoral results, the CPP could comfortably use the commune elections as a political base for reforming the political system. Some argue that decentralisation is manipulated by the CPP to gain political legitimacy and consolidate power (Blunt and Turner 2005). Decentralisation reform is a double-edged sword. The CPP uses decentralisation to build its own political legitimacy at the grassroots and stay in power. However, the overwhelming success of the CPP in local politics also carries many burdens; the party should be more responsive and accountable to voters. Thus, although the CPP has the power to influence through its domination, democratic decentralisation is also serving as a means to influence the powerful CPP from within. Within the CPP, decentralisation has triggered intensive competition for local acclaim and popularity. To win the vote, the party must attract legitimate popular and qualified candidates to replace the old illegitimate ones. In short, decentralisation has opened political space and allowed a political discourse to grow gradually via political education.

*Fourthly*, that decentralisation has introduced soft local governance via local elections, reinforces the viability of democratic practices and has introduced a new version of the patronage system. This is in line with the argument by Ann that democratic decentralisation in Cambodia has changed traditional patterns of patron-client relationships (Ann 2008). The empirical findings of this thesis show that decentralisation operates alongside the traditional practice of the patronage system. Villagers popularly elect their leaders, and at the same time they are bound to their leaders by a set of exchanges of favour and protection, thus resulting in what has been characterised by some researchers as a “hybrid” form of democracy (Öjendal & Lilja 2009; Un2004). Decentralisation requires elected local leaders to follow different rules and regulations (formal system), but for the day-to-day operation of CCs with the people, an informal system is used, and the informal system is more popular.

*Fifthly*, the expected outcome of democratic decentralisation is more intriguing. Decentralisation has led to other national and local reforms. Thus far, national level democratisation has been boosted by decentralisation, and various deeper reforms have followed, such as the Senate elections, district, provincial and municipal indirect elections (Organic Law) and the village chief selection in 2006. Though this sub-national *indirect* election process (municipality, province and district) entrenches the hold of the CPP over Cambodian politics, all elected positions in Cambodia, aside from the National Assembly, are now determined by the commune councils. The sub-national reform has created a checked and balanced system between the appointed provincial and district governors and the elected councils, making the sub-national level more actively engaged in rural development and service delivery, improving unified administration and increasing accountability downward to the commune.

Overall, the past decade has seen the introduction of local electoral and competitive politics. We have seen much progress of democratic decentralisation, but risks remain interwoven with it. Democratic decentralisation remains highly regulated from above (to a certain extent by the CPP) and embedded within a rather centralised and politicised administration. One of the chief challenges of decentralisation reform in Cambodia is the lack of discretionary power delegated from the central government (especially the power to generate local revenues). As argued by Ribot (2011), the lack of discretionary power makes elected councillors unable to respond to local needs and aspirations—and as a result local democracy is difficult to grow. Lacking the authority to collect revenues limits the possibility of accountability as well as the ties of reciprocity between local government and the people (social contract). Democratic decentralisation is still under the close watch or control of the ruling party through decision making of the councillors and control over the electoral process via vote buying—in return decentralisation is used for consolidating the power of the ruling party. Most Cambodians have little previous experience of democracy; this is combined with the limited capacity of leaders and poverty, results in democratic development moving slowly.

It is an uphill battle to establish democracy in post-conflict Cambodia, and the country still faces a number of more daunting challenges (Un 2004; Hughes

