

THE CAMBODIAN ELECTIONS AND THE BENEFITS OF LEGITIMACY

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The most obvious benefit of implementing free and fair elections¹ in formerly autocratic states is the institution of a newly democratic political structure that represents the interests of the populace. Beyond the creation of a new system, however, elections legitimize the authority of particular political powers. In countries where the voice of the people formerly held little influence, the consent of the governed provides a powerful stabilizing force for the genesis of a civil society.

The elections held in Cambodia from May 23 to 28, 1993 under the auspices of the United Nations provide a good example. As Cambodia entered the 1990s, the likelihood of forming an enduring democratic government was minuscule according to any theory of democracy formation. The economy was in a shambles, the people of Cambodia had no experience with democracy, and the major parties in Cambodia all had the means to ignore the call for democracy and continue their armed conflict.

The economy, which had never been well-developed in the first place, had been crippled by constant warfare and the forced agrarianization of the urban centers by the Khmer Rouge during their four-year rule. The economy has remained largely agrarian, with little industry other than resource-stripping activities such as timber cutting and gem mining. The people of Cambodia had not achieved the standard of living necessary to provide them the surplus leisure time and income necessary to educate themselves about and participate in democratic processes. To make matters worse, almost everyone with the technical, professional, and political skills necessary to bring economic improvement had been killed by the Khmer Rouge or had fled to other countries.

Furthermore, with the exception of the election held in 1955 after Cambodia gained its independence from France, the Cambodian people had never experienced any sort of truly democratic government. None of the four major Cambodian factions, all of which controlled the country at one time or another, had ever practiced democracy. Thus, it seemed likely that the Cambodian

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parties would attempt to subvert any democratic processes for their own purposes rather than abide by the will of the people. Even if the elites did not destroy the democratic process, there was no way to predict whether the Cambodian people would participate in elections in a meaningful and useful manner.

Finally, armed conflict had long been the standard means of resolving disputes in Cambodia. Before the elections there had been more than 20 years of civil war, interrupted only by four years of so-called "peace" under the Khmer Rouge characterized by terror and mass murder. It is estimated that in the latter period the Khmer Rouge killed at least 1 million people out of a population of approximately 6 to 8 million.² Although Vietnam had withdrawn all of its troops and the various Cambodian factions had agreed to a ceasefire and elections, animosity continued to run high among the four competing and heavily armed Cambodian factions. Democracy in Cambodia seemed a remote possibility. Ngeth Suphan, a Harvard-educated civil administrator for Thmar Pouk province in Cambodia, made the point succinctly: "Nothing good can come out of it [democracy] . . . it is too premature for my people. The leaders do not understand about democracy. They want power."³

Ngeth may have been wrong, however. Though the recent history of Cambodia does not reveal a firm basis for the construction of an enduring democracy, the benefits derived from the legitimization of political power through free and fair elections bodes well for the country's stability and prosperity. Without such advantages, it would be difficult to imagine how a country whose recent history has been so troubled would suddenly be able to rule itself through a system of governance requiring trust, restraint, and compromise.

Historical Background

In order to grasp the current situation in Cambodia, it is necessary to understand Cambodia's recent past.⁴ In late 1978, with anti-Vietnamese sentiment strong in Khmer Rouge-led Cambodia, the Vietnamese invaded after numerous skirmishes along the border. By January 7, 1979, the Vietnamese had used their advantage in numbers, training, and weapons to defeat the Khmer Rouge and enter Phnom Penh. The Vietnamese set up a Cambodian government composed of ex-Khmer Rouge who had defected because of Pol Pot's brutality and pro-Vietnamese Cambodian Communists who had stayed in Vietnam when the Khmer Rouge took over. As the new administration was not strong enough to stand on its own, the Vietnamese provided significant economic and military support.

Meanwhile, several rebel groups formed on the Thai-Cambodian border. Each vied for control of the numerous refugee camps that had sprung up as Cambodian villagers fled the fighting. The rebel groups fought the Vietnamese, the Vietnamese-installed Cambodian government, and each other. The three main groups were the Khmer Rouge, backed by China and Thailand; the National United Front for an Independent, Neutral, Peaceful and Cooperative Cambodia (known by its French acronym FUNCINPEC), the royalist

movement headed by Prince Norodom Sihanouk, Cambodia's monarch and ruler in the 1950s and 1960s, and backed by China and the Association of Southeast Asian Nations (ASEAN); and the Kampuchean People's National Liberation Front (KPNLF), a rightist group lead by Son Sann and backed by the United States. At the urging of China and ASEAN, these three groups formed a loose and uneasy alliance known as the Coalition Government of Democratic Kampuchea (CGDK) in order to fight the Vietnamese. Sihanouk was its nominal leader.

Although the Vietnamese and their Cambodian ally, the State of Cambodia (SOC), were never able to defeat the rebel forces, they did deal them a crippling blow in the dry season offensive of 1984-1985. This gave the SOC sufficient breathing room to form a working, stable government. By the late 1980s, under general principles of international law on statehood, the SOC should have been the *de jure* government of Cambodia.⁵ Nonetheless, lobbying by the United States, China, and ASEAN guaranteed that the CGDK retained Cambodia's seat in the U.N. General Assembly, with the Khmer Rouge providing the representative.

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This situation changed with the collapse of the Soviet Union and the concomitant cessation of Soviet aid to Vietnam. The Vietnamese had been economically and politically isolated as a result of their invasion and occupation of Cambodia. They were largely dependent on approximately \$1 billion per year of Soviet aid. The Cambodian conflict, a punitive invasion by China in 1979, and mismanagement of the economy had left Vietnam in terrible economic condition. Forced to deal with the reality of the change in the world geopolitical order, the Vietnamese gradually withdrew their armed forces from Cambodia, completing the operation by 1989. To the surprise of many, the Vietnamese-installed SOC did not collapse, but fought effectively against the rebels, evidence that the decade of Vietnamese support had given Cambodia the time to create a strong military as well as a functioning government.

The stalemate eventually led to efforts to resolve the conflict peacefully. On October 24, 1991, the rebels and the government, under pressure from their various sponsors, agreed to a ceasefire, a demobilization of their forces, and elections to be run by the United Nations. The first U.N. personnel began arriving the next month. Eventually, the United Nations Transitional Authority in Cambodia (UNTAC) consisted of 22,000 soldiers and civil administrators.⁶

The mission, however, was only a partial success. The Khmer Rouge re-

fused to lay down their weapons and their troops did not show up for cantonment. They also refused to participate in the elections and actively attempted to sabotage the United Nations' activities. Many of the 70 murders of U.N. personnel in Cambodia are attributed to the Khmer Rouge. Despite this fact, the 1993 U.N.-administered elections were widely considered free and fair. The turnout was high; more than four million people, or 89 percent of the registered voters, went to the polls.⁷ FUNCINPEC, Prince Sihanouk's royalist party, won a plurality of the seats, 58 out of 120 (45 percent or 1.8 million votes). The Cambodian People's Party (CPP, the party of the SOC) came in second with 51 seats (38 percent or 1.53 million votes). Son Sann's Buddhist Liberal Democratic Party (BLDP) came in third with 10 seats (4 percent or 152,764 votes), and Molinaka, a royalist splinter party, received the remaining votes.⁸ Although the CPP at first refused to abide by the results of the elections, the three major victorious parties eventually reached a compromise power-sharing agreement. Prince Ranaridh, head of the royalist party and a son of Prince Sihanouk, became first prime minister while Hun Sen, head of the CPP, became second prime minister. Son Sann was elected speaker of the Assembly. The royalists and the CPP agreed to share power over the important interior and defense ministries. The elected representatives drafted a new constitution, which was ratified on September 25, 1993, and then convened as the National Assembly. In an interesting twist, the monarchy was reinstituted with Sihanouk as king. The National Assembly decided to "once again vest . . . Sihanouk with the full and special powers inherent in his capacity and duties as head of state in order that he may save our nation and lead it on the path towards peace and prosperity."⁹ Sihanouk was given veto powers over judicial and cabinet appointments and military decisions. He then declared that henceforth Cambodia would be "a *de facto* liberal democracy with a parliamentary regime."¹⁰

U.N. personnel started leaving Cambodia on August 2, 1993, and the last members of the mission left on November 15, 1993. Recognizing the success of the elections, the Khmer Rouge attempted in July and August of that year to negotiate a role for themselves in the new government. To this end, they commenced a campaign of attacks throughout the country, but were repulsed by the government. Although the government at first considered a role for the Khmer Rouge, it eventually refused to negotiate until the Khmer Rouge surrendered themselves and their territory.

