

Under the leopard's skin: Land commodification and the dilemmas of Indigenous communal title in upland Cambodia

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Abstract: *Two opposing land tenure policies are being implemented in upland Cambodia: indigenous communal title, the product of a decade of advocacy for indigenous rights; and Order 01, a dramatic new initiative to provide private individual titles to thousands of farmers living on state public land. This policy conflict has precipitated painful deliberations in Indigenous villages, whereby the merits of inalienable communal title must be weighed against its risks and constraints; and individual titles must be scrutinised for their potential to accelerate alienation and render frontier areas 'legible' for government and markets. I examine these issues through the experiences of one village in Monduliri, which recently 'reconciled' its communal title claim with the new individually motivated reforms. The village exemplifies Cambodia's commodity frontier: it is of mixed Bunong-Khmer ethnicity, and has undergone rapid deforestation and market integration since 2005. Thus, when the individual titling commenced in 2012, the already-fragile communal land claim was abandoned by 25% of its constituents. I explore how this unfolded, revealing powerful moral and racial narratives around Bunong identity and the processes of land fragmentation, commodification and alienation. I also reveal how these processes are enabled by Cambodia's predatory regime, of which Order 01 is an intimate part.*

Keywords: *Cambodia, commoditisation, communal land title, Indigeneity, predation*

Introduction

In September 2012 I attended what should have been a routine village meeting, about forest conservation and indigenous communal land title in eastern Cambodia. Instead, what I encountered was a village in crisis: their land-titling initiative, now in its final stages of completion, was apparently being boycotted by a large subset of the village. It emerged that a group of 20 families had requested to 'leave the community' (*cheng pe sahakoum*) in order to take up private land titles, free from the constraints of communal management. In this context, 'leaving the community' did not mean moving house or acquiring land elsewhere. It meant renouncing membership of the local community organisation (*sahakoum*), formed originally as the legal entity to manage and

hold indigenous communal title. This rupture had been precipitated by Prime Minister Hun Sen's 2012 announcement of Order 01, a dramatic new initiative to distribute individual land titles to hundreds of thousands of families across Cambodia, mainly in rural and forest frontier areas. Ambitious announcements from Phnom Penh can usually be safely ignored in remote Cambodia, but Order 01 manifested in the village with unusual presence and momentum.

As a result, the idea of a 'leopard skin' (*sbaich klah*) landscape crystallised in the minds of villagers. From a wide expanse of communally held land, spots or islands would be removed to create private individually owned farms. The so-called 'leopard skin policy', now an alternative name for Order 01, was formerly just a distant idiom of the Prime Minister – dating

from 1990s references to guerrilla-held pockets of state territory¹ – but now it was to shape village life and land indelibly. How this occurred, and the social and political dynamics involved, is the subject of this paper.

Focusing on one Indigenous Bunong village that has experienced significant Khmer in-migration and land pressure over the last decade, with comparative insights drawn from neighbouring villages, I examine local tensions and conflicting desires around communal and individual land title. In doing so, I explore how the processes of land commodification, dispossession and market integration have transformed and diversified the ways in which Bunong people have seen and used land over the last decade. I also reveal the critical role played by state actors in facilitating the exclusion of Indigenous Peoples from their land and resources, through official but also violent means. Thus, more broadly, this article serves to illustrate how contemporary indigeneity is being lived and transformed in the context of Cambodia's rapidly advancing 'commodity frontier' (Nevins and Peluso, 2008) – a highly dynamic space now characterised by struggles over resources, various forms of land grabbing and dispossession, deforestation, and in-migration (e.g. Cambodian Human Rights and Development Association, 2013; Diepart and Dupuis, 2013; Dwyer, 2013; Ironside, 2013).

The paper proceeds as follows: first, I provide an overview of land interventions in Cambodia, covering legal provisions for Indigenous rights and the recent push to distribute individual land titles *en masse*. Second, I describe my research methods and introduce the case study village in Mondulkiri, where processes of deforestation and land commodification have long affected Bunong attempts to conserve and control their land. Third, I explore villagers' responses to the individual versus communal title options, exploring the dilemmas that villagers face in making decisions about how to manage and 'own' their land in the face of multiple risks, opportunities, uncertainties and pressures. Finally, in the light of villagers' narratives and experiences around land titling, I explore the interplay between land commodification, Indigenous identities, and the elaboration of state territoriality and power in the uplands of Cambodia.

Land dynamics and the Cambodian state

The political capture of land reform processes

International institutions and donors have spent countless millions on land reform in Cambodia. One of the most prominent reform initiatives was the Land Management and Administration Project (LMAP), worth over US\$45 million in funding from the World Bank and other bilateral donors (World Bank, 2002). Initiated in 2002, LMAP involved direct financial support and technical assistance to the Ministry of Land Management Urban Planning and Construction (MLMUPC), with the aim of implementing a 15-year land reform programme, following the then newly promulgated Land Law of 2001. A key objective of LMAP was to initiate land titling and registration systems, eventually to reach the millions of Cambodians without formal land ownership. The rationale for investing in tenure security was multifaceted, yet underpinned by the explicitly neoliberal intention to 'promote the development of efficient land markets' and to facilitate 'systems for land transactions' (World Bank, 2002: 2). In theory, this would promote economic development and equitable sharing of resources.

In spite of these noble intentions, Cambodia's donor-driven land reform has been fraught. Indeed, the demise and early termination of LMAP in 2009 has now become a high-profile case internationally (Bugalski, 2012); an exemplar of the challenges faced by donors working in partnership with authoritarian regimes that are intent on elite accumulation and have little regard for human rights. LMAP unravelled because of a standoff, triggered by allegations that the World Bank was in breach of its social safeguard policies due to the impending forced relocation of thousands of families from Boeung Kak Lake in Phnom Penh. These families had been overlooked by government officials in the LMAP titling process, apparently strategically, so as to make way for a luxury real estate development. Acknowledging this, the World Bank sought dialogue with the Cambodian government to bring LMAP back into compliance; but this was met with disdain, and the government swiftly terminated the project (Bridges Across Borders Cambodia, 2010).

Land reforms were therefore left hanging, and donors were forced to re-group in the face of a newly assertive and increasingly predatory regime. The World Bank's response, after protracted unresolved conflict with the Cambodian government over LMAP and the forced evictions, was to suspend new lending to Cambodia (Tran, 2011). Other donors were not as bold, but there has been a steady attrition in support to the land sector.² This has occurred alongside the realisation that pressure on the Cambodian government from donors and international agencies around land is not welcome and has limited influence. For example, when land sector donors collectively proposed a set of 'monitoring indicators' and 'interim protection measures' to the government in 2012, aimed at reducing forced evictions and ensuring respect for human rights, these were uniformly rejected.³ Thus, foreign advisors on land issues now appear as minor players in what has become a political game, dominated by the interests of the Cambodian People's Party (CPP) and its elite-entrepreneurial network.