2003; cf. Öjendal & Lilja 2009). Establishing electoral democracy is the easy part, which was built by UNTAC. As argued in the beginning of this thesis, UNTAC did not establish the national and local responsive and accountable state institutions that are needed for the consolidation of democracy in any post-conflict country. In other words, given Cambodian society's deep distrust in politics and leadership, lack of democratic culture and active engagement of civil society, hybrid system/neo-patrimonialism, poverty and weak state institutions (as discussed in chapters I and II), nurturing democracy is really problematic. Some writers have countered that it is not possible to enhance democracy in Cambodia through decentralisation reform given the country's complex political orders, historical interruptions, unwillingness of political elites to respond to citizens' needs, and use of democratic decentralisation by the ruling party as a means to consolidate power and build its legitimacy (Blunt & Turner 2005; Hughes & Un 2007; Hughes 2003; Un & Ledgerwood 2003). This argument is important, but through my findings, I would argue that the decentralisation reform is dynamic with several spin-off effects that in combination with other reforms and over time will remain a crucial part of Cambodia's democratisation. Having said that, neo-patrimonial features that operate within a formal democratic structure mark political hybridity in Cambodia; the public and the personal are interwoven so that the state apparatus tends to be used to build personal patronage networks by non-democratic means. While there seems to be a hybrid system of governance emerging in the grey zone, legitimacy and politicians within the new institutions of liberal democracy in Cambodia lean on traditional discourses and, thus, the democratic system is hybridised.

Can decentralisation consolidate democracy in post-conflict Cambodia? The findings and discussions of theories in this thesis point to a complex and broad agreement that there has been improvement in the quality of local democracy under decentralisation reform. Most would agree that there is overall a relatively successful progress of post-conflict reconstruction—though democratisation is intertwined with hybrid and neo-patrimonial features. I argue that, bit-by-bit, democratic decentralisation affects the insertion of local democracy in a number of ways as discussed above, and it is possible to nurture democracy by using decentralisation. In the end, it is an ongoing process of democratisation in post-conflict reconstruction. The findings of the thesis tell us that Cambodia is beginning to leave earlier post-conflict problems behind as it shifts towards more normal development problems. The next step of the reform process is not clear, but it will depend on factors such as strong political will from leaders in the central government (from all the major ministries concerned), allocation of resources and mandates currently controlled by line ministries and a deconcentration reform of the Organic Law at the district and provincial level.

## **Unresolved issues and areas for future research**

So far, I have presented the roles and achievements of democratic decentralisation in consolidating democracy in post-conflict Cambodia. It is good to reflect on the weaknesses and unresolved issues. Given the limited scope of the thesis, some

critical issues are not covered, and some unresolved issues are worth suggesting for further research.

The Organic Law (Law on Administration and Management of Capital, Province, Municipality, District and Khan) passed in 2008, mandated that councils be elected at all these levels of government for the first time, as part of the government's effort for a future deconcentration of functions from central ministries to sub-national levels. The elections held in 2009 were indirect elections in which the electorate comprised, not the Cambodian people, but only the 11,353 commune councillors, who were themselves directly elected in local elections in 2002 and 2007. The electoral system in Cambodia is a party list system, in which people vote for political parties, not individual representatives. The landslide victory of the CPP in the commune elections in 2002 and 2007 made the party also enjoy a landslide victory in the sub-national elections in 2009.

The new structure of sub-national government is an indirectly elected council where there is space for the opposition while the government still keeps the board of governor which is appointed by the Ministry of the Interior (anecdotal evidence is that the power remains with the appointed board of governor, not the elected councils). The goal of the sub-national government deconcentration reform is to have a unified administration among all technical agencies of the government and have horizontal accountability of those agencies so that services are allocated to the communes. After three years of the process, the function of deconcentration has not been decided: the substance of what these councils will do has yet to be determined (the councillors are mostly party activists and retired officials). Another unresolved issue of the sub-national reform is a degree of reluctance on the part of various ministries to commit themselves to devolving functions and discretionary powers to the councils. Even though the current system does not allow the districts and provinces direct control over the commune, in the political party (mainly CPP) hierarchy of leadership, the district and province are the direct bosses of the elected commune councillors. The future of decentralisation reform depends on the structural adjustment of this deconcentration reform at the sub-national levels. Future research should look at the relationships between the sub-national level (province and district) and the elected commune councils or the interface of indirect and direct elections.