Since that time, the newly created Royal Government of Cambodia (RGC) has gone about the business of attempting to rebuild Cambodia. Although it has been unable to destroy the Khmer Rouge, it has registered successes in many fields. For its part, the Khmer Rouge have continued their campaign of attacks against ethnic Vietnamese and government personnel, but have been unable to gain authority in the new government. As of mid-1995, the Khmer Rouge had about 12,000 fighters and controlled 15 percent of Cambodia's territory, but there was widespread agreement that they are not capable of toppling the new government.¹¹ The new, unified Khmer Royal Army (KRA) has about 90,000 men.¹²

The Benefits of Elections in Cambodia

Looking more closely at the elections, it is apparent that their success has not only led to the creation of a tenuous coalition government but has helped to establish a civil society wherein democratic processes, rather than violence, can be used to mediate political differences and power struggles. Three benefits in particular have arisen from the ability of elections to confer legitimacy and appear to have significantly changed Cambodian political culture.

First, those who refuse to participate in free and fair elections and who publicly declare that they will hinder the elections lose political legitimacy. The Khmer Rouge's boycott of the elections not only resulted in their lack of representation in the newly formed government and a loss of political power, but also caused them to lose domestic and international support and damaged their military and economic strength.

Second, the parties that gained legitimacy by their participation in the elections formed a legitimate and functioning government. The CGDK had been a shaky alliance at best. Its adversary, the SOC, lacked domestic and international legitimacy. By contrast, the new coalition government of Cambodia, the RGC, is not only more stable, but also offers more political and economic hope for Cambodia's future. The new government is the first Cambodian government in more than two decades to possess both the right and ability to govern.

Finally, the elections have conferred political power on Norodom Sihanouk. This is not surprising, given that Sihanouk possesses more political legitimacy than any other individual in Cambodia. However, for the past two decades, his economic, political, and military influence has been negligible. Even the Armée National Sihanoukiste (ANS), the military component of FUNCINPEC, had been overshadowed by the armies of the Khmer Rouge and the SOC. Although it is unclear exactly how much power he will now wield as king, his party's plurality in the legislature, his son's position as first prime minister, and his skill at politics make it likely that Sihanouk will have a significant role in shaping Cambodia's future. Sihanouk's ascension will bring about the stability much needed for prosperity and eventual democracy, for he is the one individual whom most Cambodians and their leaders are willing to obey.

The Khmer Rouge

Given Cambodia's recent history, it is often assumed that the Khmer Rouge are wildly unpopular. It is undisputed that they caused immense hardship for their own people and that their actions shocked the conscience of the world community. Within Cambodia, however, the Khmer Rouge are not as unpopular as commonly believed. First, memories of the Khmer Rouge's reign and its attendant brutalities are fading. In 1990, 35 percent of the population was under age 14,¹³ meaning that more than one-third of all Cambodians were four years old or younger the last time the Khmer Rouge were in power. A large portion of Khmer Rouge military recruits are quite young, 80 percent of

them having been recruited after 1979.¹⁴ Even among those Cambodians old enough to remember, it was urban professionals and other skilled persons who bore the brunt of the Khmer Rouge's wrath. The Khmer Rouge maintain a following among the poorest peasants, their traditional supporters.

Second, the Khmer Rouge have instituted a new campaign to win the support of Cambodian citizens. Although there are reports that much of the recruiting done by the Khmer Rouge is at gun point, Khmer Rouge cadres in many areas have been kind, thoughtful, and helpful to civilians.¹⁵ The Khmer Rouge also publicly announced in 1979 that Pol Pot would be stepping down from his leadership role and that the Khmer Rouge would be represented by more moderate leaders such as Khieu Samphan. Although most believe that Pol Pot retains *de facto* power, the Khmer Rouge have no doubt benefited by distancing themselves from names that evoke memories of bad times in Cambodia. Further, the Khmer Rouge leaders have been apologetic about some of their former policies. Khieu Samphan has admitted that the Khmer Rouge tried to develop the country "much too fast" and that this had "affected the health of the people."¹⁶ The Khmer Rouge have also announced a liberalization in their policies. They have expressed support for the new constitution, which guarantees economic freedom, political freedom, and human rights. They claim to be in favor of a capitalist economy and a parliamentary political system.¹⁷

Finally, the Khmer Rouge have gained popularity by whipping up anti-Vietnamese sentiment. The Khmer Rouge were responsible for a program of terror in which over 100 Vietnamese were killed in the spring and summer of 1993, causing thousands of Vietnamese to flee in the ensuing months.¹⁸ These attacks continued even after the elections. Although it was the Vietnamese who liberated the Cambodians from the terrors of Pol Pot, many Cambodians are unable to overcome their deep-seated fear that Vietnam's ultimate goal is to annex Cambodia and populate it with ethnic Vietnamese. Older Cambodians base their fears on the historical experience of Vietnamese domination. Younger Cambodians can point to the fact that Vietnamese troops stayed in Cambodia for almost a decade and that Vietnamese settlers streamed into Cambodia after the Vietnamese invasion.¹⁹

The Khmer Rouge campaign apparently hit such a responsive chord with the Cambodian people that the three other factions, including the Vietnamese-supported SOC, echoed the anti-Vietnamese sentiment. The RGC has taken the same stance. It allows few Cambodians of Vietnamese ethnicity to return from Vietnam, where they fled from Khmer Rouge terror in March 1993. First Prime Minister Prince Ranaridh made a statement in late August 1993 that the presence of ethnic Vietnamese caused serious difficulties for the new government.²⁰ The RGC stated that it could not guarantee the safety of those returning home, necessitating a U.N. program to help the refugees.²¹ Given this atmosphere in Cambodia, it is not surprising that the Khmer Rouge, who were among the first and most anti-Vietnamese, would receive the most credit.

Although the international community widely condemned the Khmer

Rouge for their brutal activities, it is undisputed that they also received aid from abroad. Both the Chinese and Thai governments, although now embarrassed by mention of their association, are widely acknowledged to have sent aid to the Khmer Rouge. In fact, Thailand was an important conduit of Chinese supplies in addition to being a supplier of arms in its own right.²² Support came in other forms as well, sometimes from surprising sources. For example, after the Vietnamese had ousted the Khmer Rouge, the United States, China, and ASEAN lobbied for the CGDK to retain Cambodia's seat in the U.N. General Assembly. All were aware that by common agreement among the members of the CGDK, the Khmer Rouge would represent the CGDK at the United Nations.