Such government resistance to donor-backed land reform in Cambodia has been noted by many, and has arguably been endemic since the outset of titling efforts in 2002. For example, scholars observe that the reforms were co-opted to serve the interests of the ruling 'politico-commercial' elite (Un and So, 2009), constrained by neopatrimonialism and the 'politicised bureaucracy' (So, 2010; Un and So, 2011), and implemented strategically to conserve and reinforce the *status quo* (Biddulph, 2011). The latter phenomenon, in which donor-driven reform efforts are redirected by government to be implemented in politically convenient or 'low-impact' locations, has produced what Biddulph (2011) calls a 'geography of evasion' in the application of tenure reforms in Cambodia. In this light, the implementation of land reform in Cambodia must be seen as partial and highly politicised, reflecting the current regime's deft manoeuvring to secure power and resources.

The evolution and trajectory of Indigenous communal title

In spite of the political challenges to land reform in Cambodia, some momentum has been estab-

lished for the implementation of communal title for indigenous people, which was provided for under the 2001 Land Law. The Law defines 'indigenous people' and allows them to exercise collective rights over lands 'where they have established their residence and where they carry out traditional agriculture', including 'reserved land necessary for shifting cultivation' (Article 25). The strong emphasis on *collective* rather than *individual* rights reflects in part the values and ideals of technical advisors involved in developing the legislation, as well as the expressed desires of indigenous representatives consulted on the matter (McAndrew and Il, 2009). Cambodia's indigenous land rights framework therefore followed what Li refers to as the 'communal fix' – a familiar yet arguably paternalistic or colonial response to dispossession, in which land rights are conditional upon communal and traditional land use (2010).

The legal recognition of indigenous land rights in Cambodia is nonetheless remarkable for Southeast Asia, especially the acknowledgement of people's mobility due to shifting agriculture practices (Simbolon, 2009). However, the rights alluded to in Cambodia's Land Law have been slow in coming. This is in part due to delays in the release of necessary legal guidance, such as the sub-decree on 'procedures of registration of lands of indigenous communities' (Sek *et al.*, 2010). This sub-decree was signed eight years after the creation of the Land Law, and subsequent implementation has been painfully slow. For example, by late 2012 only three villages in Cambodia had actually received their communal titles from the government, but over 190 villages remained part-way through the claim process (Woods and Naren, 2012).⁴

The delays have been caused by a combination of factors, including: low technical capacity for mapping and community facilitation; very complicated and expensive legal processes, involving three Ministries; and a lack of legal precedents to follow. However, these factors aside, the underlying barrier to implementation has been lack of political will on behalf of the government. For example, rumours in Phnom Penh in early 2013 were that MLMUPC was prepared to issue only three communal titles per year, meaning that it would take over 50 years just to register existing land claims, let alone new claims. In addition to

these rumours, there were many tales of government foot dragging. For example, some villages in Mondulkiri, after submitting their land claims, were told by provincial officials that their maps were 'not detailed enough' and that they should re-do them.⁵ These delay tactics have left many indigenous communities vulnerable to alienation, especially given the rapid advance of economic land concessions (ELCs) and other forms of encroachment.

Apart from the practical barriers hampering implementation, concerns have also been expressed about the political effects and implications of indigenous communal title legislation. This relates especially to the potential for Cambodia's Land Law to prompt the 'redefinition and reinvention of tradition' by communities, given that they must *demonstrate* their indigeneity and traditional lifestyle to government officials in order to legitimise and secure their claims (Simbolon, 2009; Baird, 2013). Furthermore, questions have been raised about the nation-wide applicability of communal property rights for indigenous people in Cambodia, given that some groups' customary systems can tend towards more individualistic farmland ownership (Fox, 1997), or can switch between communal and individual possession depending upon whether land is being actively cultivated or not (Ironsides, 2010). Another issue is that some resources on indigenous lands, like resin trees, are not used communally but are privately owned (Baird and Dearden, 2003). Thus, indigenous communal titles must overlay and represent what is in practice a complex and constantly changing mosaic of property types that are both communally and privately held, and are often negotiable as conditions change. For these reasons, the implementation of indigenous communal title in Cambodia has the potential to be highly complicated and political, as this paper reveals, and as experience elsewhere suggests (see Li, 2010).

Order 01 and the leopard skin policy

In mid-2012, the direction and pace of Cambodia's land reform changed radically. After more than a decade of delays in awarding land titles to ordinary Cambodians, coupled with aggressive and unprecedented rates of land grabbing that have alienated tens of thousands of farmers

(Schneider, 2011), the social and political situation was becoming increasingly stretched. It seemed that the ELCs scheme, active since 2005, had finally reached its limit: over 2.6 million hectares of land had been allocated to private companies for 'agricultural development', amounting to almost half of Cambodia's arable land (ADHOC, 2013). This tremendous rate of alienation, coupled with an almost complete lack of public consultation and disclosure over ELCs, led to a dramatic rise in the frequency and intensity of protests against the government and concession companies in 2011–2012. Human rights advocates therefore warned that 'social stability may be at stake' if land and resource conflicts were not addressed (Subedi, 2012; ADHOC, 2013: 2).

The potential for social unrest was also recognised by Prime Minister Hun Sen, who saw the situation as a threat to his regime and its perceived legitimacy. With commune council elections scheduled for June 2012, and parliamentary elections scheduled for July 2013, Hun Sen took radical action. On 7 May 2012, he announced a moratorium on the granting of new ELCs and he launched the 'leopard skin policy' whereby state land already occupied by families would be acknowledged and excised from ELC zones (Subedi, 2012). This bold move was consolidated on 14 June 2012, in a two and a half hour-long speech that stopped the nation. In this speech Hun Sen launched an accelerated land titling programme to be implemented by students or 'youth volunteers' throughout the country. The new programme would recognise and measure existing land use, and allow local people to acquire private land title for up to five hectares of state land per family, provided they could demonstrate 'active use' of the land.⁶ These were dramatic promises, but characteristic of Hun Sen in campaign mode, given his party's well-refined political strategies of gift giving and mass patronage (Hughes, 2006; Un and So, 2009). Thus, the new land titling initiative corresponds with a populist political strategy, aimed at subduing a potentially discontented rural populace with 'gifts' and reasserting the vision of Hun Sen as protector or benevolent patron.

The land-titling initiative, often referred to in Cambodia as Order 01,⁷ has been implemented with almost military zeal. Over 5000 student volunteers were mobilised immediately after the

Order, with Hun Sen instructing provincial governors to 'look after their land management soldiers'.⁸ The students were deployed using off-budget resources direct from the Prime Minister's office, and government officials involved in the initiative were told not to speak to journalists or foreign advisors.⁹ Army fatigues and global positioning system equipment were then issued to the students, who were transported in military trucks to remote villages where the land measurement would take place. Thus, a power-laden encounter between state-backed urban elites (referred to as *krom niset* or 'student group') and soon-to-be-mapped rural villagers ensued.

