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Lethal Violence, Crime and State Formation in Cambodia

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Abstract

This paper estimates homicide rates and describes the nature of violence and crime for Cambodia. Limited data allows only a partial picture of the trends and nature of lethal violence. Post-war economic adversity combined with a weak state and underdeveloped “legal culture” contributed to an elevated rate of homicide. Frequent acts of murder-robbery, mayhem, political violence and banditry present a major threat to social and economic development. A murder incident rate of approximately 5.7 per 100,000 but a homicide rate of 9.3 per 100,000 was estimated for 1996, higher than most countries in the region except the Philippines. Political and economic adversity drove the homicide rate to 11.6 per 100,000 in 1998 similar to levels reached during 1993 the year of the first national elections. Usually homicides were between males and commonly arose from robbery, disputes and quarrels with most deaths resulting from gunfire. Extra-judicial death arising from police or “mob” actions accounted for high rates of suspect/offender death and contributed significantly to the homicide rate. Rates of violent crime were higher in rural areas but Phnom Penh experienced higher levels of property crime than the provinces. The homicide rate is compared with neighbouring countries and the roles of modernisation, policing and crime are discussed.

Introduction

An apocryphal photograph of the Cambodian countryside shows a signpost on a roadside bend outside of Phnom Penh which in Khmer reads, “Please do not dump body in this padi-field”. Cambodia’s reputation as one of the most lethal places in the world is perhaps justly earned. However, a decade after the 1991 Paris Accords, the departure of the United Nations Transitional Authority in Cambodia [UNTAC] and the establishment of the Royal Government of Cambodia [RGC] how violent is Cambodia? How does lethal violence in Cambodia compare with that in other Association of South East Asian Nations [ASEAN], developed and developing countries? Is Cambodia’s violent image still justified?ⁱ

The impact of revolutionary genocide, combined with poverty, fragmented institutions, the stress of post-war reconstruction an armed society and a weak “rule of law” state produced more acts of mayhem, extra-judicial homicide and murder-robbery in Cambodia than its neighbours. These forms of homicide exceeded homicide between intimates. The level of violence in Cambodia may not exceed that of all other countries but it is certainly more lethal attaining apotheosis. The nature of lethal violence is a mixture of the ordinary and the bizarre. The following, Khmer newspaper accounts illustrateⁱⁱ:

April 23 Phnom Penh: Oul Phally, 33, was killed by robbers who stole her motorcycle on Street 318, Chamcarmon district. They shot her when she tried to speed up her motorcycle to get away. The offenders escaped with the victim's motorcycle

April 22 Kampong Cham Province: One person was killed and 32 wounded when a grenade exploded in the dancing place in Kok Sro Lauv village. So Van, believed to be the man who dropped the grenade, was killed in the blast. The source said that Van was very drunk and took the grenade from his waist and held it in his hand and certainly the grenade dropped and exploded

April 30: Two robbers were killed by a mob of people and the militia at Choum Chav precinct on the outskirts of Phnom Penh after they robbed a moto-taxi driver who was hired from Phnom Prosith. The source said the robbers hit the moto-taxi driver's neck and took the moto and sped away. But suddenly an angry crowd appeared because they heard the cries of the victim.

May 17: Hem Chandara, a robber was killed by military police after they brought him to show where his accomplice was, at Sangkat Toul Sang Ke, Khan Toul Kok. A source said he jumped from the car and tried to escape but military police shot to threaten him but unluckily the bullets hit the offender.

May 30 Phnom Penh: Ngweng Minh, 27, a Vietnamese man was killed after a group of moto-taxi drivers stopped him and beat him after he robbed one moto-taxi on Kampuchea Krom Blvd.

June 18 Kampong Cham: A commune policeman, Seng Kheavuth, was shot dead while he was swinging his son to sleep in his house in Tongrong commune, Prey Chhor district. Three unidentified men shot him with an AK-47 from under his wooden house and then escaped. A commune authority said that this was a revenge crime as there was nothing stolen.

July 4 Phnom Penh: Neang Sophea, 25, was chopped on his neck then shot to death by his girlfriend, Heng Sochea, in Kandal market. Sochea, 27, then shot herself to death with the same handgun. A letter found in her pocket by police said that she fell in love with Sophea on Nov 15, 1996, and later learned that he escaped from her to have another girl.

Aug 2: The body of an unidentified man was found in Koki Thom commune, Kien Svay district, Kandal. A newspaper reported that the victim had been killed and dumped at the site within the past few days because the body was very swollen. Investigations were continuing.

Sept 16: A body of an unidentified man was found in a pond in Phnom Penh Thmei precinct, Russei Keo district by a fisherman. The victim was shot and weighted with stone and dumped into the pond.

This paper estimates the prevalence and describes the nature of homicide in the Kingdom of Cambodia. An attempt is made to theorise about the nature of violence in the context of the formation of crucial state capacities and institutions and the simultaneous modernisation of social and economic relations.

