

# Corruption, Violence and Gender

A critical look at police behaviour and a path to reform in Cambodia

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This paper was presented at the  
**23rd World Congress of Political Science,**  
**International Political Science Association (IPSA),**  
19 July 2014, Montreal, Quebec, Canada.  
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# Abstract

A country still transitioning to democracy, Cambodia needs a reliable police force to uphold the rule of law and instill confidence in the governance system among the country's people. To this end, significant donor and government resources have been spent for initiatives creating new institutional rules and providing police training to boost capacity. In reality however, the police force is still perceived as one of the country's most corrupt institutions. Moreover, acts of police brutality against civilians continue to occur, demonstrated during recent land eviction protests and demonstrations following the release of the highly contested results of the 28 July 2013 national election. Consequently, this paper seeks to discredit the fictitious view that new institutional rules and police training will necessarily lead to an adequate police force.

Employing a critical feminist perspective, this paper aims to deconstruct the individual and institutional behaviour of Cambodia's faltering police force. It will argue that police behaviour is rooted in a complex set of gendered power relations whereby police officers are feminised due to the tight power structures dictated down the public sector by the government and ruling political party. Hence in order to reestablish their power, dominance and masculinity, acts of violence and illicit bribes are routinely used against citizens who are feminised through the acts.

On an institutional level, the tough, constructed, masculine identity of the police force is reinforced, contrasted to the weak, submissive, feminine citizenry which is disempowered through the systematic injustices it faces in its interactions with the police. From this understanding, this paper will call for a more holistic reform approach, taking account of the broader set of social relations which inform police behaviour.

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# I. Introduction

Cambodia has made significant development gains since the 1991 Peace Agreements were signed, following decades of turmoil.<sup>1</sup> Greater numbers of children are accessing primary education.<sup>2</sup> The rate of diseases including tuberculosis and malaria has fallen.<sup>3</sup> The economy is growing at an annual rate of 7 per cent.<sup>4</sup>

Despite these achievements, democracy remains limited.<sup>5</sup> The institutions necessary to uphold a democratic system have insufficient capacity, resources and expertise.<sup>6</sup> In particular, the law enforcement agencies are not able or not willing to perform at the level necessary to effectively uphold the rule of law.<sup>7</sup>

The Cambodian government, international donors, and civil society organisations have contributed considerable resources to improving the national police. From the institutional frameworks regulating them, to specific training courses to provide police officers with needed skills, multiple initiatives have been undertaken. These efforts have enhanced the police, providing them with a Police Academy and regional training centres, further knowledge and skills, and greater gender equality through the promotion of women. Nevertheless, females working for the national police still only constitute less than 5 per cent of the total number of police officers.<sup>8</sup>

<sup>1</sup> See: Chandler, David. *A History of Cambodia* (fourth edition) (Chiang Mai: Silkworm Books, 2008) pp. 277-287

<sup>2</sup> Royal Government of Cambodia (RGC), *Achieving Cambodia's Millennium Development Goals: Update 2010*, Ministry of Planning (Phnom Penh: RGC, 2010) p. 16

<sup>3</sup> *Ibid.* p. 27

<sup>4</sup> The World Bank, *Data – Global Economic Prospects, Country and Region Specific forecasts and data, Cambodia 2012-2016* <http://www.worldbank.org/en/publication/global-economic-prospects/data?variable=NYGDPMKTPKDZ&region=EAP> [accessed 12 March 2014]

<sup>5</sup> See: Transparency International, *Corruption and Cambodia's Governance System – National Integrity System Assessment* (Phnom Penh/Berlin: Transparency International, 2014) – Forthcoming in September 2014

<sup>6</sup> *Ibid.* Also see: Global Integrity, *The Global Integrity Report 2012* (Washington D.C.: Global Integrity, 2012); Freedom House, *Countries at the Crossroads 2012: Cambodia* (Washington D.C.: Freedom House, 2012); World Bank, *Worldwide Governance Indicators 2012: Cambodia* (The World Bank, 2012); Bertelsmann Stiftung, *Bertelsmann Transformation Index 2012* (Gütersloh: Bertelsmann Stiftung, 2012)

<sup>7</sup> See: Transparency International, *Corruption and Cambodia's Governance System – National Integrity System Assessment* (Phnom Penh/Berlin: Transparency International, 2014) – Forthcoming in September 2014

<sup>8</sup> United Nations Office on Drugs and Crime (UNODC), 'Cambodia Holds Second Advanced Training on Gender Equality for Protecting Exploited Children,' 05 July 2013: [www.unodc.org/southeastasiaandpacific/en/cambodia/2013/07/gender-equality-training/story.html](http://www.unodc.org/southeastasiaandpacific/en/cambodia/2013/07/gender-equality-training/story.html) [accessed 29 January 2014]

Nevertheless, the national police continue to be blighted by corruption. The police also use regular violence in the suppression of protests. Moreover, police have reportedly perpetrated acts of sexual violence against female suspects. This indicates that existing initiatives to improve the police are not adequate. Whilst the integrity and accountability of law enforcement agencies is limited, Cambodia will continue to struggle to develop a credible governance system in which the country's people trust.

This paper seeks to offer an alternate view to understanding the shortfalls of the national police. Employing a poststructuralist feminist perspective, police behaviour can be seen as a fluid transaction of gendered social relations.

The tight institutional hierarchy, in which the police exist, castrates police officers' independence. Police must submit to their supervisors but also to the dominant will of the ruling party. In the process, police may be feminised. This contrasts to the image of ideal masculine police officer. The police depend on a constructed patriarchal masculine identity which bolsters a discourse around protecting the public order. This notion of masculine protector requires a feminine zone of distinction – the home and family – in order to make sense. Hence, the feminine is excluded from the police. The constructed masculine identity of the police is insecure and requires consistent confirmation. Hence, the police must enact performances in which they can reassert their dominance and masculinity. This can be understood to play out through the common acts of corruption and violence perpetrated by police officers against citizens. These instances involve a social exchange in which the police officer is masculinised against the citizen who is feminised.

With this understanding in mind, this paper calls for a more holistic approach to reforming the police force. Such an approach would go beyond typical efforts of police regulation and training; one which examines continued societal assumptions and expectations towards women and men. The hope in realigning existing mechanisms for improving the police is to produce a police force that is reliable, cooperative and supportive to the population at large. A police force that is able to uphold the rule of law, is trusted by citizens, and is representative and responsive to both men and women's needs. Enhancing the national police force will contribute to furthering democracy in Cambodia.

The research has drawn on a variety of data. Primarily, 15 interviews were undertaken for the purpose of this paper between March and April 2014. These included senior police officers, government officials, academics and civil society experts some of which have chosen to remain anonymous. A full list of interviews is provided in the bibliography at the end of this paper. Further sources include relevant reports, books, journal articles, newspaper articles, laws and websites.

## II. Efforts to reform the national police

Following the social discontinuity and disintegration of Cambodia's public institutions under the Khmer Rouge, the national police force has been gradually rebuilt.<sup>9</sup> Nevertheless, the police have been known for violence and extrajudicial killings in previous years. Academic, Roderic Brodhurst, assessed lethal violence in Cambodia in the 1990s, and found that extra-judicial deaths arising from police violence contributed significantly to the country's homicide rate.<sup>10</sup> For instance, in the aftermath of the 1997 political struggle, the police under the command of former Commissioner, Hok Lundy, reportedly killed royalist generals and political opponents in cold blood.<sup>11</sup> The Government, in combination with donors and civil society organisations, has been making concerted efforts to improve the capacity of the police towards an institution that strives for independent professionalism and high standards. The examples given below provide an overview but not an exhaustive list of these initiatives.

### Police training

Hundreds of local and overseas training courses have been offered to enhance this law enforcement agency.<sup>12</sup> The Police Academy of Cambodia is central to training the police.<sup>13</sup> It provides various courses from short, department or skill-specific training courses, to longer Bachelor and Master degree programmes.<sup>14</sup> The Police Academy has also worked on building internal capacity to provide better training to the police at large. In 2000 only 24 of 348, or 7 per cent of the official staff in the Police Academy held a Bachelor degree or higher, whereas by 2011, 45 per cent had attained that level of education.<sup>15</sup>

<sup>9</sup> Aseanapol, Cambodia National Police, 2013 <http://www.aseanapol.org/information/cambodia-national-police> [24 May 2014]

<sup>10</sup> Brodhurst, Roderic. 'Lethal Violence, Crime and State Formation in Cambodia,' *The Australia and New Zealand Journal of Criminology*, 2002, Volume 35, Issue I, pp. 13-14

<sup>11</sup> Fawthrop, Tom. 'General Hok Lundy – Cambodia's notorious and brutal police chief, he was widely feared,' *The Guardian* (London) 12 November 2008

<sup>12</sup> Ibid.