Rumours and impressions of this encounter then circulated around Cambodia. For example, the tale of a young boy who was bitten by a snake in the remote northwest was widely discussed: rushed to the health-post by his family, the boy was refused treatment by doctors who said that all of their anti-venom was reserved for the students. The boy died soon after, *en route* to another hospital. Such tales have bestowed an almost mystical power upon Order 01, compounded further by Hun Sen's overt and intimate backing of the students. For example, the students have been portrayed as heroes in Cambodia's state-controlled media; they have received nearly half a million dollars in cash bonuses from 'uncle' Hun Sen; and they were given a 'lavish party' in Phnom Penh on 7 January, Cambodia's national Victory Day (Phorn, 2013). Thus, it is not surprising that Order 01 has been implemented with a heightened sense of duty and obedience among government staff and local authorities.

It is undeniable that Order 01 represents a significant moment in the governance of Cambodia's resources, and in the country's political trajectory overall. But the effects of the scheme remain largely unknown, and its idealistic claims about reducing rural poverty must be interpreted with caution, given Cambodia's neo-patrimonial regime. For example, Hun Sen explained the virtues of the titling scheme as follows:

A good thing for people is that their primary land titles can be used to deposit in banks in request for loans . . . this should help people to develop fast and have a vast economic effect on their own livelihood.¹⁰

This statement, somewhat ironically, reflects the neoliberal thinking of the World Bank's proposed land reforms of one decade ago. In particular, it aligns with conventional theory in development economics, which posits that tenure security – especially inalienable individual land title – encourages investment by smallholders and enables them to reap the rewards of market integration (de Soto, 2000). While this theory is persuasive, and the formalisation of agricultural 'possession rights' in many ways responds to the demands of Cambodian farmers, it also disguises two political side effects of land titling that ultimately serve the interests of the current regime. The first is that land title, which entails formal state recognition of land ownership and associated rights to sell, transfer or mortgage land, represents the final moment in *land commodification* (Li, 2010; Hall *et al.*, 2011: 28). The second is that, through the processes of land mapping and registration, the state is able to make land use *legible* (Scott, 1998), and hence governable and taxable. The state can therefore establish who is using land for what purposes, meaning that it can deal with agrarian unrest or generate tax revenue from newly 'visible' resources and people as required (Hall *et al.*, 2011: 34). Order 01 can therefore be interpreted through the lenses of land commodification, and government-led or 'licensed' exclusion (Hall *et al.*, 2011).

The other implication of issuing private land titles for small holders and indigenous people is revealed by its inverse effect: that the category of unoccupied state land is legally re-produced and thus newly asserted in areas where titles are not issued. Order 01 therefore represents a state enclosure of apparently empty land for the purposes of ELCs and other elite interests, because it works to extinguish potential counter-claims and render invisible indigenous land-use categories like fallow and burial forest. Furthermore, the commodification of land through individual titles *by definition* disembods land from its social, cultural and historical context – a dispossessory process that Polanyi (1944) argued would lead to 'social protection measures' or reactionary uprisings, which he called the 'double movement'. The effects of Order 01 will therefore need to be examined closely over time, building on insights offered here and elsewhere (e.g. Rabe, 2013).

Research methods

Data were collected from August 2012 to January 2013, through a series of fieldtrips to Mondulkiri and discussions in Phnom Penh. The impetus for this research derived in part from circumstance: I was prompted by the dramatic encounter between individual and communal land titling programmes that I witnessed, quite by chance, while conducting other work.¹¹ In particular, I was intrigued that this encounter had caused some communities in the study area to fragment and reject communal title, while others had remained steadfast in their collective land claims. Thus I was presented with a 'natural experiment', in which local responses and dialogue around land ownership and alienation could be witnessed and explored.

The study focuses on O Rona village, which experienced a 'shake-up' in its communal titling process in late 2012 after numerous families decided to pursue individual titles under Order 01. The situation remained unresolved at the time of research, which enabled me to investigate the fragmentation process in detail, examining how Order 01 was unfolding in the indigenous context. For purposes of comparison, I also investigated what was happening in the neighbouring Indigenous villages of Sre Lvi and Sre Khtum, which were in the same situation as O Rona. I learned that Sre Khtum was undergoing similar fragmentation to O Rona's, but that Sre Lvi was different: there, no families had left the communal title in favour of individually held land. Thus, to gather comparative insights, I conducted additional fieldwork in Sre Lvi village.

My data collection methods involved interviews and focus groups. I conducted three focus groups with participants from: (i) the predominantly Indigenous part of O Rona, which was still pursuing communal title; (ii) the mixed Khmer and Bunong part of O Rona, which had opted for individual titles; and (iii) Sre Lvi, which had rejected individual titles. Each focus group had seven randomly selected villagers¹² who engaged in two participatory exercises. First was the drawing of a village sketch map, showing land-use types and land ownership zones. The second was a wealth-ranking exercise in which participants developed criteria to identify rich, medium, poor and very poor households, followed by an estimation of the number of house-

holds in each category. This exposed the level of social differentiation in villages and highlighted, inadvertently, the role of land in this.

Aided by the broad overview of villages gained through the focus groups, I then conducted a set of semi-structured interviews. I used purposive and random-stratified sampling to ensure that I spoke to equal numbers of men and women from across the geographical and socio-economic spread of the villages. In all, I conducted 25 interviews, covering: (i) families in O Rona that had 'left the community', meaning that they had rescinded their membership of the community-based organisation called *sahakoum*; (ii) families that had stayed with the *sahakoum* and rejected the individual titles; and (iii) key actors in the process including government-appointed village chiefs, locally elected leaders of the community committees responsible for communal land title, and project staff (both non-government and government) involved in communal title implementation in the area. Interviews with the student titling teams were unfortunately not possible due to the politically charged and secretive nature of Order 01 at the time. Indeed, the students were notably unapproachable and inaccessible at the local level, having no time to chat, and spending their evenings in the commune office compound. Finally, I supplemented my field data by interviewing five technical advisors in the land sector in Phnom Penh about the implications of Order 01.

Research setting: Land, Indigeneity and markets around O Rona village

The story of O Rona in the last 15 years is one of environmental change, market integration, and increasing social differentiation and fragmentation. The processes at play are a manifestation of Southeast Asia's emerging and evolving 'commodity frontier', in which historical processes interact with contemporary state-making and transnational markets to produce new types of enclosures and nature-society relationships (Nevins and Peluso, 2008). Villagers in O Rona are caught between the conflicting transnational demands of markets for three prominent agricultural commodities (rubber, cassava, cashews) and forest commodities (timber, forest carbon). Each of these commodities entails its

own mode of production, with unique social and environmental side effects, through which villagers must navigate on a daily basis.

