



Cambodia and the Asian Values Debate

Alvin Cheng-Hin Lim*

<https://orcid.org/0000-0001-9356-2122>

Abstract

In the run-up to the 2018 general elections, the Cambodian government severely restricted political and human rights, including dissolving the primary opposition party—the Cambodia National Rescue Party. Supporters of the government have articulated defenses of these restrictions, including a line of argument which echoes the long-standing Asian values debate. This article will examine the purge of political and human rights in Cambodia in 2016-17, and will also assess the justifications for these restrictions.

Key Words: Asian Values, Cambodia, Democracy, Human Rights, Political Rights.

Introduction

Following the Cambodian government's purge of the political opposition and the free press in 2016-17, the pro-government *Khmer Times* has drawn a causal connection between the government's restriction of human and political rights and the country's recent economic development—in effect articulating a Cambodian iteration of the long-standing Asian values debate. In his *Khmer Times* article, Chan Kunthiny highlighted Cambodia's achievements in raising its people's economic prospects—growth, which he noted, the World Bank has assessed as being “pro-poor,” allowing Cambodia's gross national income per capita to expand by “277.9 percent between 1990 and 2015.” In addition, this pro-poor economic growth has been accompanied with improvements in social life, as measured according to internationally-recognized indicators like the Millennium Development Goals and the Human Development Index.¹

In view of these admirable improvements in Cambodia's social and economic development, Chan Kunthiny argued that the country offers the world a “Cambodian Model” for “peace-building, nation-building ‘from scratch’ and sustainable development.” On this view, non-governmental organizations (NGOs) which focus on the Cambodian government's human rights abuses and attacks on

* Alvin Cheng-Hin Lim (PhD, Hawaii) is a research fellow at International Public Policy (Pvt). Ltd., Singapore. Email: alvinch@hawaii.edu.
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political rights are in effect attacking the hard-won socioeconomic progress achieved by the Cambodian people:

If investment creates jobs, then human rights NGOs are killing jobs. When Cambodia has become an increasingly attractive destination for foreign direct investment and tourism, which help create jobs and income for Cambodians, by defaming Cambodia, the human rights NGOs are killing Cambodian jobs and undermining their rights to peace, their economic rights and rights to sustainable development.²

Chan Kunthiny's argument mirrors the electoral campaign rhetoric of Cambodian Prime Minister Hun Sen, who, during the 2017 commune elections, highlighted the pivotal role of his Cambodian People's Party (CPP) in restoring "peace and development" to the country following the Khmer Rouge genocide and the subsequent civil war. Apart from its social and economic achievements, Hun Sen also highlighted his government's long-term goal of raising Cambodia "from the lower-middle income bracket into the developed category by 2050." Echoing Chan Kunthiny's account of the malign threat posed by human rights NGOs to Cambodia's continued economic development, Hun Sen warned of the same of the political opposition: "The opposition has done nothing but trying to stop foreign aid, preventing foreign investments, and telling the EU not to import Cambodian garments. Do you call this killing or improving our labor's living standard?"³

The CPP, focusing on the economic dimension of development, has in turn highlighted the economic dimension of freedom. In his defence of China—Cambodia's largest source of foreign direct investment—from accusations of authoritarianism, CPP spokesperson Sok Eysan argued that China's rise as a "world economic superpower" meant that it "cannot" be seen as authoritarian. China's appeal to Cambodia stems from not just its economic rise, but also its one-party political system.⁴ Indeed, Chinese President Xi Jinping has promoted to other countries China's "new type of political party system." Chinese analyst Wang Xiaohong has described the stability of the Chinese model as an advantage over Western democracies which suffer from "endless power transitions and social chaos."⁵ Sok Eysan likewise observed that the conflict in the United States between President Donald Trump and the political opposition has led to unnecessary political gridlock: "Because of what? It is because of the opposition party waiting to oppose, and it is an obstacle of his national process."⁶