<sup>13</sup> Police Academy of Cambodia, official website <http://pac.edu.kh/index.php/en/#> [24 May 2014]

<sup>14</sup> Svay Chanda, Police Lieutenant General, Vice President of the Police Academy of Cambodia, interviewed by Author (Phnom Penh) 22 May 2014; Tith Viseth, Police Lieutenant Colonel, interviewed by Author (Phnom Penh) 24 April 2014; Huot Chan, Thematic Advisor – Crime Prevention and Community Safety, CCJAP, interviewed by Author (Phnom Penh) 21 April 2014

<sup>15</sup> Cambodia National Police (CNP), Report on situation and result of the operation to maintain security, safety, and social order for 2013 and activities for 2014 of the Commissariat General of National Police, 13 February 2014 (Phnom Penh: CNP, 2014)

Focused workshops and trainings are provided to the police by both internal and external experts. For instance, Attorney and Executive Director of the Cambodian Defenders Project (CDP), Sok Sam Oeun, provided training to the police on investigation technique.<sup>16</sup> In addition, the Cambodia Community Justice Assistance Partnership (CCJAP) trained the National Police Scientific and Technical Team on crime scene investigation,<sup>17</sup> as well as crime scene preservation, and community policing.<sup>18</sup> Moreover, the Australian Federal Police (AFP) has provided extensive training packages to the Cambodian national police.<sup>19</sup> This includes support to ten Cambodian police officers to combat transnational crime affecting the country.<sup>20</sup>

In an effort to address limited gender responsiveness, the Ministry of Interior created a Gender Working Group for the national police.<sup>21</sup> Moreover, in 2012 and 2013, the United Nations Office on Drugs and Crime (UNODC) and Project Childhood – an Australian Aid funded initiative to combat the sexual exploitation of children<sup>22</sup> – provided training to the Gender Working Group.<sup>23</sup> The courses addressed the police's limited response to cases of child sexual exploitation<sup>24</sup> and violence against women.<sup>25</sup>

USAID is implementing a Counter Trafficking in Persons program,<sup>26</sup> to support the government and civil society to end human trafficking.<sup>27</sup> The program has trained the Department of Anti-Human Trafficking and Juvenile Protection of the National Police, as well as commune level police.<sup>28</sup>

<sup>16</sup> Sok Sam Oeun, Attorney and Executive Director of the Cambodian Defenders Project, interviewed by Author (Phnom Penh) 22 April 2014

<sup>17</sup> Post Staff, 'Australian Federal Police Builds Capacity in Cambodia,' The Phnom Penh Post (Phnom Penh) 26 January 2012

<sup>18</sup> Huot Chan, Thematic Advisor – Crime Prevention and Community Safety, CCJAP, interviewed by Author (Phnom Penh) 21 April 2014

<sup>19</sup> Post Staff, 'Australian Federal Police Builds Capacity in Cambodia,' The Phnom Penh Post (Phnom Penh) 26 January 2012

<sup>20</sup> Ibid.

<sup>21</sup> UNODC Cambodia, Cambodia holds second advanced training on gender equality for protecting exploited children <https://www.unodc.org/southeastasiapacific/en/cambodia/2013/07/gender-equality-training/story.html> [accessed 20 May 2014]

<sup>22</sup> UNODC Cambodia, Working together to combat child sex tourism in Cambodia <http://www.unodc.org/southeastasiapacific/en/cambodia/2012/03/childhood-workshop/story.html> [accessed 20 May 2014]

<sup>23</sup> UNODC Cambodia, Cambodia holds second advanced training on gender equality for protecting exploited children <https://www.unodc.org/southeastasiapacific/en/cambodia/2013/07/gender-equality-training/story.html> [accessed 20 May 2014]

<sup>24</sup> Ibid.

<sup>25</sup> Ibid.

<sup>26</sup> Embassy of the United States, Phnom Penh, Cambodia, 'New USAID Program to support Cambodian Efforts to Combat Trafficking in Persons,' Press Release (Phnom Penh) 04 November 2011

<sup>27</sup> Ibid.

<sup>28</sup> Representative of USAID Cambodia, interviewed by Author (Phnom Penh) 11 April 2014

### Legal reforms

Efforts to improve the police also include enhancing the legal framework to regulate and professionalise the institution. The insufficient salaries of police are one aspect contributing to corruption in the institution.<sup>29</sup> Hence, reform efforts have been made to regulate these: Sub-Decree No. 204 on Payment of Functional Salary to the National Police Officers (2008) and Sub-Decree No. 04 on the Basic Salary Adjustments of National Police Officers (2009) provide the salary ranges for police officers at different levels of the hierarchy.<sup>30</sup> Yet while national police are recruited by the Department of Personnel and Professional Training,<sup>31</sup> there does not appear to be any detail regarding professional criteria and procedures for recruiting national police officers.

In the interest of transparency, the Ministry of Interior (2011) issued a Prakas on the Roles and Responsibilities of Commune Police Posts, which required commune police to report on security to commune chiefs and district police on a monthly basis.<sup>32</sup> To ensure accountability of police officers, Declaration No. 006 on the Discipline of the National Police Forces provides for sanctions and disciplinary procedures in the event of misconduct by a police officer.<sup>33</sup>

The national police also have a comprehensive Strategic Plan, which until 2013 prioritised: reducing criminal offenses, combating drug trafficking, reducing the exploitation of women and children, and improving road traffic management. The Strategic Plan also focuses on upgrading the professionalism, research skills, and investigative procedures of the police, enabling them to better safeguard public security.<sup>34</sup>

<sup>29</sup> See: Transparency International, Corruption and Cambodia's Governance System – National Integrity System Assessment (Phnom Penh/Berlin: Transparency International, 2014) – Forthcoming in September 2014

<sup>30</sup> Sub-Decree No. 204 on the Payment of Functional Salary to the National Police Officers, 8 December 2008: Art. 2 – Unofficial English translation; and Sub-Decree No. 04 on the Basic Salary Adjustment of National Police Officers, 10 January 2008: Art. 3 – Unofficial English translation.

<sup>31</sup> Declaration No. 095D on the Duty and Organisation Structure of the Cabinet of Ministry of Interior, 1993: Art. 3

<sup>32</sup> AusAid and The Asia Foundation, Cambodia Criminal Justice Assistance Initiative, Safer Communities in Cambodia: Final Report (Phnom Penh/Canberra: AusAid, The Asia Foundation, 2011) p. 28

<sup>33</sup> Declaration No. 006 on the Discipline of the National Police Forces, 26 November 1995: Art. 8.A.3– Unofficial English translation.

<sup>34</sup> Royal Government of Cambodia (RGC), Strategic Plan Cambodian National Police (2008-2013) (Phnom Penh: RGC, 2009)

### Problems persist despite reform efforts

Whilst reform efforts have been extensive, persistent limitations continue to mar the credibility of the police. Existing research indicates that the police force is associated with a high-level of corruption. For instance, 65 percent of respondents in Cambodia to Transparency International's Global Corruption Barometer 2013 reported paying a bribe to the police in the last 12 months.<sup>35</sup> Moreover, Global Integrity's 2012 report indicates that recruitment for law enforcement agencies is based on political patronage and loyalty.<sup>36</sup> On top of this, fairly regular violence by police against citizens during protests continues to be witnessed.<sup>37</sup> In addition, torture is reportedly used to generate confessions by suspects in police custody.<sup>38</sup> A 2014 report by Cambodian rights group, LICADHO, indicates that there has been no apparent change in the type and frequency of abuse occurring in police stations and prisons in recent years.<sup>39</sup> Furthermore, the police response to crimes of a gendered nature remains inadequate.<sup>40</sup> Police officers have also been accused of perpetrating gender-based violence including rape and sexual assault on multiple occasions.<sup>41</sup> The following section provides more detail on these issues as well as offering a possible understanding of why they continue to occur at a prevalent rate.

<sup>35</sup> Transparency International, Global Corruption Barometer 2013, National Results: Cambodia <http://www.transparency.org/gcb2013/country/?country=cambodia> [accessed 25 May 2014]

<sup>36</sup> Global Integrity, 'Global Integrity Scorecard 2012,' Global Integrity Report (Global Integrity: Washington D.C., 2012) Indicators 83a and 83c

<sup>37</sup> See below section: III. How can we understand the ongoing challenges to effective police reform? for detail on police violence during protests 2013-2014.

<sup>38</sup> LICADHO – Cambodian League for the Promotion and Defense of Human Rights, Torture and Ill-Treatment: Testimony from inside Cambodia's police stations and prisons, A report issued in June 2014 (Phnom Penh: LICADHO, 2014); Joint Cambodian NGO Report on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in the Kingdom of Cambodia, jointly prepared by Cambodian Human Rights and Development Association (ADHOC), Cambodian Defenders Project (CDP), LICADHO, Transcultural Psychosocial Organisation (TPO), Cambodian Human Rights Action Committee (CHRAC) (Phnom Penh, 2010) p. 11; Radio Free Asia, 'NGOs Demand End to Torture,' Radio Free Asia Khmer, translated by Samean Yun. Written in English by Joshua Lipos (Phnom Penh) 26 June 2012

<sup>39</sup> LICADHO – Cambodian League for the Promotion and Defense of Human Rights, Torture and Ill-Treatment: Testimony from inside Cambodia's police stations and prisons, A report issued in June 2014 (Phnom Penh: LICADHO, 2014)

<sup>40</sup> Amnesty International, *Breaking the Silence: Sexual Justice in Cambodia* (London: Amnesty International, 2010)

<sup>41</sup> Human Rights Watch (HRW), *Off the Streets: Arbitrary Detention and Other Abuses against Sex Workers in Cambodia* (Washington D.C.: HRW, 2010); LICADHO, *Prison's Project*: <http://www.licadho-cambodia.org/programs/prisonproject.php> [accessed 01 June 2014]; LICADHO, *Prison Conditions in Cambodia 2008: Women in Prison* (Phnom Penh: LICADHO, 2008) p. 21

## III. How can we understand the ongoing challenges to effective police reform?

In part, the persisting problems associated with the national police are to be expected in a country facing similar development challenges to Cambodia.<sup>42</sup> Institutional reform is a gradual process, and in a transitioning governance system it takes time for public institutions to attain adequate capacity, skilled staff and mechanisms to ensure integrity. Nevertheless, this section seeks to illuminate how police behaviour in Cambodia can be understood through a culturally specific set of gendered power relations. The complex interplay of dominance and submission in Cambodia's governance structure at the institutional and individual level, involves a fluid exchange of gender roles in which the powerful becomes masculinised in contrast to the feminisation of those who are disempowered.