Post-War Cambodia

Cambodia's "re-organisation episode" offers an opportunity to observe the nature of crime following a state induced "collective disaster", market reformsⁱⁱⁱ and the transformation of socioeconomic relations (Evans, Rueschemeyer & Skocpol 1985:364). The political settlement that led to the re-creation of a constitutional monarchy in 1993 also brought about the formation of a new state whose law and order institutions did not enjoy public support and legitimacy^{iv}. The absence of an

established legal culture also restricted the ability of the new state to competently assert a consistent and credible legal threat to crime, illegality and disorder. Nevertheless, Cambodia is not lawless, neither are its policing institutions totally without any general deterrent effect. The Cambodian experience may also help criminologists to assess the general relevance of policing institutions in suppressing crime and producing order. Of theoretical interest is the nature of crime engendered by weak state institutions in the context of strong communal and non-state forces. Parenthetically, Cambodia reveals conditions of pre-modernity in the context of post-industrialisation, to which the advanced capitalist state may revert if stripped of the apparatus and symbolism of the "rule of law". When state regulation is weak, and private and customary regulation strong, what sorts of crime prosper?

Cambodia is still in the crucial stages of state formation following decades of war, genocide, insurrection and widespread civil dislocation and experiences crime and homicides different to those found in established states. Is crime, especially homicide, a sensitive barometer of social change and good governance? Does the level of violence reflect the stresses of a shattered economy and weakened human capital, or a culture of impunity based on an enduring "Realpolitik" of violence created by decades of conflict? Cambodia offers an opportunity to observe how in the process of state formation the establishment of a criminal justice system impacts on the nature and volume of crime. However, to address these questions we must first take into account the legacy of war and revolution.

Archer and Gartner (1976:960) in a seminal review of the effects of war on homicide rates demonstrated that substantial increases in homicide were observed [irrespective of the outcome of the conflict], and that high combat losses predicted higher levels of post-war homicide. They tested several explanatory models and concluded that a “Legitimation of Violence” model which predicted an increase in homicide “...as a result of the pervasive war-time presence of officially sanctioned killing” best fitted the data. Other explanations such as the “Social Solidarity” and “Catharsis” or war fatigue models which predicted decreases or returns to normal levels of homicide were rejected. Alternative explanations for higher post-war homicide rates arising from distressed post-war economies, return of violent veterans or demographic changes also failed to account for the increases observed. Our ability to test these explanations for Cambodia is necessarily limited because of the destruction of almost all government records during the revolutionary period. Consequently, no reliable crime data exist pre-war [before 1970] and what is available is poorly defined and ambiguous (Wilson 2001:52-55). French colonial records are also incomplete but suggest that crime, especially homicide, was extremely rare during the protectorate period [1902-1954]. This appeared to remain so until the mid-1960s when political violence, civil disorder and mounting pressure from the Vietnam War engulfed ‘peaceful’ Cambodia^v.

Despite the scant picture of pre-war crime, we do know that Cambodia has been exposed to an extended ‘legitimation of violence’. We may argue in accordance with Archer and Gartner’s thesis, that war (and revolutionary) violence legitimated by the state carried into higher peacetime homicide. Indeed the very high rate of suspect/offender death may better reflect this process of violence legitimisation than

general levels of homicide and, is in accord with many Khmer attitudes to violent death (Chandler 1993; Keirnan 1996; Wilson 2001). Police and citizens alike commonly remark: “in Pol Pot time life was very cheap”; “criminals are merciless and must be killed”; “we must save ourselves because they [the state] are corrupt” or; “people are the law and must have justice”. Therefore, lawlessness and the activities of vigilantes are attributed by Khmer to the brutalisation experienced during the civil war [1970-1975], revolutionary period [1975-79] and occupation by Vietnam [1979-1989]. However, the processes of state formation and modernisation also play an important role in shaping the nature of crime and the form of homicide^{vi}.

Theories of Crime, Modernisation and Development

We have some theoretical guidance about the nature of crime as it might develop in a post-war and post-revolutionary developing nation such as Cambodia. Theories of modernisation, depending on the specific phase and locality, suggest that development will reduce violent crime but also increase property and other crimes (notably those against the state) as the rationalisation of modern governance is achieved. Modernisation requires a shift in economic modes of production from feudal/mercantilist to industrial forms or from "Asiatic" or command to market economies. This shift in productive forces produced in the classic form^{vii} greater individualism, a significant middle class, weakened communal regulation, changed the nature of relationships from hierarchical to exchange and shifted social control from informal to formal modes. Also because of the civilising (or socialisation)

effects of modernisation^{viii} violence becomes more problematic and is subject to an intensified criminalisation process combined with an increasing reliance on bureaucratic surveillance and special policing institutions. Thus, in this functionalist version, modernisation in its early phases generates acquisitive crime by weakening social control and unleashing expectations^{ix}. In late modernisation, violence increases as conflict re-emerges due to rapidly changing modes of production and the fragmentation of post-modern identities.