Most villages in the area, which is generally referred to as Keo Seima district, are original Indigenous Bunong villages. Traditionally isolated from 'lowland' Khmer populations, they have their own distinct language, animist cultural traditions, and livelihoods formerly distinguished by the practice of shifting agriculture and the collection of liquid resin from the surrounding forest (Evans *et al.*, 2003). Trading has always been part of Bunong life, but only in the last decade have markets for land and agricultural commodities begun to transform livelihoods and landscapes. This process began with the advent of logging, initially by military groups in the 1990s and then by a Malaysian logging company in 2001–2002: 'Before then we relied on resin,' said the village chief, 'but the loggers took the resin trees, so we became farmers.'

O Rona and its neighbouring villages are located on the forest frontier, between the conservation areas of Snuol Wildlife Sanctuary and Seima Protection Forest, and not far from the recently sealed national road connecting Phnom Penh with the provincial capital Sen Monorom and the Vietnamese border (see Fig. 1). The population of O Rona is 229 families, or 989 people.¹³ These families live in four separate hamlets or groups (*krom*): groups 1 and 2 are

further from the national road, closer to the forest, and are predominantly Bunong; while groups 3 and 4 are closer to the road and consist of mainly Khmer families, mixed in with some Bunong.¹⁴ By contrast, the neighbouring village of Sre Lvi is smaller, more remote and less exposed to Khmer in-migration. It consists of just 36 families, who live mainly along the dirt track from O Rona, with their farmland in Seima Protection Forest.

O Rona and the more accessible nearby villages like O Am have experienced tremendous population growth over the last decade, due mainly to the arrival of new migrants from other provinces of Cambodia, seeking jobs and land. The population of O Rona in 2003 was reported to be 344 people, which implies that the village population has grown by 188% in the last decade, or by 29% since 2010.¹⁵ Thus, it is not surprising that a donor-initiated participatory rural appraisal (PRA) in O Rona in 2010 ranks 'land alienation pressure' as high and 'cultural erosion' as medium, with the 'mainly Khmer' groups 3 and 4 reportedly uninvolved in the communal titling process.¹⁶ The huge influx of migrants to the area has also corresponded with rapid forest loss, leading to one of the highest local deforestation rates in Cambodia (Evans *et al.*, 2009). An analysis of deforestation in and around O Rona (Fig. 2) shows that forest clearing has radiated out from the main roads and settle-

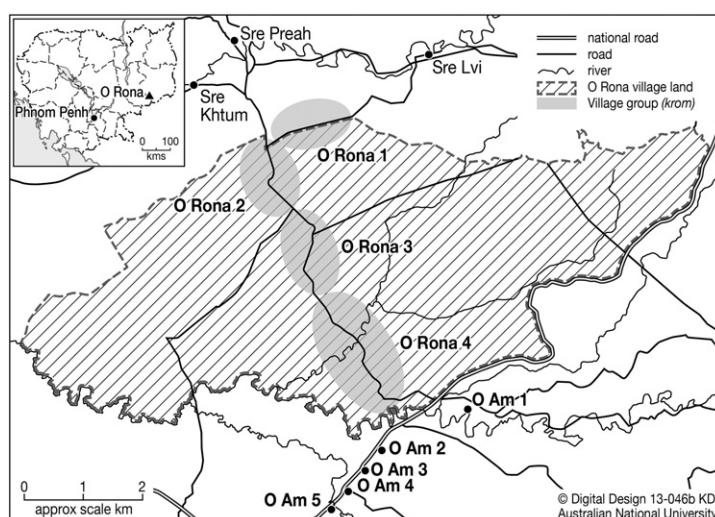


Figure 1. Map of O Rona village land (≈2500 ha), indicating village sub-groups (1–4) and geographical centres of neighbouring villages

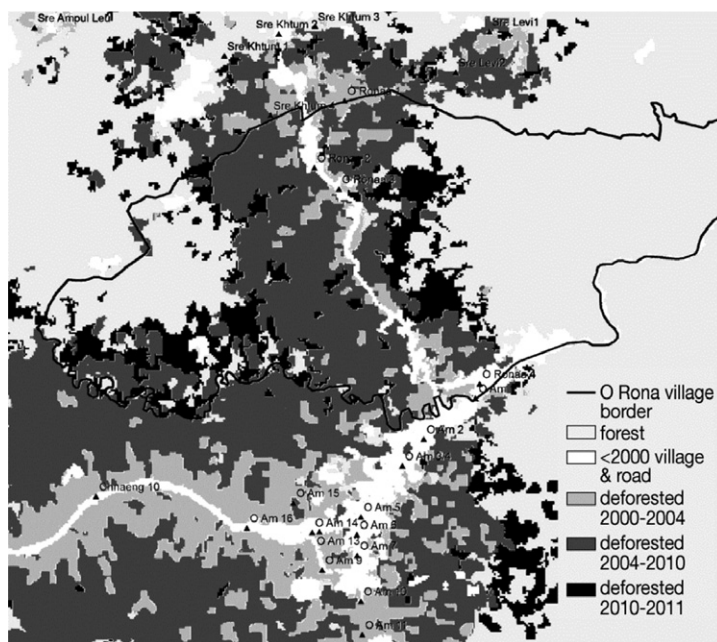


Figure 2. Deforestation map

ments over time, encroaching more recently into the conservation areas and communal land to the east and west of the village, respectively.

O Rona and neighbouring villages have embraced cash crops since the early 2000s. The first was cashew nuts, which villagers planted as a permanent tree crop in areas formerly dedicated to shifting agriculture and rice production.¹⁷ Nevertheless, rice was still considered to be 'the most important crop' in O Rona in 2006, with cashew, cassava and soybean being of secondary importance because 'they could be sold for money' (CRDT, 2006). However, the year 2005–2006 was a turning point in O Rona's market embrace. This was the first year that villagers grew cassava, after a Vietnamese company had assisted them to clear land, handed out seedlings and guaranteed to purchase their harvest (CRDT, 2006). Since then cassava has been the most profitable land use, effectively driving deforestation, fuelling the land market and reducing the importance of subsistence rice production (Winney, 2012). However, indications in early 2013 are that the boom is easing. Farmers consistently complained that the cassava this year would not be profitable. They blamed declining yields on the loss of soil fertility, and a reduction in the availability of cheap labour from other provinces.

Some also expressed concern about their vulnerability to price and weather fluctuations, with one farmer saying aptly that 'the price of cassava is up to the sky'. This decline in security and profit margins will inevitably affect land-use dynamics in the near future.