The commune councillors are directly elected by people and should be accountable and responsive to the voters, but the current party list system does not allow the elected councillors to be fully accountable and responsible to their constituents. Given a party list system, for the day-to-day operation of CCs, there are at least three critical factors that local leaders need to maintain their power. Firstly, because the political party is the only body having all the decision making power, councillors must be accountable to and follow the guidelines of their own party. The second critical factor for councillors is their own popularity and commitment or showing interest in their work. The third factor, the capacity and education or qualifications of individual leaders, is probably the least important. To reach a good quality of the reform in the future, this structure and mind-set must be reversed. Research is needed to look deeply into the structure of leadership,

especially the system in the political parties (especially the CPP) and its implications for the state political system.

The core principle of democratic decentralisation in Cambodia is the encouragement of a culture of participation and trust between the local state and civil society groups. Historically, civil society groups or homegrown groups and popular movements are weak or non-existent. Cambodians have a very limited exposure to these civic groups or they would appreciate them much. In the local areas, there are some NGOs and CBOs operating vis-a-vis local authorities, but it depends on the sectors in which they are working: for example, service delivery and local development are normally welcome by local authorities. However, the areas of advocacy and human rights are strictly under the close watch of local authorities. The relationship between civil society groups and the local state is a critical topic for further research.

This thesis has assessed democratic decentralisation in Cambodia through the concepts of responsiveness, accountability and devolution of power. However, there are many important factors of democratic decentralisation reform that have been left out: for instance, natural resource management, gender and local leadership, role of the elite in the democratic decentralisation reforms, changing leadership behaviour, the role of decentralisation in fighting corruption, the dynamics of the political system of the ruling party, their implications for state institutions and comparing the leadership of former Khmer Rouge and non-Khmer Rouge communes. These aspects are vitally important for further research.



## SAMMANFATTNING (SUMMARY IN SWEDISH)

Demokratiseringsprocessen efter konflikterna i Kambodja har varit problematisk. Nästan två decennier efter FN-interventionen 1993, så är demokratin fortfarande ytlig. Detta valideras av olika studier. Tre huvudfaktorer motverkar demokratiseringen: landet nutida historia av våld, kambodjansk politisk kultur och dess politiska regim/system, och de ofullständigt genomförda FN-ledda ingripandet. Erfarenheter från andra länder visar att det är mycket svårt att konsolidera demokratin i samhällen som har genomlevt konflikt på grund av interna stridigheter, svaga statsinstitutioner, historiska transformationer, och brist på politisk legitimitet. Denna avhandling argumenterar för att demokratisk decentralisering kan bidra till en konsolidering av demokrati, speciellt i dylika samhällen med erfarenheter av våld och krig. Väl genomförd så kan decentralisering konsolidera demokratin i Kambodja, åtminstone på den lokala nivån.

Syftet med denna avhandling är att utreda kvaliteten på den demokratiska decentraliseringen i Kambodja. Detta fokus är i slutändan motiverat av de teoretiska argumenten för att en demokratisk decentralisation är central för att en fördjupad demokrati ska växa fram i ett samhälle efter djupa konflikter. Dess huvudsakliga forskningsproblem är: vilken kvalitet har den demokratiska decentraliseringsreformen sett ur ett perspektiv av återuppbyggnad och rekonstruering? Reformen är analyserad via en empirisk fokusering på tre stycken begrepp, nämligen de lokala myndigheternas förmåga att: svara på lokala krav (lyhördhet); ansvar för lokal utveckling, och hur att hantera sitt formella mandat.

De empiriska resultaten pekar på en bred enighet att det har funnits distinkta förbättringar inom kvaliteten på de lokala samhällsstyrningssystemen under den demokratiska decentraliseringsreformen. Innan reformen hade både kommunfullmäktige och folket mycket lite erfarenhet av lokal demokrati. Efter den har de dock blivit direkt exponerade för lokala demokratiska processer i nu nästan 10 år; kommunalråd som väljare känner igen har introducerats, ett annat ledar (skaps) system har införts (vilket i sin tur har format de lokala statsinstitutionerna), och en beteendeförändring har skett hos många lokala ledare. Det senare har lett till ett mer demokratiskt förhållningssätt med ett ökat deltagande och engagemang från staten och mellan staten och folket. Förändringen ses orsakad av att kommunalråden har blivit demokratiskt valda och fullmäktige består av många kommunalråd från olika politiska partier, och det sättet myndigheterna utövar makt är mindre auktoritära än i landets tidigare regimer. Folk är inte längre rädda för