Neopolitan (1997:360) combining Durkheim and Elias, argues that violence declines because modernisation results in "...increased social equality and organic solidarity and a resultant civilizing of the human personality". Modernisation or development is usually measured by economic development and, following the European experience, the degree of urbanisation or differences between urban and rural life. Cambodia at \$US 270 GNP per capita is one of the least economically developed and urbanised countries in the region [see Table 5]. Cultural integration or homogeneity often associated with Durkheim's idea of "organic solidarity" and measured by fidelity to religious, linguistic and customary beliefs has also been seen as influencing the amount of violent crime. Studies of the relationship between culture and homicide, using measures of religious and ethnic homogeneity, have not found evidence of a consistent pattern. Nor has a relationship between economic development and homicide been found (del Frate, 1998, Newman 1999, LaFree 1999)^x.

Other explanatory theories of cross-national differences in violence include opportunity/stress theories that highlight changes in the pool of potential offenders and opportunities for violence that vary according to economic and social hardships.

Thus the relative size of high risk groups (young unemployed males), population density, household size, income inequality, unemployment and infant mortality have all been employed with varying success as determinants of violence. Cambodia, with its exceptionally youthful population, acute levels of income inequality and relatively high under-employment can also be vulnerable to the play of these hardships and their presumed deleterious effects on the risks of violence. Competition over scarce resources in the context of desperation can also produce greater recklessness which may be reflected in the high levels of robbery murder observed for Cambodia (Daly and Wilson 1999).

A concordant “civilising process” generated by modernisation reduces the incidence of violence as sensibilities about suffering increase and the demand for “blood” sacrifice decrease. Thus in modernising societies, violent crime will decrease and homicide rates will decline. The role of the ‘rational’ state through its security [monopolisation of violence], management and welfare functions is crucial in this civilising process. The state, by improving health services, food/livelihood security and literacy, and suppressing crime legitimates its governance^{xi}. The RGC’s national development plan gives priority to the establishment of the institutional means to create a modern “rule of law” state by strengthening regulatory agencies, especially police and courts. This priority is supported by donor nations and the International Monetary Fund’s [IMF] rehabilitation program for Cambodia.

Theoretically, it may be useful to consider the extent to which the processes of modernisation influence the nature and extent of crime emerging from extreme intra-state conflicts. Can crime in Cambodia be characterised as pre-modern and does

economic development suppress or exaggerate conflicts? Certainly higher levels of violence in the countryside than the city but more property crime in the city than the country are observed. In accord with modernisation theory differences in urban and rural crime suggest a relationship between the strength of the state and opportunities for crime concomitant with development. Sporadic episodes of banditry, robbery and abduction are also reported more frequently in rural districts and these incidents reflect the relative weakness of the state and the limited radius of its policing institutions. This pre-modern picture is reinforced by the low enforcement capability and poor adherence to due process. The rehabilitation of legal processes after the almost complete destruction of the judicial corps has been in progress but is hindered by the absence of a tradition of rule by law and the low pay of state agents. As Chandler (1992) has shown these weaknesses were common in pre-revolutionary Cambodia and current political friction and abuses have precedents in the 1954 post-colonial kingdom.

Post-war economic stresses also generate increases in both property and personal crime, especially in the city where wage labour is vulnerable to shifts in trade and investment. Although Cambodia does not have a critical food security problem the bulk of the population is rice dependent. Up to half of village income was used for rice consumption which provided 80% of calorie intake. Rural poverty is a serious problem with as many as 40% or more living below the poverty line and there are endemic but moderate levels of malnutrition. Credit problems and indebtedness are widespread (Murshid 1998). Despite an abundance of land a land-less or land poor class has emerged and has become a source of accelerated migration to the city or towns. At the same time as the gap between rich and poor increases access to

traditional sources of succour, the rivers and forests (common lands), have become more restricted by large commercial interests. Thus, the revival of plantation economies and indenture like work practices has contributed to further pressure on the land-less. Cambodia is thus an economy dependent on subsistence rice agriculture, exploitation of forest and international aid but with the burden of massive post-war reconstruction. GDP growth was slashed to below 2% in 1997-1998 from 6.5% in 1996 due to the twin influences of the Asian financial crisis and the July 5-6 1997 coup which cut-off investment and all but essential aid. In what was already one of the poorest countries in the ASEAN group the impact of these economic difficulties adversely impacted on efforts to contain disorder and crime. Annual inflation reached 15% in the first half of 1998 placing considerable pressure on the poor and labouring classes as basic food and housing prices sharply increased while income declined. While GDP growth has recovered to 4.5-5.0% in 1999-2000 investment remains stalled and recovery further hampered by severe floods in 2000 (Cambodia Development Review 1998; *Far Eastern Economic Review*, December 14, 2000:87). Such crushing poverty contributed to intermittent banditry and placed already vulnerable groups under additional pressure. Crime victimisation is often catastrophic and may lead to impoverishment.