The side effects of market integration in O Rona also appear to include increased social inequality and the accumulation of assets and land in the hands of a few. The three wealth-ranking exercises provided valuable insights into this. For example, wealth was consistently defined around the size of land holdings: 'rich' people were said to have over 10 ha of land and 'very poor' people were defined as landless. In addition, rubber was considered to be a crop that only rich people could grow. This is because its establishment requires a lot of capital at the outset, ongoing labour to care for trees, and a wait of five years before any benefits are received. In spite of these overheads, not to mention the lack of village experience with rubber production, it was the most coveted crop of all. Farmers of 'medium' wealth consistently expressed a desire to plant rubber in future because of its potential profitability. In O Rona, 15 families were said to have rubber plantations; but no one in Sre Lvi had yet accumulated the capital to establish rubber.¹⁸ Thus, O Rona's

embrace of capitalism was more advanced, with evidence of increased accumulation and investment.

Land commodification and dispossession in O Rona

A significant feature of capitalist processes in O Rona has been the role of outsiders in stimulating and forcing change. Some of the outsiders are poor Khmers from lowland provinces (*srok krom*), who offer cheap labour; while other outsiders are rich and powerful entrepreneurs or state officials, intent on either purchasing or grabbing land. O Rona's engagement with these external forces and opportunities has set the village on a particular kind of capitalist trajectory, in which land alienation and commodification has occurred either through force, often associated with the abuse of state power, or through the endogenous processes of 'intimate exclusion' and liquidation of land through voluntary sales (Li, 2010; Hall *et al.*, 2011).¹⁹ This was summarised neatly by the deputy community chief in O Rona, who said:

Here, there are two ways to get land – outsiders come and take it, or indigenous people sell it. They [the indigenous people] keep the head of the land, but they sell the tail, which is next to the forest . . . then the new owners plant cassava, rubber and continue expanding. This is how we lost our community land. Now the indigenous people have only the head of the land, just 1–2 ha. They are trapped.²⁰

Indeed, there was widespread awareness among Bunong of the dangers of losing land, but land sales were also recognised as an opportunity to make money. For example, many whispered that the village chief of O Rona, a Bunong man, was actively involved in land sales – and he was recognised as a rich man with 3 ha of rubber plantation and at least as many of cassava. Villagers also saw his role in land sales as 'not good', but somehow allowed, given his government role in officialising land transactions. This emerged during one focus group discussion, when a woman said:

Bunong don't tell each other when they sell land, we don't know who owns it now. Only the village chief and community chief know about the outsiders [who bought the land] . . .

Such multiple covert land sales had led to what villagers described on sketch maps as 'mixed land' (*dei chomros*), or areas of communal and individual land mixed together like the leopard's skin. No one knew how many outsiders owned land in the village: 'lots' they said, adding that the village chief did not even know about all the sales, especially the verbal ones. When questioned about this, the village chief revealed quite openly that although there were 229 families in his village book, there were at least another 500 families that owned land in O Rona.²¹ These people were absentee Khmer landowners, who lived in the neighbouring village of O Am or in faraway provinces. He added:

They came here because land was easy to buy and sell. In 2006–2007 you could get 1 ha for \$250, but now it's over \$1000/ha because there's no more land left . . .

Thus, the 'elephant in the room' for Indigenous communal title was revealed: that land fragmentation had been under way for years, and that efforts to resist it were already seriously undermined when Order 01 was initiated.

Indigenous communal title implementation, 2006–2012

In response to the deforestation and land alienation unfolding in O Rona from 2005 onwards, local and international non-government organisations (NGOs) have attempted to implement a range of conservation, land-use planning and livelihood initiatives. Many of these efforts have derived from the presence of one international conservation NGO working in partnership with the Cambodian Forestry Administration around the Seima Protection Forest. As part of its community engagement in the protected forest, the NGO initiated 'participatory land use planning' (PLUP) in O Rona in 2006, following the then widely recognised national PLUP manual. After the politically motivated demise of PLUP in 2008 (see Milne, 2012), the NGO focused its efforts on implementation of Indigenous communal title.

This was a strategic move, based on the idea that limiting land alienation at the forest frontier would both reduce deforestation and protect

Indigenous livelihoods. To achieve this, the instrument of collective inalienable land rights for Indigenous communities appears to provide the perfect solution. It remains a core element of the NGO's strategy, and it is now also tied to the implementation of REDD for climate change mitigation.²² That collective rights, conditional upon the practice of non-commercial or traditional livelihoods, are problematic is well known (Walker, 2004; Li, 2010; Baird, this issue). In particular, the need for community members to prove their Indigeneity produces what Li (2010: 399) calls 'discourses of alterity', which can be essentialising and constraining. This was evident among Khmer NGO staff, who spoke of the non-Indigenous group in O Rona as 'the broken group, like anarchy', and attempted to persuade the Bunong to keep their traditional ways, telling them:

If you keep shifting agriculture, then outsiders see you are Bunong . . . but if you make permanent farms, then where is your identity as Bunong?²³

It was perhaps this thinking that prompted project staff to produce a 'racialised' map of O Rona, showing Khmer-owned farms in red and Bunong-owned farms in green.²⁴ The tendency to racialise difference has already been associated with the management of minorities in Cambodia (Duncan, 2004), but this case shows how racial categories underpinned project efforts to restrict the advance of land markets. It also appears that villagers' discourses were influenced by these categories, too, as I reveal in the following section.

Local responses to individual versus communal land titling

The implementation of Order 01 in O Rona in August 2012 precipitated the departure of around 20 families from the communal title,²⁵ reducing the number of families on the claim by one quarter. This was not a quick or easy decision. The families' departure took months of negotiation, and many hesitated about going 'in or out' of the community, as they weighed up the social, moral and economic factors involved. Below I examine the reasoning of villagers who: (i) left the community to take individual title; and (ii) elected to remain on the

communal title. At the time of research, the students had already measured the private land and displayed the new maps publicly, but what remained of the communal land was unknown. No new maps had been issued, but a rumour from the provincial officials was that around 700 ha of communal land remained out of the original 2500 ha, mapped in 2009. This was causing much anxiety among those pursuing the communal claim – and justifiably so, as it turned out. Four months later, O Rona was awarded its communal title, which totalled just 649.9 ha and was fragmented into 59 separate pieces.²⁶

Those who left the community

There was remarkable consistency in the reasons people gave for leaving the communal title. Overwhelmingly, these related to restrictions imposed by communal title on the processes of commodification and accumulation – or, in short, what people perceived to be restrictions on economic opportunity. For example, people said that they left because: (i) they heard it was not possible to borrow money from the bank using a communal title, and that the bank would only lend money to individual title holders; (ii) the community land was no longer enough for future expansion or younger generations, which was expressed in comments like:

The community land is really reduced now and there is not a new land-use plan – they [the NGO] only stop villagers from taking land . . . ;

(iii) they were scared that land could not be sold under the communal title and therefore it would be hard to 'get money'²⁷; and (iv) they heard that the communal title was weak, and that companies could easily come and take the land without compensation, reflected in astute commentary like:

When I joined the community, I was forced to put all my land in communal title, and I was worried I would lose my land . . . I'm afraid that if a company comes, and only the community committee makes the decision, then I'd lose my land . . . ;

I heard that communal land is easy for company to take – it's like government land. Only the committee chief is responsible, and he cannot say no to the government and the company . . .