### The connection between gender and the state

Before expanding on how gender can explain behaviour at both the institutional and individual level, it is useful to consider the connection between gender and the state. In order to highlight this connection, feminists have argued that gender identities are inseparable from the construction of political identities.<sup>43</sup>

<sup>42</sup> Cambodia is a transitional democracy, having recovered from decades of turmoil for which the Peace Agreements were signed in 1991. The economy is rapidly growing at 7 per cent per year, although it remains classified as low income for the time being. See: World Bank, *Data – Cambodia*: <http://data.worldbank.org/country/cambodia> [accessed 11 June 2014]; Elizabeth Becker, *When the War Was Over: Cambodia and the Khmer Rouge Revolution* (New York: Public Affairs, 1986) p. 167; David Chandler, *A History of Cambodia* (fourth edition) (Chiang Mai: Silksworm Books, 2008) pp. 277-287; World Bank, *Data and Statistics – Low income economies*: [http://econ.worldbank.org/WBSITE/EXTERNAL/DATASTATISTICS/0,,contentMDK:20421402~menuPK:64133156~pagePK:64133150~piPK:64133175~theSitePK:239419,00.html#Low\\_income](http://econ.worldbank.org/WBSITE/EXTERNAL/DATASTATISTICS/0,,contentMDK:20421402~menuPK:64133156~pagePK:64133150~piPK:64133175~theSitePK:239419,00.html#Low_income) [accessed 11 June 2014]

<sup>43</sup> Steans, Jill. *Gender and International Relations: An Introduction* (Oxford: Blackwell, 1998) pp. 3-6

The conventional notion of the state is influenced by dominant notions of political 'realism' which present the state as an autonomous actor.<sup>44</sup> Such an understanding of government is intimately linked to related understandings of what it means to be a man<sup>45</sup> – self-reliant and independent – contrasting to women who are seen as dependent and submissive.<sup>46</sup>

Feminists argue that this polarised view of men and women has led to the production and reproduction of the asymmetrical dichotomies of state making such as public-private, subject-object, male-female.<sup>47</sup> The state maintains these dichotomies which privilege the masculine over the feminine directly through 'its selective sanctioning of non-state violence' and indirectly through 'its promotion of masculinist, heterosexist ... ideologies – expressed, for example, in ... media images, welfare policies and patriarchal law'.<sup>48</sup>

### Gender as a fluid concept – looking through a poststructuralist lens

In order to understand further how gender is integral to the construction of political identities, it is necessary to expand on how gender operates at the level of the implicit through social discourse which shapes and reinforces our understanding of what it means to be a woman or a man, masculine or feminine. In order to do this, we can draw on feminist poststructuralism. Feminist poststructuralism goes beyond essentialism; which maintains that there is a universal essence of women resulting from their shared biology, nature or psychology.<sup>49</sup> Instead, feminist poststructuralism asserts that gender is a fluid concept which takes on different meanings at different times and in different places. It asks questions over the very essence of concepts such as man/woman, male/female. Where have such universal claims come from? Who has asserted them? How have they directed our thinking?

Twentieth century philosopher, Michel Foucault, asserts that claims to universals are a product of power.<sup>50</sup> Rather than viewing universals as an apolitical category, we must view them as having been historically constituted, and importantly, having been constituted by dominant groups of people with particular effects.<sup>51</sup>

<sup>44</sup> Ibid. p. 46

<sup>45</sup> Pitkin, Hanna. *Fortuna is a Woman: Gender and Politics in the Thought of Niccolo Machiavelli* (Berkeley: University of Colorado Press, 1984) p. 25

<sup>46</sup> Steans, Jill. *Gender and International Relations: An Introduction* (Oxford: Blackwell, 1998) p. 48

<sup>47</sup> Peterson, Spike V. 'Security and Sovereign States: What is at stake in taking feminism seriously?' in *Gendered States: Feminist Re(Visions) of International Relations Theory*, in V. Spike Peterson (ed.) (Boulder: Lynn Reinner Publishers: 1992) p. 36

<sup>48</sup> Ibid. p. 46

<sup>49</sup> Kowaleski-Wallace, Elizabeth. *Encyclopedia of Feminist Literary Theory* (London: Taylor & Francis, 1997) p. 139

<sup>50</sup> Foucault, Michel. *Discipline and Punish: the Birth of the Prison*, trans. Allen Sheridan (London: Allen Lane, 1977) p. 27

<sup>51</sup> Ibid. p. 28

Poststructuralism reveals that hierarchical relations are constructed; showing that the dominant term is dependent on the subservient counterpart. By deconstructing the knowledge systems and assumptions that appear to provide a singular meaning, poststructuralists understand binary opposites to be constructed. Poststructuralists seek to explain the meanings ascribed to binary opposites by deconstructing the assumptions and knowledge systems which construct the image of a singular meaning.<sup>52</sup> They deconstruct the traditional notion of the subject, arguing that it is not pre-social but continuously formed and reformed in light of particular socio-cultural contexts. Hence, for poststructuralists, the subject is radically reliant on its contexts and other subjects for its identity and intelligibility.<sup>53</sup>

Feminist poststructuralist philosopher, Judith Butler, argues that the 'I' is produced by, and cannot stand apart from the matrix of ethical norms and social conditions of its emergence.<sup>54</sup> The implication here is that the subject is nothing outside of its relation to others. This act of deconstruction illuminates how the subject can be feminised or masculinised; for the factors that define a particular transaction as masculine or feminine 'are not of the sex of the actors but the situational parameters within which the performance occurs'.<sup>55</sup> In other words, gender relations are seen as something we do rather than something we are.<sup>56</sup>

If the self is a cultural situation, then both gender and sex seem to be culturally constituted.<sup>57</sup> Biology and culture are highly interconnected.<sup>58</sup> Culture confines and limits the diverse possibilities that biology provides, separating it as two set categories 'man' and 'woman'.<sup>59</sup> From this perspective, the natural 'sex' does not exist.<sup>60</sup> If this is the case, then

<sup>52</sup> Deconstruction is essentially 'an effort to disturb practices which are settled, untie what appears to be sewn up, and render as produced that which claims to be naturally emergent'. See: Campbell, David. *National Deconstruction, Violence, Identity, and Justice in Bosnia* (Minneapolis: University of Minnesota Press, 1998) p. 4

<sup>53</sup> See: Butler, Judith. *Giving An Account of Oneself* (USA: Fordham University Press, 2005) p. 7; and, David Campbell. *National Deconstruction, Violence, Identity, and Justice in Bosnia* (Minneapolis: University of Minnesota Press, 1998) p. 4

<sup>54</sup> Butler, Judith. *Giving An Account of Oneself* (USA: Fordham University Press, 2005) p. 7

<sup>55</sup> Bohan, Janis S. 'Essentialism, Constructionism and Feminist Psychology,' *Psychology of Women Quarterly*, Volume 17, Issue 1, March 1993, p. 13

<sup>56</sup> Skjelsbaek, Inger, 'Sexual Violence and War: Mapping Out a Complex Relationship,' *European Journal of International Relations*, 2001, 7, p. 224

<sup>57</sup> Butler, Judith and Sara Salih. *The Judith Butler Reader* (Wiley-Blackwell, 2003) p. 29

<sup>58</sup> Tuana, Nancy. 'Re-fusing Nature/Nurture,' *Women's Studies International Forum*, 6(6), 1983, p. 625

<sup>59</sup> Butler, Judith and Sara Salih. *The Judith Butler Reader* (Wiley-Blackwell, 2003) p. 29

<sup>60</sup> Ibid.





the established notion of binary opposition between the 'sexes' is merely an assumption, rather than a reality.<sup>61</sup> Likewise, becoming a gender involves an 'impulsive yet mindful process of interpreting a cultural reality'.<sup>62</sup> To choose a gender is a tacit interpretation of received gender norms in a way that repeatedly reproduces and organises them.<sup>63</sup> In this way, one does not have gender; one does gender.

So, if there is no essential 'sex' and gender is something which a person enacts, the implication is that gender is fluid. With this in mind, one can begin to understand how the subject, male or female, can be both feminised and masculinised.

### Maintaining police hierarchy: a gendered choreography

The Cambodian national police are situated under the Ministry of Interior, in the broader structure of the public sector. To understand how the hierarchy of the police operates, it is necessary to gain a clearer overview of the centralised system of control which regulates the entire Cambodian public sector and civil service.