The establishment of rational, rule of law government is considered a basic precondition for the stable and predictable development of capital, markets and wealth (World Bank 1997). In developing economies, the transformation of the economy from feudal/subsistence forms to a post-revolutionary market economy requires a professional and predictable government. The reliability of law and policing institutions is seen as an essential factor in the development of a market economy

based on trade and commerce. Therefore, the effectiveness of legal institutions in creating stability and order is prerequisite for the establishment of legitimate governance in the Kingdom^{xii}. Thus, the extent that police serve a general order and provide civil protection to the populace rather than serve a specific regime, may provide a measure of state strength. High levels of lethal violence, especially extra-judicial violence, are indicative of the states debility. “Many human rights critiques...fail to recognise police shortcomings as an expression of state weakness rather than of its strength” [Goldsmith 2001:18]. Given the violence threatened by powerful non-state actors, policing institutions are vulnerable to adopting partial and repressive measures that ultimately undermine their legitimacy^{xiii}. In the context of conflict, the formation of autonomous state policing institutions is also uncertain because of underlying competition between various factions to provide security. Different policing agencies and factions within them thus compete to monopolise the “...universal sinews of state power” (Skocpol 1985:16), revenues and coercive force, and consequently reinforce political fragility.

Policing, Law and the Reformation of the Cambodian State

The fragmentation of the original civil society by war and genocide has meant that a conscious effort is required to re-invent and reproduce the social and moral order of an ideal pre-war Khmer nation. The 1991 Paris Accords reconstituted, under UNTAC supervision, the RGC as a pluralistic state made up of the former SOC, Khmer Rouge and Royalists under the rubric of “Nation, Religion, King”. This is a context in which the crucial struggle for the rule of law demands that the new state’s nascent legal institutions monopolise violence and install nationwide means to resolve disputes and

deal with criminals (Sok and Sarin 1998; Fernando 1998). However, an aid dependent RGC negotiates the means to effect state legitimisation while under the scrutiny of numerous non-government organisations [NGOs] notably the Cambodian Office of the United Nations High Commissioner for Human Rights [UNCOHCHR].

The rationalisation of governance is an ongoing process, structures are in place but variable means exist to assert the control of state institutions and its agents independently of regime politics and traditional patron/client relations. Until recently, the state has depended on military and quasi-military forms of governance albeit fractured along political/patronage and provincial lines. In the crucial areas of policing and dispute resolution, few resources are available and Cambodia remains vulnerable to organised crime activity^{xiv}. Ample anecdotal information suggests that Cambodia has become a haven for eco-exploitation, drug and sex trafficking^{xv}, money laundering, small arms smuggling and other cross-border illegal activities. Cambodia has become the ideal de-regulated state and is therefore an unfettered market for crime as well as “market solutions to insecurity” (Goldsmith 2001:12).

The transformation of the governance of state security from a military to civil form is an important goal of the national development plan along with improving food and personal security, human rights, health education and economic development. The shift required from a military command economy to a market economy is burdened by the 47% of the RGC revenue absorbed by the security forces [Ministries of Interior and Defence]. As little as 10% of meagre revenues went to education, 6% to health and 3% to agricultural development (Konrad Adenauer Foundation cited in *Phnom Penh Post*, Vol. 7, No. 17, 1998). Under the 1993 UNTAC de-mobilisation plan,

large numbers of former soldiers were placed in policing roles on below subsistence wages. Consequently, the inadequate management and discipline of such a large body of armed and ill trained 'police' has been a major problem and source of impunity. Progressive reductions in under-employed untrained police and military planned by the year 2001 require numbers of police and military personnel to fall to 67,000 from the current 137,000. However, reductions in security forces and weapon availability have been hampered by factional differences in the key Ministry of the Interior [MOI] and the overall civilianising process will be lengthy and involved. Nevertheless, extensive training of police and military in constitutional responsibilities and the scrutiny of a large number of human rights NGO's support a rule of law culture. These efforts contributed to the satisfactory levels of security forces during the 1998 July election supervised by the National Election Commission^{xvi}.

The RGC operates in the context of a politically divided government of former antagonists - royalists, revolutionaries and socialists. Consequently state institutions are complex and open to factional conflicts and an effective law-making consensual process has not been achieved. Historically the Kingdom had a weak indigenous bureaucracy based on a French and Vietnamese colonial legacy in which recourse to state and legal institutions was relatively rare. Traditionally the Cambodian state was hierarchical with the revered King, the elite government officials^{xvii}, the villagers of *Kompong* and *Preih* [forest] and the *sanga* or Buddhist monks all in their place in the complex web of patronage and power. In crucial ways these traditional, often unmediated hierarchical relations found their expression in the utopian self-sufficiency program of the Revolutionary Democratic Republic Kampuchea [1975-

79] and continue to shape Cambodian personal and social relationships (Chandler 1992:53-54).