Overall, however, the success of the elections showed the weakness of the Khmer Rouge's domestic position, and their negative attitude further alienated them from the populace. The Khmer Rouge's exhortations to boycott the elections and threats of attack ultimately had little impact on those not living in their territory. More telling, even people living under Khmer Rouge control were not deterred from voting. Many Khmer Rouge cadres and their families disobeyed directives from the party leadership and cast their ballots. A U.N. election official told the story of how Khmer Rouge cadres in one area allowed villagers to vote:

Catherine Pascal [was] UNTAC electoral supervisor in the remote Banteay Srei district. Just before the election, she received a regular visitor from a Khmer Rouge-controlled village. Villagers had been given permission by the guerrilla commander to vote. The commander had advised them to vote for FUNCINPEC, but warned Pascal that once they had voted, an attack would be launched on government soldiers next to the polling site. All 220 registered voters from the village arrived in two groups, on Sunday and Monday. On Wednesday the guerrillas attacked, and were beaten back. But in the one hour the polling station was open between shelling and machine-gun attacks, 24 people from another village voted.²³

Pat Pring, a Khmer Rouge company commander in Kompot Thom, stated that his unit had been ordered to shell polling sites to prevent voting. "In some places we did, and some places we didn't," he said. The orders were disobeyed, he said, when unit members feared harming their relatives who wanted to vote.²⁴ Sy Ninh, another Khmer Rouge guerrilla commander, was also ordered to disrupt the elections. "We were given the order, but we didn't do it," he said at a Cambodian military camp 16 miles southeast of Phnom Penh. "It was the people's election. They want peace in the country."²⁵ Another observer noted, "The guerrilla faction [the Khmer Rouge have] been effectively ostracised—largely by its own decision to boycott the polls."²⁶

In addition, the populace saw the Khmer Rouge's refusal to participate in the elections as weakness. The Khmer Rouge argued that the elections would not be free and fair, but were meant only to entrench the SOC in power, and

that the SOC would not relinquish power. However, the SOC's party did not win and it agreed to share power with FUNCINPEC and the BLDP. "Our leaders told us there are still Vietnamese troops in Cambodia and that the [Vietnamese-supported] Phnom Penh government would not give power to Prince Ranaridh," said Pring. "But when I got here, I could see it was not true."²⁷ It is no surprise then that "[d]iplomats and U.N. analysts believe the Khmer Rouge's credibility among Cambodians in rural provinces is diminishing."²⁸

The elections also focused world attention on Cambodia. For many years, Cambodia had been a backwater of the international arena. This allowed all manner of misdeeds to occur there without any serious questioning. For example, the United States indirectly supported the Khmer Rouge by sending nonlethal aid to FUNCINPEC and the KPNLF. This occurred at the same time as the Bush Administration was loudly denouncing the Khmer Rouge and forbidding direct or indirect aid to them.²⁹ However, the elections and the necessary commitment of vast amounts of money and personnel by the United Nations made it difficult for any country to continue supporting the Khmer Rouge. This focus on Cambodia made both the Chinese and Thais accelerate the cessation of support for the Khmer Rouge, when under normal circumstances they would have done so only slowly, taking advantage of the relative obscurity of the situation in Cambodia.

In the international arena, the Khmer Rouge had enjoyed little popularity thanks to concerted efforts by the SOC and the Vietnamese government to expose the atrocities of the "Killing Fields." The Khmer Rouge, however, did have two major suppliers of arms and aid—China and Thailand. By the late 1980s, Southeast Asia was no longer a proxy for the Sino-Soviet conflict, and China's many reasons for supporting the Khmer Rouge began to disappear. Although China was still concerned about its security interests vis-à-vis Vietnam, with the cessation of Soviet aid the Vietnamese did not pose as grave a threat as they had during the 1980s. The lack of Soviet aid was especially painful to the Vietnamese when coupled with international economic sanctions and domestic economic mismanagement. Tiring of their commitment to the SOC, the Vietnamese agreed to pull their troops out of Cambodia. Although the Khmer Rouge and China initially did not give any credence to Vietnam's announcement of withdrawal, they subsequently split on the issue, which also illustrated the beginning of a break between the Chinese and the Khmer Rouge. While the Khmer Rouge called the January 5, 1989 Vietnamese withdrawal announcement "a deceitful trick," the Chinese called it "a positive step."³⁰ In fact, the Vietnamese have improved relations with China in search of new sources of aid and trade. In November 1991, Vietnamese Communist Party secretary Do Muoi and premier Vo Van Kiet were given a warm reception on a state visit to China. In return, Chinese premier Li Peng visited Vietnam in early December 1992. Acknowledging that the Vietnamese no longer exert an undue influence in Cambodia, the Chinese have publicly stated that they will abide by the terms of the ceasefire and election agreement.

It is now widely acknowledged that the Vietnamese did in fact withdraw all of their troops from Cambodia in 1989.³¹

At the same time, reasons emerged for China to stop sending aid to the Khmer Rouge. The events in Tiananmen Square in 1989 severely hampered China's standing in the international community. At a time when it was attempting to make friends abroad and to become a regional superpower, its association with the Khmer Rouge marred its reputation. Further, China began looking inward, stressing its domestic economic development.

For political reasons, however, China could not simply drop a client that it had supported since the early 1970s. That would have undermined its other allies' confidence and would have damaged its ability to make new friends. One scholar has noted that "Beijing cannot tolerate being seen to lose the war by having its Khmer Rouge clients excluded [from a new government], at least not at this stage."³²

It is, however, clear that the Chinese have withdrawn their public support for the Khmer Rouge. Chinese foreign minister Qian Qichen stated that although China had given aid to the faction in the past, that "did not mean that [China] supported the practices of that faction."³³ Also, Wu Jianmin, the spokesman of the Chinese Foreign Ministry, said before the elections that if the civil war was renewed in Cambodia, China would no longer support the Khmer Rouge.³⁴

None of the three non-Khmer Rouge factions, however, views the others in the same way as it views the Khmer Rouge—as an implacable foe who cannot be allowed to return to power.

In addition, since the signing of the ceasefire and election agreement, China has repeatedly insisted that it has not shipped arms to the Khmer Rouge.³⁵ Foreign Minister Qian Qichen has stated that China is opposed to any faction in Cambodia coming to power by military means and that China would no longer supply military arms to any rebel faction.³⁶ The new Cambodian government has made it clear that it believes the Chinese have stopped supplying the Khmer Rouge.³⁷ Even the Khmer Rouge's spokesman, Mak Ben, denied as "groundless rumours" reports that the Khmer Rouge had been using brand-new weapons supplied from China.³⁸

This is supported by reports that the Khmer Rouge are low on supplies. Three mid-level Khmer Rouge officers who defected in late June of 1993 told similar stories of low morale, especially in the southwest, due to a scarcity of food, medicine, and money.³⁹ Some Khmer Rouge defectors said that they surrendered because they were simply too hungry to continue fighting.⁴⁰

Khmer Rouge soldiers are apparently resorting to looting, and their leaders are no longer able to command the level of discipline they once did. In a recent attack in Siem Riep province, for example, Khmer Rouge soldiers were seen carrying away television sets from houses they had just raided.⁴¹

A final sign that Chinese support for the Khmer Rouge is diminishing is the Khmer Rouge's increased hostility towards the Chinese. Approximately one month before the elections, the Khmer Rouge bombed the compound of Chinese U.N. peacekeepers in Kompong Thom province.