The Prime Minister Hun Sen built this centralised system of control in the post-war context.<sup>64</sup> He came to power in 1985,<sup>65</sup> initially under Vietnamese tutelage.<sup>66</sup> He has maintained position as the country's top leader until the time of writing, despite clearly losing one election, and facing serious contention regarding the outcome of others.<sup>67/68</sup> In 1993, for

<sup>61</sup> Ibid.

<sup>62</sup> Ibid. p. 26

<sup>63</sup> Ibid.

<sup>64</sup> McCargo, Duncan. 'Cambodia: Getting Away With Authoritarianism,' *Journal of Democracy*, October 2004, Volume 16, Number 4, p. 98

<sup>65</sup> Chandler, David. *A History of Cambodia*, Fourth Edition (Chiang Mai: Silkworm Books, 2008) p. 285

<sup>66</sup> McCargo, Duncan. 'Cambodia: Getting Away With Authoritarianism,' *Journal of Democracy*, October 2004, Volume 16, Number 4, p. 98

<sup>67</sup> In 2003, the CPP fell short of attaining the two-thirds majority constitutionally required to form a one party government. Consequently, the three main parties engaged in an 11-month long bargaining period before forming a government. Despite, having no properly constituted government during this time, the CPP retained control. See: United Nations Cambodia Office of the High Commissioner for Human Rights (OHCHR), *The 2003 National Assembly Elections*, Special Representative of the Secretary-General for human rights in Cambodia (United Nations, 2003); and, Duncan McCargo, 'Cambodia: Getting Away With Authoritarianism,' *Journal of Democracy*, October 2004, Volume 16, Number 4, p. 98

<sup>68</sup> 2013 saw a significant increase in people actively supporting opposition parties. This resulted in the opposition Cambodia National Rescue Party making surprising gains elections in the July National Assembly election. The elections were riddled with irregularities. As a result, the opposition Members of Parliament-Elect boycotted parliament when it was sworn in by the King in September 2013, with only the ruling party parliamentarians present. The opposition Cambodia National Rescue Party proceeded to organise demonstrations against government. The December 2013 saw the biggest protests (50 000 people) calling for change in the government in 15 years. See: Greenwood, Faine. 'Ruling Party wins Cambodia election – but opposition makes surprising gains,' *The Global Post*, 28 July 2013 <http://www.globalpost.com/dispatch/news/regions/asia-pacific/cambodia/130728/ruling-party-wins-cambodian-elec->

instance, the royalist party, Funcinpec, won the national election but the Prime Minister's Cambodian People's Party refused to give up power.<sup>69</sup> Consequently, a coalition was formed between the Cambodian People's Party and Funcinpec.<sup>70</sup> Yet Funcinpec had limited power in practice, soon losing its voice in decision-making.<sup>71</sup> The Cambodian People's Party retained control of the entire civil service<sup>72</sup> – a situation which remains unchanged.

The Prime Minister has reportedly personally controlled the police force since the failed coup in 1994.<sup>73</sup> At that time, he successfully demanded that his aide and relative by marriage, Hok Lundy,<sup>74</sup> be appointed as Police Commissioner.<sup>75</sup> Following Hok Lundy's death in 2008,<sup>76</sup> another relative by marriage to the Prime Minister,<sup>77</sup> Neth Savoeun, was given the top police post.<sup>78</sup> Neth Savoeun is also a member of the Cambodian People Party's

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tion-opposition-m [Accessed 11 January 2014]; Cheang, Sopheng. 'Cambodian Opposition Makes Gains in Elections,' *The Huffington Post*, 28 July 2013 [http://www.huffingtonpost.com/huff-wires/20130728/as-cambodia-election/?utm\\_hp\\_ref=sports&ir=sports](http://www.huffingtonpost.com/huff-wires/20130728/as-cambodia-election/?utm_hp_ref=sports&ir=sports) [accessed 11 January 2014]; Prak Chan Thul, 'Cambodia's Hun Sen shaken as opposition rejects poll result,' *Reuters*, 29 July 2013 <http://www.reuters.com/article/2013/07/29/us-cambodia-election-opposition-idUSBRE96S03C20130729> [accessed 11 January 2014] *The Cambodia Daily*, 'Protestors Unite Around Demand For Hun Sen's Resignation,' reporting by Phorn Bopha, Aun Pheap, Mech Dara, Alex Willemyns and Colin Meyn, *The Cambodia Daily* (Phnom Penh) 30 December 2013; Karbaum, Markus (Dr.). 'The election: ten things we learned,' *Southeast Asia Globe* (Phnom Penh) 06 September 2013; Seiff, Abby. 'Cambodia's youth begin demanding change: Prime Minister Hun Sen is likely to keep his job after Sunday's vote, but youth restlessness is growing in the country,' *Aljazeera*, last modified 27 July 2013: <http://www.aljazeera.com/indepth/featuress/2013/07/2013727141347529777.html> [accessed 11 January 2013]; Ngoun, Kimly. 'Rethinking Cambodia's Political Transformation,' *Asia-Pacific, Australian National University*: <http://asiapacific.anu.edu.au/newmandala/2013/08/05/rethinking-cambodias-political-transformation/> [accessed 11 January 2014]

<sup>69</sup> David Chandler, *A History of Cambodia*, Fourth Edition (Chiang Mai: Silkworm Books, 2008) p. 288

<sup>70</sup> Ibid.

<sup>71</sup> Ibid.

<sup>72</sup> Ibid. 289

<sup>73</sup> Human Rights Watch, 'Tell Them I Want to Kill Them' – 20 Years of Impunity in Hun Sen's Cambodia' (Washington D.C.: Human Rights Watch, 2012) p. 11

<sup>74</sup> Roeun, Van. 'Marriages Abound Among the Political Elite,' *The Cambodia Daily* (Phnom Penh) 06 January 2004

<sup>75</sup> Ibid.

<sup>76</sup> Rith, Sam, and Sebastian Strangio, 'Hok Lundy loyalist tipped to become next police chief,' *The Phnom Penh Post* (Phnom Penh) 13 November 2008

<sup>77</sup> Ibid.; Roeun, Van. 'Marriages Abound Among the Political Elite,' *The Cambodia Daily* (Phnom Penh) 06 January 2004

<sup>78</sup> Human Rights Watch, 'Tell Them I Want to Kill Them' – 20 Years of Impunity in Hun Sen's Cambodia' (Washington D.C.: Human Rights Watch, 2012) p. 11

Central Committee<sup>79</sup> – the party’s core decision-making body.<sup>80</sup> This underscores the limited independence that the national police have from the top ruling party power-holders.

The national police are formally controlled by the General Commissariat of Police, under the supervision of the Ministry of Interior.<sup>81/82</sup> Whilst the Interior Minister and Police Commissioner have some autonomy over the police’s day-to-day decisions,<sup>83</sup> it is understood that the Prime Minister must be consulted before any major decisions are made.<sup>84</sup> Both the Police Commissioner and Interior Minister reportedly stick within the perimeters of the stage upon which they are allowed to direct; seeking consultation with the Prime Minister before taking action as required.<sup>85</sup> The Police Commissioner sometimes reportedly goes directly to the Prime Minister for approval rather than the Interior Minister.<sup>86</sup> This indicates that even at the top level of the police hierarchy, positions of dominance and submission, situated around the Prime Minister’s ultimate control, are clearly defined and adhered to.

The structure of the national police at the sub-national level is also hierarchical. The Provincial Police Commissariat is under the control and reports to the Provincial Governor.<sup>87</sup> District police officers are under the technical command of the Provincial Police Commissariat.<sup>88</sup>

Commanders are tasked with the responsibility of ensuring subordinate police officers uphold orders under the law, and disciplining police officers’ failures.<sup>89</sup> Subordinate police officers are required to follow their superiors’ orders without question.<sup>90</sup>

<sup>79</sup> Ibid.

<sup>80</sup> By-Law of Cambodian People’s Party (CPP), 1997: Art. 22

<sup>81</sup> US Department of State, Cambodia 2012 Human Rights Report: Executive Summary (Washington D.C.: US Department of State, 2012) p. 5

<sup>82</sup> Law on the Establishment of Ministry of Interior, 1996: Art. 2

<sup>83</sup> Ibid.

<sup>84</sup> Former High Ranking Officer of the Government, interviewed by Author (Phnom Penh) 07 April 2014

<sup>85</sup> Ibid.

<sup>86</sup> Ibid.

<sup>87</sup> US Department of State, Cambodia 2012 Human Rights Report: Executive Summary (Washington D.C.: US Department of State, 2012) p. 5; AusAid and The Asia Foundation, Cambodia Criminal Justice Assistance Initiative, Safer Communities in Cambodia: Final Report (Phnom Penh/Canberra: AusAid and The Asia Foundation, 2011) p. 27

<sup>88</sup> Ibid.