The ceaseless cycles of rice growing that define Khmer village life impose a customary order insulated even from the special, if relatively brief, traumas of the Khmer Rouge revolutionary utopia and the first Vietnamese invasion and occupation of modern times. In the context of the New Kingdom, these village continuities provide a natural social order replete with communal surveillance and control that reduce the need for intervention by the state in interpersonal disputes. Accordingly, the role of the state in creating order is limited to the extent that it may impose uniformity on these politically fragmented pre-existing social identities and relationships in rural Cambodia. A task that has perhaps never previously been achieved by any Khmer state with the possible exception of the Angorian period.

The sanga, along with intellectuals, were the targets of special oppression by the Khmer Rouge because as carriers of traditional morality they were a source of resistance to the new order (Keirnan 1996). Buddhism was also denigrated as inimical to communist values during the Vietnamese occupation but, along with the King, it is promoted as a foundation of the new nation. The moral vacuum created by the dissolution of the post-colonial state and the failure of revolutionary idealism enabled the rapid return of this traditionally important institution. The sanga have revived their tenure and everywhere Pagodas have been re-built in this devout Buddhist society. The sanga and the karmic laws have a protective, if poorly understood, role in shaping and moderating violence and crime. The re-establishment of Buddhism has

been significant in the regeneration of indigenous moral order but its revival is challenged by modernity, materialism and new forms of crime.

The arch-criticism of Buddhism has been that it produced fatalism, conservatism and carelessness towards death (an opportunity for re-birth and enlightenment) as a by-product. These artefacts of Buddhism are often assumed to lead to a diminution in the sanctity of life in Buddhist societies in much the same way that Catholicism is supposed to liberate the passions through forgiveness and the confessional. However, this neglects the emphasis on compassion and enlightenment in Buddhism which heightens the importance of the reciprocal nature of patron-client relationships so characteristic of Cambodian political and social life^{xviii}. The Buddhist ethical system through stress on the four noble truths (which emphasise enlightenment, compassion and prohibit killing, stealing, lying and adultery), the middle way and the eight-fold path socialises a cooperative and docile human nature. The emphasis on avoidance of suffering and the accumulation of merit provides a potent traditional source of natural or internalised forms of social control against violence. Thus, a recognisable basis for the establishment of clearly defined laws is embedded into the culture. However, law making has been restrained by political instability and administrative fragmentation that reflects the continued importance of the *Strok* or district in national affairs. The ensuing hiatus allowed for ample regional and political differences in the creation and application of national law.

Although a new penal code is being drafted, current laws are based on the 1992 UNTAC criminal code. This interim code failed to provide a comprehensive ethical system or secure due process consistent with Khmer values further eroding the

legitimacy of law. UN sponsored efforts to rapidly develop a modern court and dispute settlement process included a “Judicial Mentor Program” that relied on guidance by overseas judges. This attempt to provide training for court officials [most former SOC judges] faltered because the poorly paid judges were prone to corruption or intimidation and access to courts was prohibitively expensive to all but the elite. It is known that a substantial number of offences and disputes are resolved without the involvement of provincial or national courts. Therefore, some serious crime and much petty crime and disorder, as everywhere, will be under-reported^{xix}.

In the following, reported crime, especially lethal violence is described from available sources. The principal source of data is a report for the period 1992-1996 prepared by the Judicial Police Centre, MOI in July 1998 and subsequent summary annual reports. This source provides limited trend data covering the arrival of UNTAC and the establishment of the RGC to the end of 1999. In addition reports of NGO’s, Khmer newspapers, as well as interviews, case notes and field studies supplement official sources^{xx}. The focus shifts to the integrity of investigations into homicide and other serious crime and their relevance to the legitimisation process in the new state.

Recorded Crime

Law enforcement in Cambodia involves a number of different policing agencies including military police and it is unlikely crime records compiled by the Judicial Police Centre are complete. Because of uncertain counting and variable reporting behaviour, the most reliable approach to the interpretation of trends for most crimes in Table 2 is that they reflect the activities of police rather than “real” fluctuations in

crime. Nevertheless for homicide we have several sources and may be more confident of the recording of these events.

Overall, the reported crime rate for all offences is very low in Cambodia with a mere 5638 offences recorded in 1996 or a rate of 59.6 per 100,000 population. This can be compared to the 1253 offences per 100,000 recorded in Hong Kong, and the 110 per 100,000 recorded for the Philippines (see Table 6). The MOI report also attempts to take into account the effectiveness of policing by recording the number of offences “suppressed” [cleared or “solved”] and the number of offenders held in custody. Recent data is not available but for 1992-1996 between 28% - 36% of crimes reported by the MOI were suppressed. The number of new offenders imprisoned also fluctuated accordingly from 1045 and 2170. However, prison census data for 1995-1997 show the numbers held in prison increased from 2490 to 2909. These figures yield an estimated imprisonment rate of 26-29 per 100,000 and are comparable to rates reported for the Philippines but considerably lower than the 200 prisoners per 100,000 in Hong Kong^{xxi}.