Repression in Cambodia in 2016-17

In hindsight, the highly-publicized assassination of the prominent human rights advocate Kem Ley in July 2016 may be seen as marking

the beginning of the latest phase of the Cambodian government's repression of political and human rights. Shortly before his murder, Kem Ley had discussed with the local media the anticorruption NGO Global Witness' recent report which "revealed the extensive business interests of Cambodian Prime Minister Hun Sen's family."⁷ Due to the widespread public anger over his murder, Kem Ley's funeral procession attracted thousands of participants. While the pro-government media dutifully restricted their coverage of the massive funeral procession, the independent media did not. The government's crackdown on the independent media subsequently followed.⁸

Kem Ley's murder was not the only such act of political violence during this period. In March 2018, police and military personnel opened fire on a group of protestors in Kratie province, killing, according to eyewitness accounts, around 6-8 people. The protestors, who numbered over 400, had been demonstrating against the forced eviction of 300 villagers by a rubber plantation. Following the unrest, several villagers were detained, and one of them, who had earlier claimed to be an eyewitness to the killings, recanted her statement. Rhona Smith, the United Nations' Human Rights Council's Special Rapporteur on Cambodia, has called for a "prompt investigation" into the incident, as has Brad Adams, the Asia director of Human Rights Watch.⁹

This period also witnessed a severe restriction of press freedom in Cambodia. Not only has there been "a sharp increase in the number of journalists reporting being verbally or physically attacked since 2015," government intervention led to the closures of the newspaper *The Cambodia Daily*, and the radio stations Voice of America Cambodia, Voice of Democracy, and Radio Free Asia Khmer, which were "four outlets deemed to be ranked in the country's top six in terms of independence and unbiased reporting." In addition, "two reporters, who had in the past worked for Radio Free Asia, were charged with 'espionage' and imprisoned, while two former *Cambodia Daily* reporters also were charged with 'incitement.'" In contrast to the travails of the independent media, pro-government media outlets grew in strength.¹⁰

Freedom of expression in Cambodia was further restricted in February 2018 when the National Assembly and the Senate passed a lèse-majesté law which punishes insults against the Cambodian king with "one to five years in prison and a fine of 2 million riel to 10 million riel (about \$500 to \$2,500)." CPP Senator Chum Vong explained that it was in Cambodia's national interest to restrict freedom of expression: "In the past, we had a problem because we were thinking too much about freedom, which allowed [people] to

say and raise whatever they wanted. It affected other people's rights and the national interest, so it ... became anarchy." Human rights advocates have observed that Cambodia's *lèse-majesté* law mirrors similar laws in Thailand which "have been used ... to curb free speech and crack down on political dissidents and journalists."¹¹ In March 2018, Cambodia's *lèse-majesté* law was invoked against an activist monk for mentioning the king in a radio interview in which he criticized Prime Minister Hun Sen for allowing ethnic Vietnamese residents to live on Cambodia's Tonlé Sap lake.¹²

Apart from cracking down on the independent media, the CPP-led government has also attacked the opposition Cambodian National Rescue Party (CNRP). While the CNRP had failed to win the 2013 general elections, it won enough seats to deprive the CPP of its two-thirds majority in the National Assembly.¹³ The government responded with a "campaign of intimidation and repression against the political opposition and civil society,"¹⁴ and "at least 35 opposition and civil society leaders" have been detained since July 2015, "many of whom have been prosecuted and convicted in summary trials that failed to meet international standards."¹⁵ The crackdown on the CNRP climaxed with the arrest in September 2017 of CNRP leader Kem Sokha on charges of "treason and espionage,"¹⁶ and the Cambodian Supreme Court's dissolution the following month of the CNRP, accompanied with the banning of "118 of its senior officials from any political activity in the Kingdom for five years."¹⁷ With only a scattering of minor opposition parties left, the CPP's success in the 2018 general elections is all but guaranteed.