konsekvenserna när de uttrycker sina idéer. Det är också uppenbart att det finns en högre grad av samarbete och interaktion mellan det civila samhällets organisationer och de valda kommunalråden. Ett annat empiriskt resultat är att bychefen kvarstår som en central person i lokal politik och i bybornas vardagsliv, också efter den demokratiska decentraliseringen. Bycheferna är 'ögon och öron' för kommunalråden, vilka direkt övervakar byborna, ansvarar för pappersarbete, mobiliserar människor för utvecklingsaktiviteter, kapitalanskaffning och tjänar som grindvakter åt kommunalråden. Informations flödet från bybor till kommunalrådets byar går i huvudsak genom bychefen.

De empiriska resultaten av kommunalrådets lyhörddhet ("Responsiveness") till medborgarnas behov indikerar att det tenderar att utvecklas konsensus mellan kommunalråd och röstare. Både kommunalråd och röstare anser att sedan kommunfullmäktigevalen 2002, har många lokala utvecklingsprojekt blivit realiserade i form av lokal infrastruktur, exempelvis belagda vägar, bevattningssystem, sanitetsåtgärder, brunnsbörning, skolor, och broar. Kommunråden har tillräcklig förståelse för vad folk behöver då de är lokalt rekryterade. Det kvarstår dock överväldigande materiella behov, och kraven överstiger vida de resurser som är tillgängliga för kommunfullmäktige. Därmed, i termer av hastighet och mängd av projekt, så har kommunråden ofta inte möjlighet att svara på de direkta kraven byborna ställer. Förutom att försöka bidra med materiella tillgångar till röstare, så är kommunråden också engagerade i aktiviteter som till exempel informationsspridning, leverans av kommunala tjänster och insamling av personnummer.

Med tanke på erfarenhet av tidigare regimer och dess "top-down" attityd, så är lyhörddhet en ny ledarskapstil och med politiskt ansvar utövat av kommunalråden så skapas plats för röstare att ställa krav på myndigheterna, vilket är en ny möjlighet i det kambodjanska samhället. Ledare i tidigare regimer var vana vid att styra via kommandon, och folk var tvungna att lyda dem. Folk fick nästan inga materiella fördelar från myndigheterna i tidigare system, men i den demokratiska decentraliseringsreformen, som vi ser i kapitel V, har en viss, men inte tillfredsställande, förmåga att leverera materiella fördelar infunnit sig. När de är folkligt valda med ett tydligt mandat, så måste kommunalråden jobba hårt för att möta och realisera väljarnas krav. Att utvalda kommunalråd sätts under press för att realisera sådana krav är ett tecken på att gräsrots-kraven förs fram och på ett meningsfullt förmedlas till lokala ledare. Sådana krav pressar kommunfullmäktige, vilka nu måste bli mer uppmärksamma och interaktiva med väljarna, samt mer lyhörda och öppna. Dessa processer är i arbete om än inte så effektiva som man kunnat hoppas på.

Enligt de empiriska resultaten, så har även ett visst mått av politiskt ansvar ("Accountability") av kommunalråden gentemot sina väljare vuxit fram under decentraliseringsprocessen. Kommunalråden försöker nu ta hänsyn till och förklara och kommunicera de beslut som tas. Det finns ett ökande erkännande om ansvar gentemot sina väljare, då folkvalda kommunalråd realiserar att de måste stå till svars inför väljarna först. Dock, det nuvarande valsystemet tillåter dem inte att göra det fullt ut. Inte desto mindre så verkar ide'n med politiskt ansvar gradvis få fäste lokalt. Kraven på politiskt ansvar från ledarna växer när människorna lär sig att de har makt; makt att välja (och välja bort) sina ledare. Det här kan dock långt ifrån tas för givet då det fortfarande finns problem med, t.ex. 'gåvor' till röstare, och press eller hot från politiska partier innan valen. Valsystemet, speciellt tyngdpunkten på partiernas roll, kan vara orsaken till den ibland långsamma takten av förbättring inom lokal-demokratien. För närvarande så kan politiska partier med stora resurser fungera parallellt med det statliga systemet ända ner till familjenivå. Den här sortens politisk kontroll på gräsrotterna gör det svårt för folk att fritt bestämma vem de egentligen vill rösta på.