Insert Table 1

Although the conventional definition of homicide as murder and non-negligent manslaughter is adopted the sources necessitate ambiguity in defining homicide because of the unclear status of justifiable homicides and other forms of non-negligent manslaughter recorded by National Judicial Police. The actual number of murder victims was not reported and must be estimated from previous years, deaths recorded under "losses" by the MOI, field studies and newspaper reports. A detailed

estimate of the homicide rate is provided below and only a rate for murder events can be utilised to compare risks of lethal violence between the city and countryside. During 1996, 542 murder *events* were recorded at a rate of 5.7 per 100,000^{xxii} but the rate varied substantially by province. For the city of Phnom Penh it was 4.7 *events* per 100,000, 6.4 for the densely populated central province of Kompong Cham and in Seim Reap province, site of the famous Angor temples it was 13.8 per 100,000^{xxiii}.

Urban and Rural Crime

Phnom Penh is the only large city in Cambodia and a major entrepot port attracting a substantial proportion of the country's markets, economic growth and investment. The city has grown rapidly as investors (mostly North Asian and ASEAN based) were attracted by low costs in the wake of the 1989 market reforms that ended the Soviet style command economy. The industrial sector has provided, until recently, the most growth in the economy and much of this occurred in and around the city. The city is a natural draw for the land-less poor who provide labour for large garment, service and light manufactures. Through 1997-1998, there was a sharp decline in investment and growth and a return to high inflation. These conditions severely affected the livelihood of the wage classes and no doubt increased conflicts and risk-taking.

Insert Table 2

The pattern of recorded crime shown in Table 2 differs strikingly from that found in most advanced jurisdictions. Property crime and theft account for only 36.8% of

recorded crime while offences against the person make up the remainder. The usual ratio of violent to property crime is 1 in 10 or less. In Australia and Hong Kong violence against the person accounts for less than 10% of all recorded crime. Thus, non-lethal crime, especially property crime, is either vastly under-reported or relatively rare in the villages and communes of the Kingdom. Because of the situational determinants of theft risk in villages it is likely that property crime is low in rural areas but this will also be magnified by poor communications with national police. Property crime was more frequent in the city and violent crime, except armed robbery, occurred more frequently in rural areas as would be predicted by a pre-modern version of the developing state.

In 1996, Phnom Penh recorded nearly a quarter [23.7%] of all recorded crime in Cambodia at over two and half times the rate, at 156.1 per 100,000, of the whole country. Nearly a third (31.6%) of the recorded property theft, 36.6% of the armed robberies and 22% of the pick-pocket, and fraud offences occurred in a city that comprises only 7.6% of the total population. However, only 7.2% of the recorded homicides and 3.5% of assaults occurred in the city suggesting that violence is better regulated but relative wealth and anonymity create opportunities for theft.

Although independent sources are limited, the data suggests that crime declined in the immediate post-war. However, the withdrawal of UNTAC civil police and investigative support reduced the capability of the RGC police and this presumably impacted on reporting practice^{xxiv}. Even if crime fell in the 2 years after the 1993 UN supervised election and the creation of the RGC this decline was quickly reversed. The uneven impact of re-construction, demobilisation, and economic development

delivered scant relief to the most vulnerable and displaced. Added to these difficulties was increasing tension within the political coalition which culminated in the *coup d'état* of July 1997. For a few days Phnom Penh was turned into a battlefield and the Second Prime Minister Hun Sen of the Cambodian People's Party ousted First Prime Minister Prince Ranridh leader of the royalist Funcinpec Party^{xxv}. Equally, adverse economic conditions, especially the financial crisis engendered by the July 1997 coup, were severely aggravated by the collapse of the Thai economy and the October 1997 Asian financial crisis. These events were followed by intense and frequently violent pre and post 1998 election tension. Such multiple pressures would predict an increase in crime in 1998. It is possible that both decreased police efficiency and post-war fatigue temporarily drove down recorded crime while extreme economic adversity from mid-1997 increased conflicts and stress and drove crime up. We have little means to formally test such explanations and only tentative conclusions can be drawn. Police data for 1998 show a relatively sharp increase from 1996 in all recorded crime including murder and armed robbery, although abating in 1999. The very low 1997 figures are discounted because of the acute disruption to policing and recording in the wake of the coup.

The Prevalence of Lethal Violence

The official crime statistics are likely to significantly under-estimate the rate of homicide and other crime. The figures supplied by the MOI are not audited, nor are counting protocols clearly defined. Problematic assumptions are made about the completeness of police data and the uniformity of recording practice throughout Cambodia. It is also assumed that the definition of murder and homicide is

comparable to that elsewhere and distinctions between murder and other forms of (potentially) criminal death in the MOI sources are retained. Because precise situational and personal details are required to determine if a killing constitutes murder, it is assumed that recording practices reflect these important distinctions in a cultural meaningful way. Thus, given these caveats and adjustments for known sources of error an *estimate* of the prevalence of homicide may be made.