<sup>89</sup> Declaration No. 006 on the Discipline of the National Police Forces, 26 November 1995: Art. 7.1 – Unofficial English translation

<sup>90</sup> Ibid. Art. 7.2

There are scarce examples of civil servants publicly challenging the ruling party’s policy or perspective. When such occurrences have arisen, resulting punishments have been harsh. A prominent case occurred in 2001, when three ruling party Senators: Chhang Song, Phay Siphon and Pheu Savath, demanded for greater debate on a government-sponsored bill before it was passed.<sup>91</sup> The consequences for their inability to quietly follow the ruling party line were severe; the party leadership removed them from the party, stripping them of their positions as Senators.<sup>92</sup> The government’s retaliation to its outright political opponents and critics has been even tougher. In 2012, Human Rights Watch released a report documenting 300 deaths in the last 20 years of political opponents, journalists and government critics in Cambodia.<sup>93</sup> Overall, very few cases exist in which civil servants have publicly questioned the ruling party – it seems that prior retributions have acted as a deterrent to them from doing so.<sup>94</sup>

Bribe-paying is reportedly sometimes used as a means of securing employment and promotions within the police force.<sup>95</sup> In addition, people may ‘parachute in’ to positions due to political connections.<sup>96</sup> Being hired through nepotistic practices likely creates a relationship of dependency on the boss that has provided the employee’s position, limiting the likelihood that the employee will challenge their superior for fear of arbitrary dis-

<sup>91</sup> Chandara, Lor and Jody McPhillips, ‘Party Leadership Expels Three CPP Senators,’ *The Cambodia Daily* (Phnom Penh) 10 December 2001; Inter-Parliamentary Union, Cambodia, Case N CMBD/18 – Chhang Song, Case N CMBD/19- Siphon Phay, Case N CMBD/20- Pou Savath, Inter-Parliamentary Union (Switzerland), 03 October 2003 <http://www.ipu.org/hr-e/173/cmbd18.htm> [accessed 23 March 2013]

<sup>92</sup> Ibid.

<sup>93</sup> Human Rights Watch, ‘‘Tell Them I Want to Kill Them’’ – Two Decades of Impunity in Hun Sen’s Cambodia,’ (Washington D.C.: Human Rights Watch, 2012). Deaths of political dissenters by the police in cold blood have also been documented by further academics and researchers, see for example: Brodhust, Roderic. ‘Lethal Violence, Crime and State Formation in Cambodia,’ *The Australia and New Zealand Journal of Criminology*, 2002, Volume 35, Issue 1, pp. 13-14

<sup>94</sup> Former High Ranking Officer of the Government, interviewed by Author (Phnom Penh) 07 April 2014

<sup>95</sup> Human Rights Watch documents the deaths of 300 between 1993 and 2013, see: Human Rights Watch, ‘‘Tell Them I Want to Kill Them’’ – Two Decades of Impunity in Hun Sen’s Cambodia,’ (Washington D.C.: Human Rights Watch, 2012). Deaths of political dissenters by the police in cold blood have also been documented by further academics and researchers, see for example: Brodhust, Roderic. ‘Lethal Violence, Crime and State Formation in Cambodia,’ *The Australia and New Zealand Journal of Criminology*, 2002, Volume 35, Issue 1, pp. 13-14

<sup>96</sup> Borey, Ouk. ‘Police in Kampot Talk about Corruption in Institutions,’ *Radio Free Asia* (Phnom Penh) 21 August 2013; Sok Sam Oeun, Attorney and Executive Director of the Cambodian Defenders Project, interviewed by Author (Phnom Penh) 22 April 2014; Former High Ranking Officer of the Government, interviewed by Author (Phnom Penh) 07 April 2014

<sup>97</sup> Former High Ranking Officer of the Government, interviewed by Author (Phnom Penh) 07 April 2014

missal. Police officers are also reportedly expected to 'pay up' a certain informal fee to their boss on a regular basis.<sup>97/98</sup> Failure to pay would likely result in removal of the police officer from his or her position.<sup>99</sup> Likewise, this practice indicates that police officers have little room for separation from their superiors, who they are dependent on to maintain their position. The higher-ranking officers assume dominance whilst the lower-ranking officers are to some extent castrated in their ability to act independently.

Beyond this, police officers, like all public servants above a certain level of seniority, are expected to join the Cambodian People's Party, if they have not done so already.<sup>100</sup> Failure of a police officer to join the party may lead to isolation or lack of promotion to higher positions.<sup>101</sup> Moreover, as mentioned above, unforgiving punishments have been given to public servants who have challenged the party line hence public servants tend to conform to the boundaries set out for them by the party. In light of this, police officers are not only subservient to their direct superiors, but must also submit to the dominant will of the ruling party. From this perspective, we can begin to see how police officers can be feminised by the 'total institution'<sup>102</sup> of the national police force, and public sector at large.

#### **The national police as a masculine institution**

In order to gain a better understanding of how the police can be feminised, it is necessary to understand how the police are dependent on a constructed identity – one which embodies patriarchal masculine dominance. It promotes a hierarchy of worth among people in which the masculine aggressor retains legitimacy in ruling over the lesser. In deconstructing this identity, we can see how notions of police as masculine protector serve to enable the police to justify acts of control and in some cases violence in the name of ensuring the nation's peace and security.

Cambodian police Lieutenant Colonel, Tith Piseth, explained that in the eyes of society, males are understood to be more suited to police work than females. Policemen are thought to be more likely to be able to intimidate people into telling the truth in inter-

<sup>97</sup> Ibid.

<sup>98</sup> Ibid. Note: This remains a grey area and varies according to position, however, the amount is generally agreed on before employment commences.

<sup>99</sup> Ibid.

<sup>100</sup> Former High Ranking Officer of the Government, interviewed by Author (Phnom Penh) 07 April 2014

<sup>101</sup> Ibid.

<sup>102</sup> The concept of a 'total institution' refers to the identities are (re-)made through the institutional arrangements of a particular setting (Goffman 1961). See: Scott, Susie. 'Revisiting the Total Institution: Performative Regulation in the Reinventive Institution,' *Sociology*, 2010, 44: 213. The relevance of total institutions was made apparent by Michel Foucault's work; that whilst we may not all live in total institutions (such as asylums, hospitals or prisons), the institutionalization of our lives is total. See: Burrell, Gibson. 'Modernism, Post Modernism and Organizational Analysis 2: The Contribution of Michel Foucault,' *Organization Studies* 1988, 9: 221

rogations, as well as keeping better control of potentially violent situations like protests, using force if necessary.<sup>103</sup> Being a police officer in Cambodia is perceived as synonymous with being a man – they are expected to be independent, tough and strong.<sup>104</sup> This common perception of police exists across the world. Indeed, the police along with the armed forces are two of the few remaining strongholds of patriarchy.<sup>105</sup>

This understanding has been reflected in the public discourse and rhetoric used in relation to the police. In 2003, for instance, former Police Commissioner, Hok Lundy, directed police to 'get tough on protests,' undertaking protest suppression exercises ahead the forthcoming general election.<sup>106</sup> He made clear the police's unforgiving stance towards provocative demonstrators: 'When a mosquito bites ... slap the mosquito,' yet underscored that the police had been trained on 'how strong a slap to give.'<sup>107</sup> The discourse used here contributes to the reinforcement of the police's constructed hyper-masculine identity as dominant, aggressive and authoritarian.

Whilst Hok Lundy's approach was known to be particularly unforgiving,<sup>108</sup> elements of his tough stance appear to have remained in the policing of demonstrations in 2013 and 2014. The below examples provide a snapshot of police violence used to quell protests during this period:

**September 15, 2013** – One man and several further opposition party supporters were injured, when protestors and police clashed at the end of a day of demonstrations in Phnom Penh.<sup>109</sup>

**September 22, 2013** – Riot police and men in plain clothes violently attacked and injured several anti-eviction protestors on hunger strike at Wat Phnom in Phnom Penh. The police group – some of whom were wearing masks – stormed the protestors just before 11pm as several were about leaving to go home.<sup>110</sup>

<sup>103</sup> Tith Viseth, Lieutenant Colonel of the Cambodian National Police Force, interviewed by Author (Phnom Penh) 24 April 2014

<sup>104</sup> Ibid.

<sup>105</sup> See: Goldstein, Joshua. *War and Gender* (Cambridge: Cambridge University Press, 2001); Dubber, Markus D. *The Police Power: Patriarchy and the Foundations of American Government* (New York: Columbia University Press, 2005)

<sup>106</sup> Phann Ana and Kuch Naren, 'Police Chief Vows Tougher Protest Control,' *The Cambodia Daily* (Phnom Penh) 26 February 2003

<sup>107</sup> Ibid.

<sup>108</sup> Fawthrop, Tom. 'General Hok Lundy – Cambodia's notorious and brutal police chief, he was widely feared,' *The Guardian* (London) 12 November 2008

<sup>109</sup> Cambodia Daily Staff, 'One Dead, Several Injured as CNRP Supporters, Police Clash,' *The Cambodia Daily* (Phnom Penh) 16 September 2013

<sup>110</sup> Marks, Simon, and Kevin Doyle, 'Violent Mob, Police Attack Peaceful Protestors,' *The Cambodia Daily* (Phnom Penh) 23 September 2013

**November 12, 2013** – One woman was killed, and at least nine more people were injured when police fired live ammunition towards protesting garment factory workers.<sup>111</sup>

**January 3, 2014** – Mixed security forces including police shot and killed 4 protesters and wounded 40 others in an attempt to break up a strike by garment workers. It was described by local rights group, Licadho, as ‘the worst state violence to hit Cambodia in 15 years.’<sup>112</sup>

**February 14, 2014** – At least six people were injured when police evicted a small group of Borei Kela villagers from an unfinished building in Phnom Penh. A woman in her eighth-month of pregnancy was among those who were beaten.<sup>113</sup>

**May 1, 2014** – The May 1<sup>st</sup> International Workers’ Day rallies in Phnom Penh turned violent when police attacked peaceful protesters – reportedly without provocation. At least five people were seriously injured, whilst several more were slightly hurt.<sup>114</sup>

None of the police officers who perpetrated the violence noted above have been brought to justice. A lack of separation of the courts from the executive power and ruling party allows for few checks and balances on public institutions and staff.<sup>115</sup> In this system, impunity is rife.