Thus, doubts spread about the security and value of communally held land, as though it were not really 'owned' and was thus vulnerable to being lost.²⁸ This reflected a sense of mistrust of authorities and their collusion with power, as well as worries about the ability of community leaders to defend people's land against external threats. Probing further, I asked if families with larger farms had more incentive to leave the communal claim. But I was told firmly: 'it's not about size – it's about being able to borrow money and sell land'. The consistency of this response about the desire to mortgage land appears to reflect the role of 'received wisdom' in shaping village opinion. This is because, in practice, land mortgaging was not actually that common in O Rona, and Cambodian banks in fact *do* allow communal titles to be used as loan collateral.²⁹

Another critical problem that drove community fragmentation was the government's insistence that communal and individual titles should be mutually exclusive. One *had* to choose between the two.³⁰ This put some community members in a very conflicted position, and led to long and painful deliberations. Part of the difficulty in leaving the communal claim was that one had to sign a formal written contract with the government, entitled 'Voluntary Contract to Live as Private Life'. This document extracted written confirmation from villagers accepting individual title that they agreed voluntarily to:

... not claim any rights or benefits of the community properties such as the rights on the reserve land (shifting farming land), spirit forest and burial forest etc.³¹

Thus, those who took individual title were permanently excluded from the communal title. I questioned families about whether they regretted leaving and giving up their rights to future farmland and cultural sites. Some did concede this, saying:

Now, if we die, we will do ceremony like Khmer [because we cannot use the burial forest] ... if they [the community leaders] called me, I would do communal, but it's too late. The students measured my land already.³²

Furthermore, others expressed anger that the students had refused to measure land with trees on it, because they said it was not being

'actively used'. Those leaving the community therefore could not claim ownership over fallow areas that would have been recognised as 'owned' under the communal title, given its provisions for shifting agriculture. But in general, those leaving the community did not express strong regrets, and apparently they had not discussed their decision with other villagers. It was suggested during a focus group session that this reticence was because they were ashamed to admit they had left the community.

A final and critical piece of the puzzle in explaining the motivations of those who chose individual title is the influence of powerful outsiders in the village. In particular, a specific set of outsiders was blamed for spreading rumours in the village in order to discourage people from pursuing the communal title. This was explained by the community chief:

When the villagers listen to outsiders, they believe them ... the outsiders came at the same time as the students ... they want to buy land, so they spread a rumour that community land is easy for the company to take ... and they convinced villagers to do private land.

These outsiders were apparently linked to the district authorities, who also offered 'advice' and conducted a subtle scare campaign not long after Order 01 was announced. For example, the district governor called a meeting in late 2012 and told villagers that the NGO 'would not support them forever'. Thus he implied that the implementation of communal title was uncertain and that private title was more sensible. It later emerged that the district governor himself, along with the district police chief and other powerful officials, had cut forest and taken land from within the communal title claim. Thus, the district authorities had a vested interest in seeing the communal claim dismantled, and Order 01 provided them with the perfect opportunity to do this.

Those who stayed

There was a clear geography of resistance to private title in O Rona. Notably, all of the families in group 1 remained in the community, asserting their desire to keep the communally held land intact. A prime reason for this may be that group 1 is furthest from the main road and therefore less

exposed to outsiders seeking land. But the integrity of group 1 also derived from its leadership, social cohesion and cultural values. For example, the overriding reasons provided for persisting with communal title were that it offered land for one's children and grandchildren, and that it protected culturally important areas like 'spirit forest' and 'burial forest'. Notably, these two indigenous land-use categories feature in the language of Cambodia's communal title legislation, and they were articulated in Khmer during villagers' discussions in Bunong. This, I suggest, reflects the influence of legal and advocacy discourses over local narratives around land.³³ But local voices also appeared to be genuine: woven into people's responses about the benefits of communal land was a strong sense of Bunong identity, solidarity and attachment to land. For example, one old woman explained that she did not know 'how to do' individual title, indicating that the carving up of Bunong land into family-sized permanent pieces was culturally foreign to her.

There was also a pronounced narrative about keeping land intact, alongside the expression of strong opinions about the moral and economic hazards of selling land. For example, one respondent said:

Group 1 does not sell land – we didn't hesitate about community title. But group 2 and 3 sell land because they want money very fast . . . for buying motorbikes and making houses. Maybe some of them will regret it . . . after they sell, they will become a worker on their own land.

The sentiments expressed in this statement were echoed by almost everyone who had chosen to remain on the communal title. This conveyed a notable resistance to land markets and awareness of the implications of dispossession. The commentary included statements like:

Our elders taught us not to sell land, we are strong. We don't want to lose our heritage;

If you have land, you are not poor . . . I pity those who sell their land;

We want to care for indigenous land . . . we don't want outsiders to come and take it;

I am indigenous. I cannot run away from my land. People from the lowlands have no land.

Thus, there was clear moral pressure against selling land, which appears to have emerged from and/or been re-articulated through the communal titling process. For example, I was told in Sre Lvi that the few families who *had* sold land in the area were now 'shy and scared to come home' because of the existence of the community organisation (*sahakoum*). This moral positioning around land also bears a strong relationship to NGO-produced narratives of Indigeneity, used by project staff in the village, which inevitably played a role in shaping community interview responses.³⁴

There were also strong racial dimensions to the Bunong narratives about the merits of communal land. For example, the Bunong emphasised that they had better solidarity and a 'security net' amongst each other, which Khmer people did not have. Thus, they said they could resist the pressure to sell land. This was explained by a young Bunong woman in group 1:

People tell me I'm crazy that I don't take private land, because I won't be able to sell it. But I'll never sell my land. My husband will go to forest to get resin if we need money. I can borrow money from my Bunong relatives. If you borrow from Khmer, they take interest . . . Bunong people only sell their land because they started following Khmer.

Similarly, a woman in Sre Lvi explained about Bunong helping each other to avoid land sales:

If we are sick, we borrow money from relatives, then we harvest cashew and repay debts. In O Rona, they sell all the time: a little bit sick, they sell land . . . need something, they sell land . . .

Thus, land sales were seen by the more 'community-oriented' Bunong as a road to poverty, rather than a way to get easy money. This was often expressed through rhetorical questions like: 'you sell land to buy a motorbike, but then the motorbike is broken, so what do you do?' Again, this reflects Bunong people's connection to their land, which was often juxtaposed with what they portrayed as Khmer desires to liquidate land. For example, people in O Rona group 1 and Sre Lvi said they would not let Khmers into the village, because they would 'cut and sell the land'. They also lamented their relatives who had been 'influenced by Khmers' to engage in land deals. Proof of this was appar-

ently provided by the fact that, among the families who chose not to take individual title, only one was married to Khmer; unlike the 'mixed' families who had left the community.