The first source of error is that reported murders record the number of events and not the number of victims. Thus, multiple victim events are recorded as a single incident. To estimate the number of homicide victims we must refer to Khmer newspapers and official references to “losses”. Second, it is unlikely that all homicides are recorded and the sources do not report accidental death, suicide or separately describe the usual homicide categories of attempted murder, infanticide and manslaughter^{xxvi}. Apart from the 542 murders for 1996, other forms of homicide are recorded. Noted are 19 “intentional killings”, 54 grenade attacks that led to 201 injuries or deaths, 108 offenders shot dead and 36 injured. In addition, a further 53 presumably non-fatal poisonings and 44 kidnaps were recorded (Judicial Police Centre, July 1998). Notionally the deaths may be classified as homicides although, based on cases, a proportion of the grenade events are accidental and deaths arising from police action may be justified. Third, the remote provinces of Kratie, Kompong Speu and Mondulhiri, with a combined population of approximately 836,000, returned no reports of criminal offences for 1996 to National Judicial Police and accordingly rates are adjusted.

Finally, it is unclear but likely that the deaths of suspects due to police/military or mob/militia actions are excluded from the murder count. Deaths allegedly motivated by political conflict reported by the UNCOHCHR are usually included. Other acts of intimidation, harassment and non-lethal violence of a political nature may not be recorded in official sources and thus may be in addition to the crime rate^{xxvii}. Judicial Police records for 1997 are incomplete and exclude the estimated 50 plus battlefield deaths arising from the July coup conflicts. Many of the approximately 100 post-coup and national elections “political” deaths reported by UNCOHCHR are recorded in 1998 by MOI. A considerable degree of harassment and intimidation related to post-coup conflict and the 1998 election was noted but relatively few of the confirmed “killings” reported by the UNCOHCHR arose from exclusively political conflicts^{xxviii}. Politics may also serve to mask motives that are more mundane and often political and personal rivalries are intertwined. However, the circumstances produce special modes of violence including extreme but diminishing political violence. Raiding activities of the remnants of the Khmer Rouge and other soldier-bandits, for example, cannot be characterised as political or battlefield actions because coherent ideological and command structures no longer motivate these acts of violence.

Until a credible system of death registration and investigation based on international standards^{xxix} is established the data on murder and homicide will remain uncertain and the subject of continual controversy. The problem is aggravated by low investigative and forensic scientific capability. The main criminal investigative department has few trained police, no laboratory/mortuary or forensic pathologist and insufficient resources to staff all provinces. Thus available data is not comprehensive and estimates are conservative.

Details on the type or motive of murders and age and sex of victims and offenders are not available from MOI sources. However, analysis of newspapers suggests robbery murder, revenge, quarrels and disputes are the most common reasons for murder. Khmer press coverage is extremely pictorial and has a significant influence on the perception of the risks of homicide. Approximately 61% of victims died because of gunfire, a further 14.6% from knives and other sharp instruments and 12.5% from unknown causes. Most homicide victims, reported by the press, are males usually shot by offenders armed with military weapons. Women make up 11.6% of victims and those 21-29 years old were the most frequently cited age group. Suicides, accidental deaths and traffic accidents are also frequently noted suggesting substantial levels of these forms of mortality. Although newspaper reports of homicide are incomplete and an unreliable means of measuring crime, they provide a ratio of deaths to homicide events.

Insert Table 3

Table 3 describes the victims and fatalities identified in Khmer newspapers from January to early July 1998. This shows that 26.7% of the 240 reported deaths involved the death of a suspect or offender at the hands of the police, local “mobs” or militia. One hundred or 41.7% were prima facie murder or manslaughter victims sometimes killed in multiple-victim episodes involving multiple offenders. About 24.2% of the deaths recorded were accidental of which the majority was traffic related and 7.5% were successful suicides. Most of the victims of the category

“attempted murder” were survivors of an armed robbery. The 164 notional homicides arose from 130 incidents averaging 1.26 deaths per event.

Insert Table 4

The 1998 MOI report also refers to the number of deaths, injuries, and property losses recorded for 1992-1995. From this source, the total number of deaths recorded by national police was 1,222 or 12.86 per 100,000 in 1993. These deaths arose from 599 murders and 157 grenade attacks which resulted in 1,008 deaths at an average of 1.34 fatalities per event, and 214 “offenders” reported shot dead during police action. Using this ratio of 1:1.34 deaths to events and the ratio derived from the Khmer press [1:1.26] we can estimate the approximate number of victims for 1996 by applying the average ratio [1:1.3]. This weighting produced 775 homicide deaths from the 596 recorded events; in addition, the 108 offenders killed by police yields a total of 883 deaths at a rate of 9.32 per 100,000. Table 5 shows the 1992-1998 homicide rates including [rate B] or excluding [rate A] suspect deaths and conservatively represents the estimated range for the prevalence of homicide.