The Thai government has followed in China's footsteps on the issue of aid to the Khmer Rouge. Thai support of the CGDK and specifically the Khmer Rouge was based upon its need to create a buffer between itself and Vietnam. Since the signing of the peace agreement, the Thais have withdrawn their public support of the Khmer Rouge. They have called for an end to the fighting and have urged the Khmer Rouge to make peace. The Thai government has made an announcement that it does not support the Khmer Rouge and that unless they disarm, the Khmer Rouge will be considered outlaws.⁴²

Actions of the Thai government clearly show a distancing from the Khmer Rouge. The Thais have shifted their military support from the Khmer Rouge to the unified government of Cambodia. They recently shut down Unit 838, a special military unit through which much of the Chinese and Thai aid destined for the Khmer Rouge flowed.⁴³ The Thai National Security Council also decided to end all relations between Thailand and the Khmer Rouge and to prohibit their movement across the Thailand-Cambodia border.⁴⁴ Moreover, the Thai government has made a commitment to equip and train the new unified army of Cambodia.⁴⁵ Finally, the Thais have enforced, although erratically, an embargo on the importation of Cambodian gems and timber, the main source of money for the Khmer Rouge.

Ties between China and Thailand and the Khmer Rouge have not been completely cut, however. Thai businessmen and some members of the Thai military have allowed the trade in gems and lumber to continue even after aid shipments from the Chinese and Thai governments ceased.⁴⁶ Khmer Rouge troops are reported to have purchased new weapons, including long-range artillery, in March 1993 from private Thai businessmen with money from gem and lumber sales.⁴⁷

The Vietnamese maintain a strong interest in the actions of the Khmer Rouge. The possibility of Vietnamese reintervention will hang over Cambodia as long as the Khmer Rouge exist. Although the issue of whether Vietnam wishes to annex Cambodia is hotly debated, there is little doubt that it will play a significant role in the decision making of future Cambodian government leaders. Hanoi has consistently noted its opposition to a Khmer Rouge government of any kind in Cambodia. Given the past history of intense Khmer Rouge antipathy toward Vietnam and the numerous Khmer Rouge attacks on Vietnamese settlers, this is hardly surprising. If Vietnam feels its security interests are threatened, it will react, albeit with more caution. The mere possibility of Vietnamese intervention would prove destabilizing to the Cambodian government. Should Vietnam actually invade, it would almost surely de-

stroy any chance for prosperity or peace in Cambodia for some time to come. The marginalization of the Khmer Rouge, however, makes such a possibility less likely.

The election's impact regarding the Khmer Rouge is aptly summed up by one observer: "Indeed, the greatest enduring success of the election may be not so much to extend democracy to Cambodia, but finally, after almost 20 years, to provide the formal framework for the international community and Cambodians to be rid of the Khmer Rouge."⁴⁸

The Formation of a Legitimate and Functioning Government

The elections had a second positive effect in bringing the three non-Khmer Rouge factions together in a legitimate and viable government. This has created a situation in which it is more difficult for them to return to violent methods. In order to protect their stake in the new government, each of the factions has to cooperate in order to fight off the Khmer Rouge. This alliance increases the stability of the new government.

Before the elections the CGDK and the SOC both claimed to be the legitimate government of Cambodia, but neither party was in a position to bring about peace, stability, prosperity, or democracy. The internationally recognized CGDK controlled relatively little land inside Cambodia and operated mainly out of refugee camps located in Thailand. Although it did control the people in these camps, the refugee population numbered only 350,000.⁴⁹

Even within the small area controlled by the CGDK, the coalition made little progress, largely because it was at best an uneasy alliance. It took the urging of their sponsors to get the Khmer Rouge, Prince Sihanouk's royalist FUNCINPEC, and Son Sann's rightist KPNLF to agree to form a coalition in 1982. Even then, the factions agreed to work together only in order to force the Vietnamese out of Cambodia and overthrow the SOC government. The members of the CGDK rarely worked together toward those ends, instead fighting each other as often as they battled the Vietnamese and SOC troops.

CGDK internal relations were hostile because its composition made little sense. The KPNLF was a right-wing group supported by the United States and the core of its cadres were remnants from the Lon Nol government. This made it the target of much of the Khmer Rouge's brutality after the Khmer Rouge overthrew Lon Nol. Prince Sihanouk, although he acted as a figurehead for the Khmer Rouge in the 1970s, quickly became disillusioned when it became clear that the Khmer Rouge were merely using him to gain support. In fact, Sihanouk has revealed that many members of his family were murdered by the Khmer Rouge.⁵⁰

The coalition structure was not only ineffective but ultimately detrimental. The inclusion of the Khmer Rouge in the CGDK made a negotiated solution in Cambodia unlikely. The SOC refused at first to discuss any plan involving the Khmer Rouge. Although Son Sann and Sihanouk may have wanted to negotiate with the SOC, they were forced by the coalition structure to refrain from doing so.

The SOC, although it controlled and administered the majority of Cambodia's land and people, ultimately lacked political legitimacy because of its links to Vietnam. This meant, for example, that it could get neither aid from abroad nor complete cooperation from its people. After the Vietnamese troops withdrew, the SOC's legitimacy only deteriorated, but neither the SOC nor the CGDK was able to defeat the other and gain control of the country.

The new coalition of the three non-Khmer Rouge factions is, however, mostly stable, and its members have proven that they can work together effectively. Since coming to power, the government has drafted and ratified a constitution, enacted necessary legislation, and created a unified army. The leaders of the factions have shown an ability to work together and compromise. For example, when it became clear that a cabinet reshuffle would be necessary, both FUNCINPEC and CPP appointees were dismissed.

Without a doubt, each of the factions has problems with the others. The KPNLF is controlled by Son Sann and its military arm, the Khmer People's National Liberation Armed Forces (KPNLAF), was founded by Dien Del. Both of these men were officers in the Lon Nol government, which ousted Sihanouk from power. The SOC had been fighting the two other factions and had implemented a campaign of terror against their activists in the months before the elections. For example, Prince Ranaridh blames the SOC for the murder of 46 FUNCINPEC activists in the months directly preceding the elections.⁵¹

None of the three non-Khmer Rouge factions, however, views the others in the same way as it views the Khmer Rouge—as an implacable foe who cannot be allowed to return to power. These factions do not fear the ascension to power of one of their partners to the same degree that they fear a Khmer Rouge victory. Thus, each faction is motivated to work with the others by the common goal of stopping the Khmer Rouge. Son Sann's faction was severely victimized by the Khmer Rouge. Sihanouk has renounced them. The Hun Sen government is composed of many ex-Khmer Rouge who went to Vietnam because they had disagreed with Pol Pot and feared reprisal.

In addition, the leaders of the factions understand that staying within the coalition government is in their best interest. The domestic political power and political legitimacy of each is directly related to its participation in the elections and its position within the new coalition government. Were any of them to leave the coalition government, it would be faced with the withdrawal of aid from its sponsors, a decrease in domestic popularity, and the possibility of renewed fighting. Although the future of the new coalition government is not guaranteed, it holds out a greater prospect for stability than Cambodia has seen in over two decades.

The creation of the new coalition has had its most salient effect within the political arena. Because of the high turnout at the elections and certification by UNTAC that the elections were free and fair, the new government is widely recognized as the legitimate government of Cambodia. The United Nations Security Council has recognized the results of the election. The United States has normalized relations with the new Cambodian government, upgrading its mission in Phnom Penh to a full embassy. The Vietnamese government has

stated its willingness to accept the new government. The Thai prime minister has vowed to seek closer relations with the new government. Even the Khmer Rouge have sent emissaries to the new government seeking an advisory role.