Together, these responses indicate that for the more 'traditional' Bunong, land is seen as fundamental to their identity and future livelihoods. For them, it was a moral problem to engage in land markets, and they recognised that communal title could help to prevent the erosion of their land and culture, as seen in other parts of O Rona. However, as I discuss below, the *ideal* of communal title has been hard to realise in practice.

The dilemmas of communal title in a predatory-capitalist context

Although many Bunong expressed the advantages of communal title, and defended their choice to pursue it, there was a lot of anger and frustration over the difficulties in implementing it. There were two key issues here, deriving from the wider political context. First was the amount of time being wasted in implementation: land-use planning in O Rona began in 2006; the formal legal entity for communal title was formed in 2009; but by early 2013, the land claim still had not been publicly announced and village leaders did not have updated maps of the communal land area. The second issue was that the communal land was being steadily eroded, and community members were apparently unable to stop this.

Both of these issues relate to the predatory-capitalist context of Cambodia, in which violence and state power have been used systematically to drive dispossession and enable accumulation by well-connected elites (Levi, 1988; Hughes, 2003). Consistently, villagers complained of these dynamics, and it was well known that 'outsiders' had stolen the land that was originally mapped for the community in 2006.³⁵ Back then, *all* families had agreed to do communal land, and when they mapped the community area it was around 2500 ha. But, according to the village chief and project staff, that was when the district authorities and a local 'power-man' started to interfere in the land-use planning and communal title efforts. These men apparently conducted 'propaganda' in the

village, telling people how hard the communal title would be for their livelihoods because it would prevent them from borrowing money and selling land. Evidently, this was because they wanted to acquire land for themselves, and to ensure that it was available to sell for their own revenue generation.³⁶ In addition, the local authorities refused to sign off on the land-use planning maps supported by the NGO, because the maps were seen as a 'political threat' and they were scared that the 'high level' of government had another plan for the land.³⁷ This politically motivated inaction has seen the communal land eroded to less than 650 ha: 'now they have taken enough', said the village chief, 'so they can give the rest to the community – no one objects now'. Similar remarks were made by the community committee chiefs.

Thus, local authorities and elites were instrumental in creating the conditions for community land to be lost, whether it was sold or stolen. The power dynamics involved in this dispossession are clear, with Bunong people expressing frustration about their own inability to take action and the authorities' lack of interest in law enforcement. For example, the community chief said:

We couldn't protect the 2500 ha – it's really complicated. Big people now have land in that area: military, district police, oknya [tycoon]. The communal title is too slow, so they could burn forest and steal the land ... Our *sahakoum* [community] is weak now, the authorities don't respect it, and if no one supports us we cannot do anything.

Thus, state-sanctioned irreverence for the law meant that the community could not protect its land against powerful outsiders and predatory government officials. The community leaders described, in private whispers, the forces that they were up against: they said that the land clearing happens all year round, and that workers from outside are hired by rich people to cut the land, often at night time. The conservation project had tried to stop this, but the illegal land clearers apparently destroyed the forest demarcation poles and were always notified by phone before the rangers arrived to catch them. Furthermore, when the community leader himself had acted as an informant for the conservation project, he routinely received 'threats'

within days, so he had become reluctant to speak out. This highlights how many of the processes of commodification and dispossession in O Rona have been underpinned by state-backed violence and predation.

However, the experiences of O Rona indicate that externally driven forced dispossession is too simple an explanation for the fragmentation of communally held land. While the communal title application dragged on and the threat of land grabbing increased, many Bunong sold land 'while they could'. This angered those who resisted selling land, but they said they could do nothing about the problem because Bunong were 'lazy to tell each other what to do', for fear of disrupting village harmony.³⁸ In this way, dispossession and fragmentation unfolded from within the village as well.

Conclusion

This paper has explored the case of O Rona village in Mondulkiri, where efforts to implement Indigenous communal land title have struggled in the face of multifaceted processes of dispossession, under way since 2000. The research was prompted by Cambodia's dramatic adoption in mid-2012 of Order 01, a huge initiative to issue private land titles for already occupied state land across the country. This initiative has been blamed for 'the destruction' of Indigenous communal title by some advocates: a claim that is intuitive, but all too simple, given that Order 01 appears to function primarily as a way of formalising prior alienation and fragmentation, albeit in a highly problematic way (Dwyer, 2013).

Through ethnographic fieldwork, I explored the tensions unfolding between individual and communal titles for Indigenous Bunong in 2012–2013, focusing mainly on the experience of one village. I found that communal title efforts have been steadily eroded by a combination of: (i) internal processes of dispossession or 'intimate exclusions' (Hall *et al.*, 2011), related mainly to voluntary land sales; and (ii) external processes of violent dispossession and land grabbing, which are enabled by Cambodia's neo-patrimonial and predatory regime. Thus, communal title in O Rona appears as a fragile bubble or a Polanyian 'social protection measure' that requires NGO support and

constant defence against predatory-capitalist desires and processes, both internal and external to the village. In this way, the situation in O Rona and surrounds reflects a common 'disjuncture' described by Li (2010), in which collective efforts to defend land are so often fragmented by individuals' differential responses to commodification: some of whom embrace it, some of whom resist it.

More broadly, however, the Cambodian Government's aggressive implementation of Order 01 indicates a more complicated story than just the formalisation of land occupation and ownership. At the crudest level, the new individual titles can be seen as a way 'to divide people and control them',³⁹ breaking up collectives and making land available for the market and state allocation. The fact that communal and individual titles were rendered mutually exclusive is significant here: villagers were forced to choose between the two, in a political context that has been largely hostile to Indigenous communal title, thereby accelerating land commodification. Also, of fundamental importance is the way in which Order 01 produced an 'ideology of use' around land ownership, whereby land that was not actively farmed such as fallow or spirit forest could not be claimed or titled. Order 01 therefore gives rise to a subtle but profound 'inverse exclusion', or state enclosure of land that is deemed by officials to be empty or unused. In other words, it works to annul Indigenous claims to land by rendering their land uses invisible, and signifies a massive project in state re-territorialisation that will inevitably serve the interests of the current regime.