Cambodia and the Asian Values Debate

How do the arguments of Chan Kunthiny and the CPP fit into the Asian values debate? As Randall Peerenboom reminds us, the debate has evolved over a number of phases.¹⁸ The Asian values position was originally articulated by the long-time former Prime Ministers of Singapore and Malaysia, Lee Kuan Yew and Mahathir Mohammed, who articulated their understanding of "universal human rights as an alien imposition from the West, reflecting specific Western values," and who "argued for an approach based on 'Asian values' instead." As Lee Kuan Yew stated, "Asia has never valued the individual over society. The society has always been more important than the individual."¹⁹ Likewise, Mahathir Mohammed argued that "while the individuals must have their rights, these must not extend to the point where they deprive the rights of the majority." Mahathir also claimed that "many Western societies [...] are morally decadent," and he advised then-President Abdurrahman Wahid of Indonesia to "not follow this 'Western' model to run his government."²⁰

The Asian values position was subsequently formalized in the 1993 Bangkok Declaration,²¹ in which Asian governments—meeting as a region before the United Nations’ 1993 World Conference on Human Rights in Vienna—stated that, while they remained committed to “the principles contained in the Charter of the United Nations and the Universal Declaration on Human Rights as well as the full realization of all human rights throughout the world,” it had to be recognized that human rights had to be “considered in the context of a dynamic and evolving process of international norm-setting, bearing in mind the significance of national and regional particularities and various historical, cultural and religious backgrounds.” In practical terms, these Asian governments demanded “respect for national sovereignty and territorial integrity as well as non-interference in the internal affairs of States, and the non-use of human rights as an instrument of political pressure,” and they emphasized that “economic and social progress facilitates the growing trend towards democracy and the promotion and protection of human rights.”²²

The Asian values debate was subsequently shaped by the 1997 Asian Financial Crisis, with the event initially leading “many opponents of Asian values” to blame “the crisis on Asian values” and thereby to declare victory for the position of universal human rights. Following the end of the crisis and the recovery of Asian economies, “advocates of Asian values ... questioned to what extent Asian values were a cause of the crisis,” and argued that Asian values had “played an important role in the recovery.” For instance, some observed that “many Asian countries that have democratized continue to suffer major socioeconomic problems and struggle to maintain social order and stability,” while states with a “strong (soft-authoritarian) ruling regime,” such as China and Singapore, “did not suffer from the crisis as much as other economies in Asia.”²³

Cambodia may be positioned as a case study in this latter phase of the Asian values debate, as not only was it impacted by the 1997 Asian Financial Crisis,²⁴ it was also impacted that same year by Hun Sen’s coup d’état against Prince Norodom Ranariddh,²⁵ a violent event which included the extrajudicial killings of members of the royalist Funcinpec party.²⁶ Despite the economic and political shocks of 1997, Hun Sen and his CPP-led government guided Cambodia to a swift recovery, and in the following decade from 1998-2007, Cambodia’s growth was the sixth highest “across all countries in the world.” Indeed, in his 2010 report, World Bank economist Stéphane Guimbert predicted that “at the rate of growth of the past decade (7 percent per capita per annum), it will take only another ten years for Cambodia to double its income per capita, reaching middle-income

status.”²⁷ Cambodia achieved this just five years later in 2015, when its GDP per capita rose to 1,225 USD, “elevating Cambodia from the ranks of the world’s low-income to that of the world’s lower middle-income countries.”²⁸

The Cambodian iteration of the Asian values debate is not only in the economic dimension. A cultural dimension may also be found in Cambodia’s history of violence which long predates the Khmer Rouge genocide. As David Chandler observes, “coercion, violence and megalomania” have “always been features of Cambodian governance.”²⁹ The impact of this history of violence can be found in the *chbap*, poems dating from the precolonial era which prescribe traditional norms of behavior. One such *chbap* admonishes the ordinary people to beware their ruling elite—a warning which remains relevant today:

Officials, civil and military,
Are comparable to tigers
Or spotted snakes.
Whenever the people come to them
Seeking assistance
They change immediately into demons
Without compassion.³⁰

In view of the violence and injustice the ordinary people suffer from the elite, the *chbap* guide their listeners to “confront, evade, or better the harsh conditions of everyday life” by recommending “village-centered common sense,” such as obeying “masters outside the family [...] honoring one’s betters, looking fondly at the past, and praising the acuity of old people.”³¹ Such cultural norms—obedience to authority, respect for hierarchy, and reverence for tradition—are the constituents of a “thick” morality. As Joseph Chan explains, moral life is “thickly constituted” in that moral principles, including the principles of human rights, are “embedded and elaborated in a society with a particular set of circumstances (its culture, economy, politics, etc.).” However, Chan also notes that thick morality in itself does not exclude universal human rights.³² The *chbap*, after all, offer survival strategies in a world that is already understood to be violent and unjust. A society that wants a fresh start from this cycle of violence and injustice—as suggested by the popularity of the CNRP among younger Cambodian voters—would embrace the principles of human rights as norms which would prevent the government and the elite from perpetuating their historical norms of abusing and preying on the ordinary people.³³