At home, the new government is also perceived to be legitimate. Between the installation of the new government and September 1993, 1,500 to 2,000 Khmer Rouge soldiers defected.⁵² The desertions occurred partly because of the lack of supplies, but also because many Khmer Rouge soldiers no longer had a reason to fight. For example, in Kompong Thom province in early September 1993, Colonel Sy Ninh and his men defected to the new government despite the fact that they risk death if they fall into the hands of their ex-comrades. Colonel Ninh, a twenty-year veteran of the Khmer Rouge and commander of the much feared Division 616, explained, "We were not told the truth. We were told we were fighting to defend Cambodia from the Vietnamese. But in the end we realised we were only killing Cambodians."⁵³

According to Christophe Peschoux, a French authority on the Khmer Rouge who is attached to the United Nations, "The Khmer Rouge are facing their worst political and ideological crisis since 1979. Their propaganda mill is totally exhausted. They're finding it more and more difficult to keep their forces mobilized."⁵⁴

Another sign of the government's legitimacy is that the two coup attempts since the elections were quite feeble; neither was a real threat to the new government. In late July 1993, General Sin Song, ex-minister of national security of the former SOC, and Prince Norodom Chakkrapong, ex-vice-premier of the former SOC, attempted to carry out the secession of seven eastern provinces, which fizzled out in days for want of support. One year later the same two men attempted an armed revolt, which was put down without any bloodshed. The coup ended when troops of the newly unified army intercepted approximately 200 heavily armed soldiers traveling to Phnom Penh in a dozen armored personnel carriers and several lorries, about 20 miles east of the capital.

In the military arena, the three factions have unified their armed forces—the royalist Armée National Sihanoukiste (ANS), the SOC's Cambodian People's Armed Forces (CPAF), and Son Sann's Khmer People's National Liberation Armed Forces (KPNLAF), in order to fight the Khmer Rouge. Although the results are mixed, the new army, known as the Khmer Royal Army (KRA), has made substantial progress. In August 1993, it launched an offensive in Banteay Meanchey province, in northwest Cambodia along the Thai border. According to defectors, the offensive was successful in destroying the fighting ability of the Khmer Rouge units. The next year the new army scored a number of successes, capturing 100 Khmer Rouge soldiers and an important Khmer Rouge arms depot at Phum Chhat. In February 1994, the KRA grabbed Anlong Veng, a major Khmer Rouge base, and the following month captured Pailin, the unofficial capital of the Khmer Rouge and a major gem-mining base. Although the Khmer Rouge later retook these two cities, most commentators agree that the Khmer Rouge's 12,000-man army is not capable of overthrowing the new government.⁵⁵ As one senior UNTAC military official stated,

"We still believe that the Khmer Rouge could not go very far on the battlefield. Their northern troops are the only ones still operational."⁵⁶ In contrast, the outlook for the KRA is good. It is ready to implement a reform plan that Brigadier General Mark Hamilton, the head of a U.S. military assessment team, found impressive and professional.⁵⁷ In addition, several countries, including France and Thailand, have agreed to send military experts to help train the new army.

The new government has also made efforts to increase economic growth. In a meeting with ASEAN, Cambodia's new foreign minister, Prince Norodom Sirivudh, promised that foreign investments would be protected and encouraged by the new government.⁵⁸ After the elections, Sam Rainsy, then the minister of finance, vowed to institute market-oriented reforms in Cambodia and encouraged overseas investment.⁵⁹ Ouk Vibol, a member of the National Investment Committee (the group within the Ministry of Planning that is directly responsible for investment) echoed the sentiment: "Trade and investment are among the priorities, since we have to reconstruct our country and these two areas will certainly contribute."⁶⁰ In keeping with this priority on investment, the National Assembly recently passed an investment law considered to be among the most liberal in the region.⁶¹ The presence of a pro-investment coalition government has lured many investors back to Cambodia after years of war.⁶² In addition, the International Monetary Fund (IMF) has given Cambodia high marks for its economic program. A recent IMF report credited the new government with containing inflation, faithfully following a controlled budget, improving the government's foreign exchange reserves, and bringing about a reasonably stable exchange rate.⁶³

It is unlikely that the coalition government would have been created without the elections. Before the ceasefire and election agreement was signed in 1991, the SOC had made multiple overtures to Sihanouk and Son Sann. Although both had shown an interest in negotiating, nothing ever came of the discussions. But even if the three factions had allied with each other through their own efforts or at the urging of their patrons, such a government would not have been nearly as stable and powerful as this one. Most importantly, it would have lacked political legitimacy. Its status would have been little better than that of the Vietnamese-backed SOC. Although it would have had *de facto* control of the country, its governance would lack the same moral dimension.

This is supported by the experience of the two coalitions created without the input of the populace and solely through the negotiations of the Cambodian parties and their international patrons. The first group was the CGDK, the coalition government composed of the Khmer Rouge, FUNCINPEC, and the KPNLF. The CGDK was created shortly after the Vietnamese invasion to fight the SOC and the Vietnamese. The second organization was the Supreme National Council (SNC), a coalition composed of the four major parties. The SNC was created after the ceasefire and election agreement to help the United Nations administer Cambodia pending the elections. Both organizations claimed to be the sovereign government of Cambodia and both lacked the imprimatur of the Cambodian people. As might be expected, neither coalition

was able to administer the country effectively or gain the support of more than small blocks of the international community. In addition, both coalitions were unstable and infighting was common.

The Return of Sihanouk

The third benefit of the election in Cambodia is that it conferred political power upon the person with the most political legitimacy in Cambodia, Prince Norodom Sihanouk. He is credited with bringing independence to Cambodia and protecting it from the ravages of the war in neighboring Vietnam. Although he may be eccentric, few people question his devotion to Cambodia. The elections were a vehicle through which the citizens showed their admiration of Sihanouk and granted political power to him.

Until recently, power in Cambodia was measured by the number of people controlled and the number of men under arms. Unfortunately for Sihanouk, FUNCINPEC administered only 35,000 refugees out of a population of 6 to 8 million Cambodians,⁶⁴ and its military arm was estimated to have fewer than 10,000 soldiers.⁶⁵ It was dwarfed by the SOC's army, the Khmer Rouge's army, and the Vietnamese occupation force. After his overthrow, Sihanouk was practically a Khmer Rouge prisoner and was escorted by the Khmer Rouge wherever he went. In order to escape, Sihanouk had to surreptitiously slip an asylum request to a U.S. Secret Service agent while he was in New York attending a session of the United Nations.⁶⁶

However, Sihanouk's legitimacy was demonstrated by the many organizations that desired him as a figurehead in order to take advantage of his popular support. The Khmer Rouge and China sought him out after Lon Nol overthrew him. He was the clear choice to be the head of the CGDK when it was formed. After the ceasefire and election agreements were signed, he became head of the SNC, an organization consisting of the four factions that was created as an interim government before the elections.

The elections gave Sihanouk's party a plurality of votes. It is generally agreed that FUNCINPEC won because it was associated with Sihanouk. One commentator stated that "Prince Ranaridh[']s royalist party] rode to victory in large part on the prestige and popularity of his father."⁶⁷ Even the minority of Khmer Rouge followers who were able to vote were instructed to vote for FUNCINPEC. It is no wonder then that "[m]ost Cambodians . . . credit Sihanouk with being the single unifying symbol among the different factions which are now in an uneasy coalition government. They call this ailing man, in whom rests the hope for durable peace, 'deva-raj' (god-king)."⁶⁸

The hold that he has over the people of Cambodia also insures that Sihanouk is taken seriously by foreign diplomats, who must often put up with his eccentricity. During four days of peace talks in Thailand, Sihanouk serenaded ambassadors and VIPs with one of his favorite songs, "Autumn Leaves." "With his bulging eyes and famous high-pitched delivery, Prince Norodom Sihanouk stole the show. Such was his inspiration that at one point the representatives of the five permanent members of the United Nations