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Notes

- 1 See government speech on the matter: Retrieved 15 February 2013, from website: <http://www.mofa.go.jp/policy/un/pko/symposium0803/ouch-borith.pdf>
- 2 For example, the Department for International Development, Danish Aid (DANIDA) and the Canadian International Development Agency have not renewed their support for land and natural resource management in Cambodia.
- 3 This occurred at the meeting of the Technical Workshop Group on Land in August 2012. Source: interview with one foreign advisor present at the meeting.
- 4 Since then, in March–May 2013, another four titles were issued in rapid succession in Mondulhiri province. This occurred after one donor injected its final tranche of land-sector funding into the Ministry as a ‘performance-based payment’ for the issuance of communal titles (i.e. \$/ha of land tilted). This enabled the four extra titles to be issued, but no more funding of this kind is likely, due to: (i) constraints on how the remaining land-sector donors provide funds to government; and (ii) lack of government budget and political will for communal titling. Source: interviews with technical advisors in Phnom Penh, June 2013.
- 5 Interview with non-government Khmer advisor to indigenous communities in Phnom Penh, January 2013
- 6 Unofficial NGO translation of the speech, 14 June 2012
- 7 Also referred to as Directive 001 or BB-01 (BB is an acronym of the Khmer term *bot bonchier*, meaning order, directive or letter). All refer to the 7 May 2012 government order on suspension of new ELCs and implementation of the leopard skin policy.
- 8 From Hun Sen’s briefing speech to the youth volunteers, 26 June 2012, translated on his website called Cambodia New Vision. The article is entitled: ‘Selected impromptu statements and comments during the meeting with youth volunteers for land measuring missions for the people’, Retrieved 17 February 2013, from website: <http://cnv.org.kh/en/?p=504>
- 9 Personal communication with a journalist at one of Cambodia’s English language newspapers, December 2012; and personal communication with a foreign advisor on land reform January 2013.
- 10 Hun Sen’s briefing speech to the youth volunteers, 26 June 2012. ‘Selected impromptu statements and comments during the meeting with youth volunteers for land measuring missions for the people’ Retrieved 17 February 2013, from website: <http://cnv.org.kh/en/?p=504>
- 11 In August 2012 I was working as a part-time advisor to the conservation NGO Wildlife Conservation Society (WCS) in the area. Subsequently, in January 2013, I returned to the area to conduct research funded by the Australian Research Council on livelihoods in the context of climate change mitigation.
- 12 These villagers were selected from the village chief’s record book. Absentee landowners are not in the book.
- 13 My source for number of families is the village chief, January 2013. I assumed an average family size of 4.3 people, as per national census data for the area, to calculate the total population.
- 14 There was also speculation about a new ‘group 5’ for the Khmer immigrant families living along the national road. If this group existed, it was considered to be quite separate from the rest of O Rona.
- 15 From the 2010 WCS demographic survey, which uses Cambodian national census data and village records. The 2010 population was recorded as 178 households or 769 people.
- 16 PRA data collected for DANIDA (Danish Embassy), supplied by J. Ironside. The categories of ‘land alienation pressure’ and ‘cultural erosion’ were devised by the PRA facilitators, to enable comparison between villages.
- 17 See Padwe (2011) for a description of this process in Ratanakiri.
- 18 One non-resident outsider had apparently grabbed land from Sre Lvi to plant rubber, but this person was not considered to be part of the village.
- 19 However, with the implementation of Order 01, it is now likely that state-driven ‘licenced exclusions’ (Hall *et al.*, 2011) will also feature prominently in the alienation process.
- 20 The ‘head’ of the land is the point at which a land parcel fronts onto the road. Land is often measured and sold in metres of road frontage, the implication being that landowners can expand endlessly away from the road into the forest, which is the unconstrained ‘tail’ of the land.
- 21 This figure was the village chief’s estimate of the number of additional landowners in the O Rona. It was unclear whether he kept records of this, although he himself would have signed off on many of the sales.
- 22 REDD stands for Reducing Emissions for Deforestation and forest Degradation. It is a mechanism recognised by the United Nation’s Framework Convention on Climate Change. The Seima Protection Forest is one of Cambodia’s national REDD demonstration sites.
- 23 Interview with former project manager who implemented communal title from the outset in 2009.
- 24 Although PLUP and communal title were not intended to be used for the mapping of individual plots, I was told by project staff that they used this strategy to monitor and control land clearing in the area. In this way, they attempted to enforce a farm size limit of 5 ha/family, based on a 1985 government letter on the use of collective land, which was then part of Cambodia’s Vietnamese-influenced socialist policy.
- 25 The families who departed belonged to groups 2 and 3, which are mixed Khmer-Bunong groups. No families left group 1, which is the most remote part of the village and is said to be 100% Bunong.
- 26 Official data from MLMUPC. Maps of the communal title are not yet available, but my informants at the

- Ministry confirmed that Indigenous land is now a 'leopard skin'.
- 27 This had apparently caused a rush in land sales just after the community (*sahakoum*) was created, so people could 'get money' before the communal title restrictions came into force.
- 28 Indeed, the students told community members that ownership 'could not be guaranteed' because the land was not obviously 'used' in the way that other farmland was.
- 29 Source: deputy community chief of O Rona. He showed me pamphlets from the Bank of Monduliri Province that explained how to get loans with communal title, while bemoaning the villagers' credulity of rumours to the contrary.
- 30 The formulation of this choice apparently emerged in response to conflicts encountered by the students elsewhere in Monduliri. It is unclear whether the choice is sinister, reflecting an intention to dismantle communal title, or simply poorly thought through. One explanation for the separation of titles was given to me by a Khmer Indigenous rights advocate (June 2013), who said that the choice was intended to protect those who elected to remain on the communal title: 'it's to prevent families from taking private titles under Order 01, selling that land, becoming landless, and then requesting re-entry into the communal scheme', he said, 'this would come at a cost to those who just took the communal land'. I also heard this from advisors at MLMUPC, but the explanation requires further research.
- 31 Villagers described this contract to me verbally. I later obtained an unofficial translation of the contract from the UN Office of the High Commissioner for Human Rights.
- 32 Comment made during the focus group discussion with residents of groups 3 and 4.
- 33 This use of Khmer terms occurred during village sketch mapping in Sre Lvi, which in large part was conducted in Bunong language. This suggests that the Bunong words for these land-use types are either hard to translate, have different meanings or do not exist as conceptualised in the law.
- 34 The influence of NGO discourses – particularly what is propagated through village meetings – on Indigenous identity and local narratives requires further investigation.
- 35 For example, there was lively discussion about these 'powerful outsiders' in focus groups. Community leaders also explained the situation to me in detail, and took me to the places that had been 'grabbed' by district authorities for their personal gain. Among villagers it seemed possible to discuss these blatant injustices, but dialogue was constrained on the subject of land sales conducted by the Bunong themselves.
- 36 For example, by making land easily available for markets, it was possible for authorities to win popular favour, generate revenue and provide patronage payments to the upper levels of the CPP. The community committee chief of O Rona explained this, e.g. 'the commune chief never follows up on illegal land

clearing, because he's from the party and he wants (needs) money'.

- 37 Source: a discussion with the former project manager, who witnessed events at the time
- 38 Comment made by Bunong focus group participant during the 'Group 3 and 4' discussion, O Rona
- 39 Comment made by my Khmer colleague during the course of research

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