Whilst these examples do not encompass all incidences of police aggression since the 2013 national elections, they indicate that police violence continues to occur fairly regularly. Repeated incidences of this kind reinforce the idea of the police as tough, auto-

<sup>111</sup> Dara, Mech, and Lauren Crothers, ‘Woman Killed as Police Open Fire During Garment Worker Clash,’ *The Cambodia Daily* (Phnom Penh) 13 November 2013

<sup>112</sup> Radio Free Asia, ‘Four Shot Dead as Cambodia Police Open Fire on Workers’ Protests,’ *Radio Free Asia Khmer*, translated by Samean Yun, written in English by Parameswaran Ponnudurai (Phnom Penh) 03 January 2014

<sup>113</sup> The protesters were evicted from an unfinished building which they had been occupying to draw attention from their five years-long plight for proper replacement housing. In January 2012, hundreds of armed police violently evicted more than 200 villagers and bulldozed 300 homes in Borei Kela, Phnom Penh. See: Narim, Khuon, and Lauren Crothers, ‘Six Injured As Police, Borei Kela Villagers Clash,’ *The Cambodia Daily* (Phnom Penh) 15 February 2014

<sup>114</sup> Dara, Mech, ‘May 1 Rallies Marred By Police Violence,’ *The Cambodia Daily* (Phnom Penh) 02 May 2014

<sup>115</sup> See: Transparency International, *Corruption and Cambodia’s Governance System – National Integrity System Assessment* (Phnom Penh/Berlin: Transparency International, 2014) – Forthcoming in September 2014

mous and powerful; able to legitimately respond with force when considered necessary in order to ‘maintain security and the country’s order.’<sup>116</sup>

It should be noted here that the police have reportedly been ordered to avoid using violence against protestors.<sup>117</sup> Nevertheless, violence remains a last resort. It appears to be justified as the final part of the package of protecting or preventing people from having demonstrations and undertaking illegal activity. Municipal police chief, Touch Naroth, explained that the controversial 2012 anti-riot police training<sup>118</sup> to suppress protests was undertaken in order to ‘guarantee public order, safety, and security for all the people in the Kingdom of Cambodia.’<sup>119</sup>

Collectively, these discursive practices and institutional norms establish meaning, or produce a ‘truth’ in which police officers are expected to participate. They work to demarcate the masculine police officer against something ‘other,’ something that is not strong and dominant: the feminine.<sup>120</sup>

### **The constructed masculine police identity depends on the exclusion of the feminine**

The patriarchal masculine identity of the police depends on the exclusion of the feminine other for its survival. The strong image of the masculine police officer acting in the public realm to protect the public order requires a softer, feminine realm of the home and family to protect. Academic Markus Dubber illuminates how police power embodies patriarchal rule.<sup>121</sup> He argues that police power has its root in the almost boundless control of the patriarchal household ruler over his household.<sup>122</sup> Whilst the patriarch is always a man, definitions of gender arise from and help to support it. In a patriarchal hierarchy of worth, masculine dominance pervades positions of power. Ensuring this masculine identity is fundamental to maintaining the legitimacy of the ruler over the lesser; or in this case the authority of the police over the people.

<sup>116</sup> Savoeun, Neth, ‘Message to all Cambodian National Police,’ in *Strategic Plan on Cambodian National Police 2008-2013* (Phnom Penh: Cambodia National Police, 2009)

<sup>117</sup> Kouth Sophak Chakrya and Buth Reaksmeay Kongkea, ‘Cambodian riot police’s tactics in spotlight,’ *The Cambodia Daily* (Phnom Penh) 01 August 2012

<sup>118</sup> Radio Free Asia, ‘Cambodia Trains New Riot Police,’ Reported by Sok Serey for RFA’s Khmer service. Translated by Samean Yun. Written in English by Richard Finney (Phnom Penh) 31 July 2012

<sup>119</sup> Kouth Sophak Chakrya and Buth Reaksmeay Kongkea, ‘Cambodian riot police’s tactics in spotlight,’ *The Cambodia Daily* (Phnom Penh) 01 August 2012

<sup>120</sup> Pin-Fat and Stern make this argument over the reliance on constructions of masculine and feminine identities in the United States’ military. See: Pin-Fat, Véronique and Maria Stern .2005. ‘The Scripting of Private Jessica Lynch: Biopolitics, gender and the ‘feminization’ of the US military’, *Alternatives: Global, Local, Political*, 2005, 30, p. 28

<sup>121</sup> Dubber, Markus D. *The Police Power: Patriarchy and the Foundations of American Government* (New York: Columbia University Press, 2005)

<sup>122</sup> *Ibid.*



Dominant societal perspectives in Cambodia bolster these assumptions about appropriate roles for women and men. Traditionally, women have not belonged to public life in Cambodia.<sup>123</sup> They have been expected to remain in the private sphere of the household and family.<sup>114</sup> Whilst the rapid transformation of Cambodian society is making space for 'the woman politician,' women are still broadly expected to stay at home.<sup>115</sup> Preliminary research from 2014 undertaken by Katherine Brickell, senior researcher in human geography at Royal Holloway, University of London, found that 81 per cent of women and 75 per cent of men in Cambodia believe that women should remain at home taking care of the family.<sup>126</sup>

The underrepresentation of women in the police force may also be indicative of the expectation for women to prioritise responsibilities in the home. The women that do work as police officers tend to hold administrative positions<sup>127</sup> rather than engage in frontline police work. This indicates that roles given to female police officers may depend on dominant assumptions about appropriate women's work.

The government took a positive step in June 2014, stating its desire to have women police at protests (previously there were none). Yet the roles expected of women police in these contexts are limited towards particular activities: running to hold sarongs in front of female protestors if they strip naked.<sup>128</sup> Male riot police officers by contrast, have been trained to suppress protests.<sup>129</sup>

<sup>123</sup> Jacobsen, Trudy. *Lost Goddesses: The Denial of Female Power in Cambodian History* (Copenhagen: NIAS Press, 2008) p. 195

<sup>124</sup> *Ibid.* pp. 195-6

<sup>125</sup> Tith Viseth, Lieutenant Colonel of the Cambodian National Police, interviewed by Author (Phnom Penh) 24 April 2014

<sup>126</sup> Crothers, Lauren, 'Report Finds Poor Implementation of Domestic Violence Law,' *The Cambodia Daily* (Phnom Penh) 21 January 2014

<sup>127</sup> Tith Viseth, Lieutenant Colonel of the Cambodian National Police, interviewed by Author (Phnom Penh) 24 April 2014; Senior Government Official, interviewed by Author (Phnom Penh) 21 April 2014 – Interviewee requested anonymity; Mu Sochua, Former Minister of Women's Affairs (current Cambodia National Rescue Party (CNRP) Member of Parliament-Elect), interviewed by Author (Phnom Penh) 24 March 2014; Sok Sam Oeun, Attorney and Executive Director of the Cambodian Defenders Project, interviewed by Author (Phnom Penh) 22 April 2014; Huot Chan, Thematic Advisor – Crime Prevention and Community Safety, Cambodia Community Justice Assistance Partnership (CCJAP), interviewed by Author (Phnom Penh) 21 April 2014; Beini Ye, GIZ Advisor to the Cambodian Defenders Project, interviewed by Author (Phnom Penh) 20 March 2014; Former High Ranking Officer of the Government, interviewed by Author (Phnom Penh) 07 April 2014

<sup>128</sup> Dara, Mech, 'Gov't Says Female Officers Wanted at Protests,' *The Cambodia Daily* (Phnom Penh) 09 June 2014

<sup>129</sup> Although this sparked fears amongst rights groups and workers' unions that the authorities might use undue force to 'crack down' on demonstrations. See: Radio Free Asia, 'Cambodia Trains New Riot Police,' Reported by Sok Serey for RFA's Khmer service. Translated by Samean Yun. Written in English by Richard Finney (Phnom Penh) 31 July 2012

Another initiative to boost women's representation in law enforcement, whilst improving the police's response to gender-based crimes, is the establishment of 120 female judicial police officers under the Ministry of Women's Affairs (MoWA).<sup>130</sup> The MoWA judicial police officers' role is to assist the police in responding to the needs of domestic violence victims;<sup>131</sup> ensuring that victims know their legal rights, can get access to health care, and have help in filing a case report to the court.<sup>132</sup> Nevertheless, the MoWA judicial police officers are not provided the same powers as judicial police under the Ministry of Interior; they are not entitled to engage in investigative police work.<sup>133</sup>

The Government is making efforts to promote women in the police force from the national level down to the commune level.<sup>134</sup> For instance, female Deputy Chairs of the provincial level police have been recently appointed for the first time.<sup>135</sup> Nevertheless, the above discussion indicates that female police officers are typically given support roles. Some of the reasons reportedly given for not engaging women in frontline police work are because police must sometimes patrol at night – when women are expected to be at home taking care of the children and family.<sup>136</sup> A question raised here, is why can police work not be organised more flexibly so that increasing numbers of women are able to get involved?