Security Council burst into 'Happy Birthday,' even though it was not his royal highness' birthday. 'We didn't know the words to anything else,' one said."⁶⁹ The members of the United Nations recognized that Sihanouk's involvement in the peace process would be instrumental. On more than one occasion, they have acceded to his wishes. For example, after the elections the United States declared that it would find it difficult to give aid to the coalition government if the Khmer Rouge were given a role within the new government.⁷⁰ Prince Sihanouk subsequently canceled peace talks with the Khmer Rouge and announced that the United States actions were severely hampering the RGC's ability to deal with the Khmer Rouge and to govern Cambodia.⁷¹ The United States then made an announcement that its prior statement had been misconstrued and that it would, in fact, give aid to a coalition government that included the Khmer Rouge.⁷² Thus, one commentator noted, "Although notorious for changing his mind, Prince Sihanouk is recognized as a key to the stability of a coalition government comprising representatives of his royalist party and the former communist regime that ruled the country for 14 years."⁷³

Although it is unclear exactly what status Sihanouk will have under the constitutional monarchy, it is highly likely that he will play a pivotal role in the new Cambodia. One observer notes "Cambodia throws into bold relief the distinction between *de jure* and *de facto* versions of political reality. Sihanouk's centrality to any resolution is a *de facto* reality reflected in the universal use of the unofficial, undefined phrase 'head of state' to describe him."⁷⁴ In fact, not only was Sihanouk named head of state, but the National Assembly gave him "full and special powers" to do what ever was necessary "to save [Cambodia] and lead it toward progress and prosperity."⁷⁵

Further, Sihanouk is politically astute and known for his activist nature. Most experts agree that "[w]hether he exerts political power directly or behind the scenes, Sihanouk's presence will likely be felt."⁷⁶ This is especially likely to be true in the current legislature, in which no party holds the two-thirds majority needed to approve the constitution or pass legislation.

Finally, Sihanouk has continued to bolster his immense popularity among the people. He decided not to have a full coronation ceremony when he recently ascended to the throne because it would have been too great a cost for his impoverished country to bear. In addition, he refused a salary from the new Cambodian government. Recently, he has donated money to help flood victims hurt by the monsoon rains in Kompong Speu province.

The only thing that could hold Sihanouk back is his ill health. In the last year, Sihanouk has spent much of his time in Beijing receiving treatment for his bone marrow cancer. It is possible that he might not be able to fulfill his role because of his failing health and his need to be away from Cambodia. In fact, Sihanouk has insisted on an amendment to the new constitution of Cambodia that allows him to delegate his powers as head of state should he be unable to fulfill that role for medical reasons.⁷⁷

Having a leader as strong as Sihanouk is extremely valuable to Cambodia. He can bring a modicum of stability to a country that has seen four different regimes and constant civil war in the last two decades. In his position as king,

he can break the political deadlocks that will almost certainly occur. As one observer noted,

If there is an impasse between the governing and royalist parties, many see Sihanouk in the role of mediator. Sihanouk has said himself he is willing to accept the largely ceremonial role of head of state who will simply open flower shows. However, it is transparently clear to all that Sihanouk was only making light of what is a very grave matter for Cambodians, for at stake is the happiness and prosperity of a country which has not known both for a quarter century. Since he was ousted in a coup in 1970, the country had not known peace. Cambodians remember his earlier 29-year rule as the last time they had anything resembling peace.⁷⁸

Sihanouk can use his influence to overcome deadlocks because he is popular, powerful, and above the fray.⁷⁹ He is credited with creating and imposing the current power-sharing structure of the coalition government, even though Hun Sen and Prince Ranaridh initially refused to work together. In essence, Sihanouk can act as the independent, disinterested judiciary commonly lacking in fledgling democracies with highly politicized court systems.⁸⁰

Sihanouk can also fulfill a second function of the courts—to check the excesses of the other branches of government. "This [Sihanouk's position] would keep the Parliament from overthrowing the government all the time," said Ek Sereywath, deputy information minister. "It's a check and balance of power."⁸¹ Sihanouk has stated that he will reign but will not rule, and that as king, he will be the first guarantor of popular power.⁸² For example, the National Assembly recently passed an immigration law over which Vietnamese leaders and the U.N. secretary-general have expressed concern because it would allow for the expulsion of all of Cambodia's 300,000 ethnic Vietnamese.⁸³ Sihanouk called for the modification of some "paragraphs or phrases in a spirit of respect for international laws and human rights" before he would sign it into law.⁸⁴ In addition, Sihanouk has on more than one occasion attempted to protect human rights. He called for the release of one newspaper editor who had been jailed for defamation of a high-level government official⁸⁵ and for an investigation into the assassination of another editor.⁸⁶ In addition, he has "called for the arrest and trial of senior army officers responsible for a spate of killings and human rights violations" at a secret prison in Battambang province.⁸⁷ Sihanouk can also lend his legitimacy to the new government. Once he does this, opposition to the new government will decrease, for few Cambodians will fight against a government in which Sihanouk is the head of state. As the U.N.'s military chief in Cambodia, Lieutenant General John Sanderson, stated, the Khmer Rouge "are in an extremely difficult position. After the king is appointed, who will they fight? The king?"⁸⁸

Finally, Sihanouk could become the institutional memory of the Cambodian government. In new democracies, the people may not be patient enough to allow a government to prove that its policies are effective. Governments

can come and go in quick succession. Thus, governmental policies tend to be short-sighted and can contradict the laws of previous governments. However, Sihanouk can propose policies with long-term benefits and make sure that subsequent administrations do not implement conflicting laws. For example, he has recently called for a ban on timber exports, as uncontrolled logging threatens to turn Cambodia into a desert by the twenty-first century.⁸⁹ Also, in response to the suffering caused by land mines in his country, Sihanouk has also called for the government to draft anti-mine laws and for the armed forces of both the RGC and the Khmer Rouge to stop using mines.⁹⁰

Although the institution of a monarchy may seem antithetical to the ideals of democracy, Sihanouk ascended to the throne through democratic processes and should be able to use his authority to improve the chances of creating a stable democracy in Cambodia. He has already stated that he favors and will protect democracy. He can break the deadlocks that often send fragile democracies towards authoritarian rule. He will confer his legitimacy on future governments, making them more stable. Finally, he can be the unifying thread that runs through successive governments.

Conclusion

This paper attempts to show that despite common belief, stability and democracy are not automatically antithetical in the structure of emerging democracies. There are generally two stages in representative democracy—voting by the people and policymaking by their elected representatives. In Cambodia, free and fair elections, a democratic action by the people, were held. This first stage led to results that tend to increase stability. These results constrain the choices made during the second stage. Representatives are less likely to destabilize the government through their policymaking. First, the Khmer Rouge, the group most likely to destabilize the democratic governance of Cambodia, have been excluded. Second, each of the factions has a reason to stay within the government in order to continue receiving both international and domestic support. Finally, the installment of Sihanouk as the neutral, respected elder helps to decrease dissension through his dispute resolution skills. Thus, free and fair elections make the destruction of a fledgling democratic government less likely.

Furthermore, this stability feeds upon itself. Although there are no set requirements for a democracy to become stable, the longer a democracy continues, the better its chances of survival. In the modern era, almost no democracy in existence for more than 20 years has been overthrown from within. This is because the participatory benefits grow in strength, making the idea of nondemocratic seizure of power less likely and widespread resistance to such an act inevitable. With an agreed upon, peaceful method of transferring power, all participants recognize that the winner of elections is guaranteed power, and that the loser can run again. Thus, despite the plethora of serious domestic problems and a continuing civil war, a democratic system helps

ensure that the interest of all members of the current coalition government are represented and is Cambodia's best hope for future stability and prosperity.