Enligt lagen är kommunalråden främst ansvariga gentemot folket i deras egna valkretsar. Detta ansvar formas dock i en speciell lokal kontext, och de empiriska resultaten visar att kommunalråden upplever att de är oförmögna att vara fullt ansvariga då problemen i fråga ofta är utanför deras mandat: därmed kan de inte utöva full myndighetskontroll, och inte ta fullt ansvar för resultatet.

Den empiriska informationen avslöjar också att makt har gradvis delegerats till kommunalråden, så som administrativa befogenheter, myndigheternas ansvar att hantera mindre konflikter, social utveckling, lokal miljö och andra kommunala tjänster. En av de mest avgörande förbättringarna är att det nu finns en maktindelning mellan kommunalrådmedlemmar från olika politiska partier. Från de empiriska resultaten att döma så känner de flesta av kommunalråden att de inte har några problem med att jobba fredligt med kommunalråd från olika politiska partier.

En stor del av kommunalrådets medlemmar anser att de inte har den makt som de enligt lag har rätt till. Det finns två typer av befogenheter som kommunalråden primärt behöver för att vara ansvariga inför sina väljare i enlighet med lagverket: att få beskatta lokalt, samt att kunna kontrollera och skydda natur-resurser (som till exempel skog, fiske, land och vatten). Delegering av dessa två befogenheter har ännu inte genomförts, då processen med dessa har fastnat vid olika ministerier inom den centrala administrationen. När det handlar om att få makt från regeringen via decentralisering, arbetar kommunalrådets medlemmar inte bara för sina egna politiska åsikter utan också för sina väljare och dess samhällen?

Utan tvekan är innehållet i decentraliseringen central för en fördjupad demokrati. Från början var det övergripande antagandet att decentraliseringen, som det hävdas av vissa forskare, skulle kunna bidra till en förbättrad lokal politisk legitimitet, som i sin tur kan stödja demokratisering och en politisk rekonstruktion. Jag hävdar att den demokratiska decentraliseringen i Kambodja har lett till ett antal resultat som i sin tur har inspirerat demokratiseringen och uppbyggnaden i efterkrigstidens Kambodja, inkluderande att skapa ett politiskt utrymme och återuppfinna lokala demokratiska institutioner, att återta kontakten mellan den centrala och lokala regeringen i form av demokratisk utbildning för lokala ledare, samt att börja förändra den politiska kulturen vilket sannolikt kommer att leda till nya reformer.

Således har ett antal faktorer har framkommit i den demokratiska decentraliseringen med betydelse för den demokratiska konsolideringen i en efterkrigstid i Kambodja. För det *första*, decentralisationen har bidragit till att skapa ett öppet politiskt fält och att skapa en lokal regeringsstruktur (lokala demokrati-institutioner), speciellt genom att upprätta flerpartisystem med lokala val. För det *andra*, decentraliseringen har skapat bättre kontakt mellan den lokala regeringen och centralmakten. För det *tredje*, en demokratisk decentralisering har spelat rollen som en politisk pedagog som har förändrat flera ledares positioner, vilka har förändrats från att använda kommendering och hårt maktspråk till ett mer demokratiskt förhållningssätt som bygger på att ledaren inte ska kommendera utan istället stödja sitt folk. För det *fyjärde*, decentraliseringen har introducerat en mjukare ledning via lokala val men också skapat en ny version av patron-klient systemet. För det *femte*, det förväntade utfallet av demokratisk decentralisation är mer komplext; decentralisationen har indirekt lett till andra nationella och lokala reformer. Så här långt har den nationella nivån av demokratiseringen blivit stärkt av decentralisationen med följden att andra reformer som till exempel att senatvalen samt distrikt-, provins- och kommunala indirekta val har kommit till.

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