It is feminine characteristics that the prototypical police officer wants to avoid. They contrast to the tough, dominant and strong traits expected for effective police work. Hence, women may be scripted into less prominent support roles avoiding the risk that they feminise the identity of the police force. From this perspective, we can see that the police force depends on the inclusion of the masculine and the exclusion of the feminine.

Noteworthy, is that the increased representation of women in the police may not necessarily improve the police force's gender responsiveness. There are problematic and authoritarian ways that women can act. Women may reinforce stereotypes and act like patriarchal men. They can help perpetuate patriarchal forms of domination.<sup>137</sup> Hence, including more women in public institutions does not necessarily equate to greater democracy.

<sup>130</sup> Law on the Prevention of Domestic Violence and the Protection of Victims, 2005: Art. 10 – Unofficial English translation by the GTZ-Promotion of Women's Rights (Official version in Khmer)

<sup>131</sup> *Ibid.*

<sup>132</sup> *Ibid.*; GIZ, Access to Justice for Women Programme, Dr. Andreas Selmecci (author), March 2014 <http://giz-cambodia.com/wordpress/wp-content/uploads/FactSheet-ATJW-final-09.01-2nd.pdf> [accessed 21 May 2014]

<sup>133</sup> *Ibid.*

<sup>134</sup> Senior Government Official, interviewed by Author (Phnom Penh) 21 April 2014 – Interviewee requested anonymity

<sup>135</sup> *Ibid.*

<sup>136</sup> Former High Ranking Officer of the Government, interviewed by Author (Phnom Penh) 07 April 2014

<sup>137</sup> See: Ariel Levy, *Female Chauvinist Pigs: Women and the Rise of Raunch Culture* (New York: Free Press, 2005)

### The constructed masculine identity of the police force requires consistent confirmation

It is argued above that the police require a feminine zone of distinction which is separate from the masculine notion of the police, in order to make sense. Yet if the police identity appears to be emasculated, the notion of masculine protector over a feminine zone of protection is threatened.<sup>138</sup> The feminisation of the police through the tightly woven control mechanism governing them may result in an enhanced need to reassert their masculinity. A constructed identity is insecure and requires sustained reinforcement to ensure its continuation and legitimacy. In practice, the reinforcement of the masculine identity of the Cambodian national police can be understood to play out through the common abuses of power enacted by them against the citizenry.

To expand this argument, consider incidences in which the police have reportedly perpetrated acts of sexual abuse including rape. During brothel raids, for instance, police have beaten sex workers and gang raped those which they found prettier, according to Pheng Phally, a sex worker and team leader of the Women's Network for Unity (WNU) in Phnom Penh.<sup>139</sup> Moreover, a 2010 report by Human Rights Watch documented 90 interviews with sex workers and found several incidences in which sex workers had accused police officers of rape.<sup>140</sup> In addition, Cambodian rights group, Licadho, which monitors 18 of Cambodia's 28 prisons,<sup>141</sup> reported that police sometimes sexually assault women in custody.<sup>142</sup>

The occurrence of rape and gang rape by some police officers corresponds with the findings of a 2013 United Nations multi-country study on men and violence in Asia and the Pacific. 20 per cent of men in the nationally representative sample in Cambodia admitted to having perpetrated a rape,<sup>143</sup> whilst 5 per cent had participated in gang rape against a female.<sup>144</sup> The rate of gang rape was found to be particularly high in Cambodia relative to the other countries assessed.<sup>145</sup> Such violence is considered to be principally connected to 'unequal gender norms, power inequalities, and ideals of manhood that support hete-

<sup>138</sup> Pin-Fat, Véronique and Maria Stern .2005. 'The Scripting of Private Jessica Lynch: Biopolitics, gender and the 'feminization' of the US military', *Alternatives: Global, Local, Political*, 2005, p. 38

<sup>139</sup> Ibid.

<sup>140</sup> Human Rights Watch (HRW), *Off the Streets: Arbitrary Detention and Other Abuses against Sex Workers in Cambodia* (Washington D.C.: HRW, 2010)

<sup>141</sup> LICADHO, *Prison's Project*: <http://www.licadho-cambodia.org/programs/prisonproject.php> [accessed 01 June 2014]

<sup>142</sup> LICADHO, *Prison Conditions in Cambodia 2008: Women in Prison* (Phnom Penh: LICADHO, 2008) p. 21

<sup>143</sup> United Nations, *Why Do Some Men Use Violence Against Women And How Can We Prevent It?*, by Partners for Prevention. A UNDP, UNFPA, UN Women and UNV Regional Joint Programme For Gender-Based Violence Prevention in Asia and the Pacific, September 2013 (United Nations: 2013) p. 29

<sup>144</sup> Ibid. p. 40

<sup>145</sup> Ibid.

rosexual dominance and control over women.<sup>146</sup> Research from Cambodia specifically, underlines that gang rape is connected to young men's efforts to define their masculinity.<sup>147</sup>

Following this, police may perpetrate acts of sexual abuse to reassert their dominance. Rape and sexual violence may take on a meaning in which the male perpetrator is masculinised against the female victim who is feminised.

The gender-based violence noted above involves male police officers perpetrating abuse against female victims. Further instances of abuse by police officers occur however, against both male and female citizens. How can such acts be understood to involve an interaction in which the abused, regardless of gender, is feminised?

Let us examine the common incidences of petty corruption enacted by the police. The police reportedly solicit bribes at multiple and frequent opportunities.<sup>148</sup> Renowned are the bribes demanded by traffic police.<sup>149</sup> Trading firms have also reported that border police undertake inspections of goods, with each step involving informal payments.<sup>150</sup> In addition, police are accused of accepting bribes to allow illegally logged wood to pass across national frontiers.<sup>151</sup> Moreover, it is documented that police commonly solicit bribes before commencing an investigation.<sup>152</sup>

These small but regular abuses of power may be ways in which police can renew their sense of dominance and therefore their sense of masculinity. Following the poststructu-

<sup>146</sup> Ibid. p. 5

<sup>147</sup> Ibid. p. 49. Also see: Bearup, L. S. *Paupers and Princelings: Youth Attitudes Toward Gangs, Violence, Rape, Drugs and Theft* (Phnom Penh: Gender and Development for Cambodia, 2003); and, Wilkinson, D., L. Bearup and T. Sophrach. 'Youth gang rape in Phnom Penh,' in *Sex Without Consent: Young People in Developing Countries*, S.J. Jejeebhoy, I. Shah, and S. Thapa (eds.) (New York: Zed Books, 2005)

<sup>148</sup> Global Security, Cambodia – Corruption: <http://www.globalsecurity.org/military/world/cambodia/corruption.htm> [accessed 01 June 2014]

<sup>149</sup> See: Narim, Khuon, and Joshua Wilwohl, 'Policing the Police: New Unit Assigned to Traffic Cops,' *The Cambodia Daily* (Phnom Penh) 11 February 2014

<sup>150</sup> United Nations Asia and Far East Institute (UNAFEI), 'Corruption: the Case in Cambodia,' authored by Vathanak Sina Neang, Director, Legal Affairs Department at the Ministry of Justice, Cambodia, in *Third Regional Seminar on Good Governance for Southeast Asian Countries: Measures to Freeze, Confiscate and Recover Proceeds of Corruption, Including Prevention of Money-Laundering*, co-hosted by UNAFEI, the Department of Justice of the Republic of the Philippines, and the United Nations Office on Drugs and Crime (UNODC) Regional Centre for East Asia and the Pacific, 9-12 December 2009, Manila [http://www.unafei.or.jp/english/pdf/PDF\\_ThirdGGSeminar/Third\\_GGSeminar\\_all.pdf](http://www.unafei.or.jp/english/pdf/PDF_ThirdGGSeminar/Third_GGSeminar_all.pdf) pp. 80-86

<sup>151</sup> Asian Human Rights Commission, *Mechanisms to Address Corruption in Cambodia*, authored by Sek Bariso: <http://www.humanrights.asia/resources/journals-magazines/article2/0901/09mechanisms-to-address-corruption-in-cambodia> [accessed 01 June 2014]

<sup>152</sup> Amnesty International, *Breaking the Silence: Sexual Justice in Cambodia* (London: Amnesty International, 2010)



ralist perspective outlined earlier in this paper, the transaction as masculine or feminine depends on the parameters of the situation in which the interaction occurs, and not on the sex of the actor.<sup>153</sup> Hence, the citizen, male or female, from whom the bribe is demanded, may be feminised.