Notes

1. Unless otherwise stated, in this paper the word "elections" refers to elections that are "free and fair," a specialized term in international law denoting an election that substantially represents the will of the people.
2. The estimates of the number of those murdered vary greatly. The People's Republic of Kampuchea, the Cambodian government installed by the Vietnamese after they defeated the Khmer Rouge, estimated 3 million dead. The U.S. Department of State lists 1.2 million persons killed. The Khmer Rouge admit to between 800,000 and 1 million deaths during their rule. The total population of Cambodia at the time of the Khmer Rouge takeover in April 1975 can also only be estimated since the last census occurred in 1962. It was estimated at 7.1 million in 1972. Federal Research Division, Library of Congress, Cambodia: A Country Study 51, Russell R. Ross ed., 3rd ed. 1990.
3. Lindsay Murdoch, "Khmer Rouge Lays Plans for Future in Cambodia," *The Age* (Melbourne), May 29, 1993.
4. "Cambodia: Thailand 'Recognises' UNTAC's Poll Results," *Bangkok Post*, June 12, 1993. Nayan Chanda, *Brother Enemy: The War After the War* (1986). Thu-huong Nguyen-vo, *Khmer-Viet Relations and the Third Indochina Conflict 1-3* (1990).
5. See *Vietnam's Intervention*, 85-102.
6. William Branigin, "U.N. Ends Cambodian Operation, Mission Successful Despite Flaws," *Washington Post*, September 27, 1993, A12.
7. Lindsay Murdoch, "The Ultimate Bad Loser—Hun Sen," *The Age* (Melbourne), June 12, 1993; "UN Says Elections Were 'Free and Fair'," *Agence Europe*, June 2, 1993.
8. "Cambodia Still in the Pits," *Business Times* (Malaysia), June 18, 1993.
9. Philip Shenon, "New Assembly Gives Prince Sihanouk Broad Powers," *The New York Times*, June 15, 1993, A3.
10. "Khmers to Share Interim Power," *Bangkok Post*, June 17, 1993.
11. James Pringle, "Corrupt Army Boosts Image of Khmer Rouge," *The Times*, August 25, 1994; "Cambodia's War Restarts," *The Economist*, May 7, 1994.
12. Mark Dodd, "Cambodian Army Forms Elite Guard Unit," *Reuter News Service—Far East*, October 16, 1994, available on LEXIS, Asiapc Library, Cambod File.
13. "Country: Cambodia," KCWD/*Kaleidoscope*, October 20, 1993, available in LEXIS, Asiapc Library, Cambod File.
14. "After the Cold War: Views From Vietnam, Vietnam, Now Master of Its Own House, Tries to Mend Neighborhood Fences," *The New York Times*, June 19, 1992, A3.
15. Ibid.
16. "Cambodia: Thailand 'Recognises' UNTAC's Poll Results," *Bangkok Post*, June 12, 1993.
17. Ibid.
18. Ben Kiernan, "Let Cambodians Have Justice at Last," *The New York Times*, October 29, 1993, A28; "Khmer Rouge Warns U.N. Over 'Illegal' Elections," *Agence France Presse*, May 21, 1993; "U.N. to Launch Aid Programme for Ethnic Vietnamese Stranded at Vietnam-Cambodia Border," *Vietnam Investment Review*, August 16, 1993.
19. Some of the ethnic Vietnamese had lived in Cambodia for generations and had fled Cambodia only when the Khmer Rouge began persecuting Vietnamese. Many of these persons were merely returning to their homes. Others were sent by the Vietnamese government as punishment or with incentives. Finally, some came for the economic opportunities. The ceasefire, the presence of large numbers of U.N. personnel, and the revitalization of the Cambodian economy made Cambodia more attractive than economically stagnant Vietnam. The figures for total Vietnamese immigration are disputed.

20. Lindsay Murdoch, "Cambodia Faces New Hostilities," *The Age* (Melbourne), August 30, 1993.
21. "U.N. to Launch Aid Programme for Ethnic Vietnamese Stranded at Vietnam-Cambodia Border," *Vietnam Investment Review*, August 16, 1993.
22. "Protest Planned Over UNTAC Allegation," *Bangkok Post*, August 7, 1993.
23. "Government Party Likely to Win 3 Seats in Poipet By Apichart," *Bangkok Post*, May 29, 1993.
24. William Branigin, "Defections Weakening Ranks of Cambodian Rebels," *Washington Post*, September 25, 1993, A15.
25. Ibid.
26. Ethan Casey, "A Summary of One Long Month of Suspense in Cambodia," *Bangkok Post*, June 29, 1993.
27. Branigin, "Defections Weakening Ranks of Cambodian Rebels." Pring's views are supported by almost all the members of the United Nations. For example, the foreign ministers of ASEAN (Brunei, Indonesia, Malaysia, the Philippines, Thailand, and Singapore) made a joint statement that those countries believed the elections to be free and fair. "ASEAN Affirms Its Support for Prince Sihanouk," *Bangkok Post*, June 18, 1993.
28. Lindsay Murdoch, "Rebel Gives Up the Khmer Rouge Fight," *The Age* (Melbourne), September 17, 1993.
29. Mary McGrory, "New Policy, Old Hang-Up," *Washington Post*, July 24, 1990, A1.
30. "After the Cold War: Views From Vietnam."
31. Ibid.
32. Ibid.
33. "A New Chance for the Khmer Rouge," *The Age* (Melbourne), July 26, 1993.
34. Lianhe Zaobo, "Big Boost Awaits If Sydney Wins Olympic Bid," *Business Times*, April 27, 1993, 26.
35. "Khmer Rouge Warns U.N. Over 'Illegal' Elections," *Agence France Presse*, May 21, 1993.
36. "A New Chance for the Khmer Rouge," *The Age* (Melbourne), July 26, 1993.
37. Anthony Lewis, "At Home Abroad—In Pol Pot Time," *The New York Times*, August 2, 1993, A15.
38. "Khmer Rouge Warns U.N. Over 'Illegal' Elections," *Agence France Presse*, May 21, 1993.
39. "Khmer Rouge Talk, But Keep Shooting," *Bangkok Post*, August 17, 1993.
40. Charles P. Wallace, "Next Step, Cambodia Struggles Over What To Do With Its Armies, With A New Transitional Government in Place Soldiers From the Four Major Factions Remain a Major Threat to Stability," *Los Angeles Times*, July 6, 1993, 2.
41. Lewis.
42. Lindsay Murdoch, "Khmer Rouge Are Still Free To Cross Their Last Frontier," *The Age* (Melbourne), October 26, 1993.
43. Ibid.
44. "Thailand: Officials Decide to End Contacts with Khmer Rouge," *Reuter News Service—Far East*, October 24, 1994, available on LEXIS, Asiapc Library, Cambod File.
45. "Army Agrees to Train Khmer Forces," *Bangkok Post*, August 15, 1993.
46. "Cambodia, The End of the Beginning," *Bangkok Post*, August, 19, 1993. It is estimated that the Khmer Rouge have annual revenues of \$250 million from their illegal trade with Thailand. (Kiernan.) The continued illegal trade is not surprising given the fact that Thai gem-mining companies have invested \$120 million in Khmer Rouge territories. (Richard D. Fisher, "Averting A Failure of U.N. Peace Keeping in Cambodia," *Heritage Foundation Reports*, December 15, 1992, 1.)
47. "Khmer Rouge Talk, But Keep Shooting."
48. Eric Ellis, "Cambodia's Close Call Raises New Khmer Rouge Fears," *Australian Financial Review*, May 31, 1993.
49. Actually, the refugees consisted of some 14,000 granted refugee status and some 350,000 not granted refugee status. (Steven R. Ratner, "The Cambodian Settlement Agreements," 87 *American Journal of International Law* 1, 18 [1993].) The latter were to be repatriated