The economic argument too does not support the Cambodian government’s restrictions on political and human rights. Despite the achievement of pro-poor growth, Cambodia’s economic development

has substantially increased economic inequality. This inequality has manifested itself in the form of objects of consumption which are desired but unattainable by the poor. The modern shopping malls which have recently emerged across Phnom Penh and Siem Reap are not the only emporia where such objects of desire may be found. On the streets, envy and resentment are directed at the high-priced luxury vehicles driven by the elite. Even more galling to the poor are the new satellite cities which are being constructed around Phnom Penh—at the cost of the displacement of tens of thousands of poor from their lands—which offer luxurious housing and amenities for the wealthy.³⁴ The government is even constructing “hotel-like” prison accommodations for wealthy inmates, which are “a far cry from typical Cambodian prison cells, where scores often share a single latrine and ailments like nutritional deficiencies, abnormal physical weakness, diarrhea and scabies are common.”³⁵ The number of Cambodians who desire a change in their country’s situation is substantial. In the 2017 commune elections, the CNRP won three million votes—over 43 percent of the total votes.³⁶ These three million voters have now lost their opportunity to vote for the CNRP in the 2018 general elections, and many CNRP supporters have indicated that they will simply boycott the elections.³⁷ The dissatisfaction expressed by such a large segment of the population belies the claim of the ruling elite that the country’s economic development justifies the restriction of political and human rights, and strengthens the suspicion that the economic argument is little more than a tactic to legitimate the CPP’s continued authoritarian rule.³⁸

Notes

1. Chan Kunthiny, “UN Country Team.”
2. Ibid.
3. Promchertchoo, “Vote for peace.”
4. Ben and Baliga, “CPP spokesman.”
5. Huang, “Xi Jinping.”
6. Ben and Baliga, “CPP spokesman.”
7. *Hostile Takeover*.
8. Lim, “Political Subjectivity,” 37.
9. Eckert, “UN Seeks Details.”
10. Ouch Sony, “Cambodia media.”
11. Ben and Nachemson, “As UN Raises Concerns.”
12. Niem Chheng and Kijewski, “Lèse majesté law.”
13. Lim, “Cambodia Rising,” 68.
14. Lim, “Human Rights in Cambodia,” 17-18.
15. Human Rights Watch, *Cambodia: Events of 2017*.
16. “Cambodia’s Opposition Leader.”
17. Ben, Dara, and Baliga, “Death of democracy.”

18. Peerenboom, "Beyond Universalism," 2.
19. Tew, *Beyond "Asian Values,"* 5-6.
20. Hoon, "Revisiting the Asian Values," 155-157.
21. Peerenboom, "Beyond Universalism," 2.
22. *Final Declaration.*
23. Peerenboom, "Beyond Universalism," 3-4.
24. Okonjo-Iweala, Kwakwa, Beckwith, and Ahmed, "Impact of Asia's Financial Crisis."
25. Lim, "Human Rights," 16.
26. Ear, *Aid Dependence*, 25.
27. Guimbert, "Cambodia 1998-2008," 2.
28. Lim, "Human Rights," 17.
29. Chandler, "Coming to Cambodia," 25-26.
30. Chandler, "Normative Poems," 274.
31. Chandler, "Normative Poems," 277. See also Chandler, *Facing the Cambodian Past*, 78.
32. Chan, "Thick and Thin," 62-64.
33. Lim, "Cambodia Rising," 68.
34. Robertson, "The Pristine Exclusivity."
35. Soth Koemsoeun, "Nicer Jails."
36. Hoekstra, "Is Cambodia an Autocratic State now?"
37. Ouch Sony, "More than 1 million Cambodians."
38. Frick, "Universal Claim," 23.

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