This argument can be extended to the less frequent but more pronounced exchanges of dominance and submission that are observed through instances of police aggression against civilians. In addition to occurrences of police violence during the suppression of demonstrations mentioned above, police violence also happens in more discrete ways including the use of torture of suspects in custody. A 2014 report released by Licadho documents the ongoing use of torture including beating and the abuse of females, in police custody and prison.<sup>154</sup> The report indicates that the type and frequency of such abuse has not altered in recent years. A 2010 joint Cambodian civil society organisation report documented that of detainees interviewed, 6 per cent had admitted to being tortured in police custody in 2009, whilst 7 per cent had a similar experience in the first six months of 2010.<sup>155</sup> In 2012, director of Cambodian rights group ADHOC, Thun Saray, reported having frequently heard about police shackling the hands and feet of suspects in order to intimidate them into a confession.<sup>156</sup>

Together, common instances of bribery and violence – both sexual and non-sexual – culminate in a system whereby police officers regularly enact abuses of power against citizens. Acts of abuse enable police officers to reinforce their masculine identity which is negated under the tight institutional hierarchy in which they are expected to conform to the will of their superiors and the will of the ruling party. When soliciting bribes or perpetrating violence, police officers are afforded a space of independence in which they can perform tough and dominant positions, aligning with the ideal of hyper-masculine police officer. By contrast, the victim is subordinate and subjected to the will of the dominant officer. From this perspective, we can see that the citizen receiving the abuse may be feminised whilst the police officer enacting the abuse can be masculinised.

<sup>153</sup> Butler, Judith. *Giving An Account of Oneself* (USA: Fordham University Press, 2005) p. 7

<sup>154</sup> LICADHO, *Torture and Ill-Treatment: Testimony from inside Cambodia's police stations and prisons*, A report issued in June 2014 (Phnom Penh: LICADHO, 2014)

<sup>155</sup> Joint Cambodian NGO Report on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in the Kingdom of Cambodia, jointly prepared by Cambodian Human Rights and Development Association (ADHOC), Cambodian Defenders Project (CDP), Cambodian League for the Promotion and Defense of Human Rights (LICADHO), Transcultural Psychosocial Organisation (TPO), Cambodian Human Rights Action Committee (CHRAC) (Phnom Penh, 2010) p. 11

<sup>156</sup> Radio Free Asia, 'NGOs Demand End to Torture,' Radio Free Asia Khmer, translated by Samean Yun. Written in English by Joshua Lipes (Phnom Penh) 26 June 2012

## IV. Conclusion

This discussion has shown that persistent corruption and violence perpetrated by national police in Cambodia can be understood as a complex enactment of gender relations. Power becomes masculinised while the police present themselves as masculine protectors, and feminise the disempowered. Yet paradoxically, the police themselves become feminised and are subjected by elite politicians. The police are castrated by the unrelenting and unquestionable will of the ruling party.

Nevertheless, the ideal police officer remains constructed as hyper-masculine. It is a patriarchal form of masculinity which serves to legitimise authority and in some cases violence in the name of protecting public order and security. This discourse necessarily relies on an alternate zone which needs protection: the feminine realm of the home and family. Consequently, feminine characteristics are necessarily excluded from the police force. In this context, police officers need to reassert their masculinity. They need to regain what is lost through their feminisation in the professional hierarchy, as well as strive to maintain the prototypical image of masculine police officer. Hence, this paper suggests that continued police corruption and violence can be understood as social interactions which work to reinforce the hyper-masculine identity of the police.

The paper underscores the pervasiveness and to some extent legitimacy of authoritarian policing. It presents the challenges to overcoming patriarchal patterns of dominance and violence; despite the extensive efforts of the Cambodian government, donors and civil society, patriarchal norms perpetuate throughout this law enforcement agency.

The conclusions of this argument can be expanded to go further than the institution of the police force. The notion of masculine protector extends up to the nation's supreme commander; the Prime Minister – the ultimate patriarch. The Prime Minister around which power is centralised and has been compounded for almost 30 years,<sup>157</sup> depends on a paternalistic image<sup>158</sup> as the nation's saviour and protector to maintain legitimacy and

<sup>157</sup> The Prime Minister has been in power since 1985. See: Chandler, David. *A History of Cambodia*, Fourth Edition (Chiang Mai: Silksworm Books, 2008) p. 285

<sup>158</sup> Gainsborough, Martin. 'Elites vs. Reform in Laos, Cambodia, and Vietnam,' *Journal of Democracy*, Volume 23, Number 2, April 2012, pp. 34-46; Chang, Alex, Yun-han Chu, Bridget Welsh, 'Southeast Asia: Sources of Regime Support,' *Journal of Democracy*, Volume 24, Number 2, April 2013, pp. 150-164

control.<sup>159/160</sup> In order to continue this system, he needs subordinates around him who support his influence without publicly challenging him. In order to reinforce this insecure image of masculine dominance, the Prime Minister must contrast himself against feminine counterparts. In his unyielding approach to governance, the citizenry and public servants below him are feminised whilst the Prime Minister's tough image is bolstered. So, the hierarchy in which the police are enveloped is necessary for the continuation of the current political rule.

Consequently, improving the police force goes far beyond reforming the institution of the police itself. It extends to the very system of governance which underpins the actions of the police. It also involves the broader social and cultural system in which gendered meanings are ascribed to particular roles and patterns of behaviour. So, how can the police be developed into an organisation that can effectively uphold the rule of law and boost democratic governance in Cambodia?

### Research implications

Limited research and analysis exists on the Cambodian police. Hence, the argument made in this paper depends on the narrow available secondary information as well as firsthand interviews undertaken in the course of this research. The development of the argument and concluding recommendations would benefit from further research. For instance, an anonymous survey questioning police officers on their behaviour, motivations, perspectives and experiences towards corruption, violence and gender would bolster the understanding of police actions. Further analysis of the patterns of police violence towards protestors over time would also be beneficial to see if the type and frequency has altered over time. Quantitative research of university and high school age women and girls regarding their career goals and motivations may help us to understand why they are not commonly opting to become police officers, public servants or political figures. With this information, focused advocacy strategies could be developed in order to attract more women into these roles.<sup>161</sup> Moreover, targeted information could be gathered on the Cambodian women that are making significant achievements in the country's public and political life. These figures could be promoted in public campaigns to provide young women with positive role models upon which to aspire to.

<sup>159</sup> Hun Sen and the Cambodian People's Party have typically promoted themselves as 'saviours' of the country from the Khmer Rouge period. See: BBC, 'Q&A: Cambodia strives for "credible" election,' BBC News Asia, 26 July 2013 <http://www.bbc.co.uk/news/world-asia-23429672> [accessed 02 July 2014]

<sup>160</sup> Hun Sen is likely viewed by his population like a *fait accompli* or monarch – presiding as a kingly or fatherly figure over all that happens in Cambodia. See: Chandler, David. 'Cambodia in 2009: Plus C'est la Môme Chose,' *Asian Survey*, Vol. 50, No. 1 (January/February 2010) p. 229

<sup>161</sup> Note that existing research indicates that increasing women's representation in public services makes an absolute difference in women's ability to access these services and have their needs met. See: United Nations International Children's Emergency Fund (UNICEF). 'Equality in Politics and Government,' and 'Reaping the Double Dividend of Gender Equality,' in *The State of the World Children 2007*, pp. 51–87 (New York: UNICEF, 2007); United Nations, *Global Issues – Women and Democracy* <http://www.un.org/en/globalissues/democracy/women.shtml> [accessed 02 July 2014]

### Pragmatic implications

The practical recommendations advocated for here to improve the police are holistic. They build on existing initiatives to train the police and pass legal reforms. For instance, this paper calls for the passage and implementation of a Law on the Police, ensuring that the police have professional recruitment standards and reporting mechanisms. Moreover, the law's provisions should safeguard the independence of the police and give clear disciplinary procedures for any police officers that misbehave including engaging in corruption or perpetrating violence. Impunity for police officers must not continue.

In order to ensure that women police officers can undertake frontline police work, including patrolling, visiting crime scenes, and collecting evidence, working hours should be flexible. Whilst women are still expected to take primary responsibility for the home, allowances should be made so that they can work around their familial duties. In the longer-term husbands and family members of female police officers will also have to deal with a change of gender roles in the family. So, raising awareness about women's changing positions and the importance of sharing domestic duties, as well as potential gender trainings for families could be needed.

To address gender-based inequality, law enforcement agencies should also seek to properly address the concerns of women police officers on an equal par with men. Internal affairs units or independent external commissions could help address such grievances.

Further initiatives should be prioritised to attract more women into the police force and demonstrate to all that women can have frontline roles in public life. The government should fund prominent female political and public figures to tour universities and high schools in order to speak about their achievements and work. This may inspire young women and girls to aspire to become leaders in related professions. Ultimately, the increased representation of women in the security forces, especially in senior and frontline positions, may increase women's access to services as well as enabling law enforcement agencies' to better respond to women's needs.

The political system in which the police operate needs to be decentralised. Importantly, restrictions against the appointment of family members to senior positions in the public sector should be enforced. In particular, the Police Commissioner post should be attained through competitive recruitment and selection. The initial round could involve open application in which the Ministry of Interior decides a shortlist. The shortlist could then be reviewed by selected dignitaries who choose the top two candidates. The final candidate could then be voted for by secret ballot in the National Assembly. This would hopefully enable the Police Commissioner to have some separation from the Prime Minister providing for greater independence of the police force.

These research and pragmatic implications seek to bolster the existing efforts to reform and improve the police force. Ultimately, they hinge on the political will of the existing power-holders to make deep structural changes.



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