- by the United Nations.
50. Sihanouk blames the Khmer Rouge for the deaths of five of his children and 14 grandchildren during their bloody reign in the mid-1970s. Mark Baker, "Khmer Rouge Feted For Role in Peace," *The Age* (Melbourne), May 27, 1993.
 51. Lindsay Murdoch, "Cambodia's Fate Now Rests on the New Leaders From A Bloody Past," *The Age* (Melbourne), September 25, 1993.
 52. Branigin, "Defections Weakening Ranks of Cambodian Rebels."
 53. Lindsay Murdoch, "Rebel Gives Up the Khmer Rouge Fight," *The Age* (Melbourne), September 17, 1993.
 54. Branigin, "Defections Weakening Ranks of Cambodian Rebels."
 55. Dodd, "Cambodia's War Restarts," *The Economist*, May 7, 1994.
 56. "Khmer Rouge Talk, But Keep Shooting."
 57. "U.S. General Impressed by Cambodian Army Reform," *Reuter News Service—Far East*, September 23, 1994, available on LEXIS, Asiapc Library, Cambod File.
 58. "Foreign Investments Will Be Protected—Phnom Penh," *Business Times* (Malaysia), July 24, 1993.
 59. "Cambodian Official Promotes Investment," *Journal of Commerce*, July 28, 1993, A3.
 60. Brian Hansford, "New Legislature May Change How Business Is Done in Cambodia, But Thais Say They Will Stay," *Bangkok Post*, August 24, 1993.
 61. "Khmer Investment Law Endorsed by Assembly," *Bangkok Post*, September 26, 1994. The law has a nine percent corporate income tax, allows for up to eight years tax exemption, has a 100 percent duty exemption on materials imported by export-oriented industries, and allows investors to use land for up to 70 years with the ability to renew thereafter.
 62. Chris Burslem, "Foreign Investors Trickle Back Into Cambodia After Political Pact," *Journal of Commerce*, July 6, 1993, A5.
 63. Maja Wallengren, "TMF Sees Cambodian Economic Development," *Reuter News Service—Far East*, September 30, 1994, available on LEXIS, Asiapc Library, Cambod File.
 64. Al Santoli, "Endless Insurgency: Cambodia," *Washington Quarterly* (Spring 1985): 61.
 65. Wallace.
 66. Chanda, 363-69.
 67. Mark Baker, "Prince Run Around Plays the Devil They Know," *The Age* (Melbourne), June 9, 1993. During the elections, Ranaridh stated that a vote for his party was a vote for his father. Philip Shenon, "Cambodian Prince Tells Troops to Prepare to Fight Over Secession," *The New York Times*, June 14, 1993, A3.
 68. "Long Live Cambodia," *Business Times* (Malaysia), September 29, 1993.
 69. Lindsay Murdoch, "Cambodia's Prince Poised to Go Home," *The Age* (Melbourne), August 31, 1991.
 70. Thomas W. Lippman, "Aid Is Out If Khmer Rouge Is In, U.S. Tells Cambodia," *Washington Post*, July 19, 1993, A9.
 71. "Sihanouk Irked at U.S.," *Washington Post*, July 21, 1993, A14.
 72. John M. Goshko, "U.S. Eases Stance on Cambodia Aid, Official Sees Assistance Even If Government Includes Khmer Rouge," *Washington Post*, July 25, 1993, A21.
 73. Murdoch, "Sihanouk Delayed By Illness."
 74. Casey.
 75. Philip Shenon, "Rival Parties In Cambodia Agree to Form a Coalition Government," *The New York Times*, June 17, 1993, A10.
 76. Murdoch, "Sihanouk Delayed By Illness."
 77. Sue Downie, "Cambodia Delays King's Amendment," *United Press International*, July 13, 1994, available on LEXIS, Asiapc Library, Cambod File. Ever the prepared monarch, Sihanouk has already prepared for his burial. "Sihanouk Issues Instructions for Burial Rites," *Reuter News Service—Far East*, March 2, 1994, available on LEXIS, Asiapc Library, Cambod File.
 78. "Peace at Last for Cambodia?" *Business Times* (Malaysia), June 2, 1993.

79. In fact, Sihanouk takes his role as mediator so seriously that he often goes beyond breaking deadlocks within his own government. He has attempted to mediate with the Vietnamese over the immigration law and repatriation of ethnic Vietnamese problems, and with the Thais over the plight of nine Thai nationals held for participation in a coup attempt against the new government. "Cambodia to Consider Plea by Sihanouk to Free Thais," *Bangkok Post*, September 20, 1994.
80. Dennis McNamara, head of UNTAC's Human Rights Section, stated that his biggest regret was UNTAC's inability to create a functioning judicial and enforcement system. ("Upholding Human Rights After UNTAC," *Bangkok Post*, August 17, 1993.) A U.N. report stated that the absence of a rule of law "brings into doubt the longer-term viability of democratic institutions in Cambodia" It referred to intimidation of judges, the absence of a functioning legal system, prolonged detentions without trial and prison overcrowding. The report, written by the U.N.'s human rights component in Cambodia, complained of a "lack of will on the part of Cambodian authorities to do anything about it." (Lindsay Murdoch, "Cambodia's Future Rests on the New Leaders from A Bloody Past," *The Age* (Melbourne), September 25, 1993.)
81. "Cambodia King Will Be Able to End Parliament," *Los Angeles Times*, September 19, 1993, A9.
82. Charles P. Wallace, "Sihanouk Takes Throne in Move Toward Peace, Restored King Launches Democratic Constitution, Ceremonies Also End U.N. Mandate," *Los Angeles Times*, September 25, 1993, A1.
83. "Further Criticisms for Cambodian Immigration Law," *Vietnam Investment Review*, September 19, 1994; "Vietnamese Concerns of Cambodia's Immigration Law," *Vietnam Investment Review*, September 5, 1994; "U.N. Chief Alarmed at Cambodian Immigration Law," *Reuter News Service—Far East*, September 17, 1994, available on LEXIS, Asiapc Library, Cambod File.
84. "Sihanouk Gives Green Light to New Immigration Law," *Reuter News Service—Far East*, September 30, 1994, available on LEXIS, Asiapc Library, Cambod File.
85. King Norodom Sihanouk, "Statement of His Majesty King Norodom Sihanouk on the rights and Freedom of the Press in Cambodia," (March 25, 1994) (transcript available from the author). The editor was released on bail the same day. "Sihanouk Discusses 'Serious Matter' With Ministers; Editor Released on Bail," *BBC Monitoring Service—Far East*, March 28, 1994, available in LEXIS, Asiapc Library, Cambod File.
86. Letter from King Norodom Sihanouk, King of Cambodia, to the Royal Government of Cambodia (Sept. 9, 1994) (on file with the author). The RGC has promised to make a serious effort to apprehend the persons responsible for the murder. "Cambodian Government Issues Statement on Death of Newspaper Editor," National Voice of Cambodia radio broadcast, Sept. 10, 1994.
87. Mark Dodd, "Cambodian Minister Denies Prison Cover-Up," *Reuter News Service—Far East*, August 15, 1994, available on LEXIS, Asiapc Library, Cambod File.
88. Lindsay Murdoch, "Cambodia Passes New Constitution," *The Age* (Melbourne), September 22, 1993.
89. Maja Wallengren, "Cambodia's Sihanouk Calls for Log Export Ban," *Reuter News Service—Far East*, October 18, 1994, available on LEXIS, Asiapc Library, Cambod File.
90. "Sihanouk Reiterates Call Against Use and Sale of Land Mines," *Reuter News Service—Far East*, October 6, 1994, available on LEXIS, Asiapc Library, Cambod File. Cambodia has one of the highest percentages of amputees in the world as a result of 8 to 10 million land mines being planted in its soil. "Cambodia to Consider Plea by Sihanouk to Free Thais," *Bangkok Post*, Sept. 20, 1994.