As noted, about one in five newspaper crime reports refer to police or mob killings of suspects. These forms of extra-judicial homicide make up over a quarter of all the deaths and nearly two fifths of all homicides reported by the press. Table 5 indicates that the proportion of extra-judicial deaths of all homicides has varied from 17.5% in 1993, 9.0% in 1994, 5.8% in 1995, 12.2% in 1996 and 10.2% in 1998. The proportion of “offender” deaths in Table 5 for 1998 are much lower than estimated from news reports. This appears to be a function of news selection and the possible

failure of police to diligently record deaths arising from vigilante action. Consequently, such a measure serves only as a crude and conservative indicator of fidelity to rule by law. The high number of extra-judicial homicides is attributed to the armed nature of most offending, a weak rule of law culture and the poor discipline and training of police. The risk of spontaneous acts of violence and mayhem are also relatively high given the number of grenade incidents and accidents reported in the press and official sources. However, these behaviours do not appear to equate with notions of “amok” although often ill directed and non-utilitarian (Winzeler 1990).

The Comparative Prevalence of Homicide

Returning to our opening question about the relative level of lethal violence in Cambodia compared with other countries an attempt, through comparative analysis, is made in Table 5 to address the question of the severity of violence of Cambodia. In a comparative approach, we hope to identify cultural, economic, political, situational and social factors that explain macro-differences in homicide. The aim is to understand the variables that appear to weaken or strengthen the risks of crime at the broadest level. Comparative studies enable key aspects of culture, especially the definition and social reaction to crime, to be observed and also help identify factors that shape the prevalence and nature of crime (Arthur and Marenin 1995).

Insert Table 5

There are many macro-level factors thought to influence cross-national differences in crime including amongst others religious and cultural diversity, relative economic

strength, and the effectiveness of state governance. The concept of modernisation conventionally proposes that the essential relationship between crime and development is that modernity reduces violence^{xxx}. Table 5 locates the homicide rates and socio-economic conditions for Cambodia in comparison with other countries^{xxxii}. Factors indicative of socio-economic development and modernity included: person per telephone [PPT] and person per television [PPTV] as measures of modern culture; average life expectancy in years [life expect.] as measures of mortality and stress; the percent of the total population living in urban areas [% urban] and the percent of the total population who can read and write [% literate] as measures of modernity; and gross net product per person [GNP \$US] as measures of socio-economic strength^{xxxiii}. Analysis of the relationship between these factors and homicide using rank correlation methods proved inconsistent and no single or derived factor accounted for more than 12% of the variation observed. Thus, few of the socio-economic factors listed in Table 5 appear to relate to the homicide rate although increased wealth appears to have some protective value. Measures of state strength or capacities and autonomy provide better correlations with stronger states associated with lower levels of homicide. Differences in criminal justice policy and practice may be more crucial with high homicide nations such as Cambodia, Philippines, Thailand enduring relatively unfettered firearms, low enforcement capability and *regime* influenced policing institutions. Cambodia had a rate of homicide similar to other Buddhist states Thailand and Mongolia, but less than Sri Lanka did in 1996. The latter nation was disrupted by chronic civil war and Mongolia was a newly independent state. Amongst the developed nations, only Taiwan and the USA approached the level of Cambodia^{xxxiii}. Regardless of which measure was utilised the homicide rate for the Philippines is informative and is further examined.

Crime and lethal violence in Cambodia are now compared briefly with Hong Kong and the Philippines. These states have useful contrasting colonial histories, socio-religious values and, economic development that may help disentangle the relationship between modernity, extreme conflicts and crime. The emerging economy of the Philippines with its Spanish-American colonial legacy and dominant Catholic values can be contrasted with the Taoist and Confucian values of the former British colony of Hong Kong now an advanced market and service economy.

Insert Table 6

Table 6 compares select crimes recorded in Cambodia with the reported levels in the Philippines and their respective cities. Rates for the city state of Hong Kong are included to provide the contrast of a highly developed Asian economy with generally well respected, financed and able policing institutions (see Broadhurst 2001). Because crime statistics in the Philippines are incident or event based the comparisons are only approximate^{xxxiv}. The Philippine homicide rate was perhaps twice that of Cambodia and the overall rates of recorded crime nearly double that of the Kingdom. Although heightened by episodic insurgency, especially in the religiously divided southern islands, the homicide rate may be driven more by modernity induced relative deprivation than is the case of the more isolated and insulated communes of Cambodia. The incidence of murder was similar in Phnom Penh and Manila and both experienced lower risks than the countryside but Manila had a higher incidence of homicide. Incidents of assault and rape were more frequent in Manila than Phnom Penh but armed robbery was lower than in Phnom Penh. Apart

from homicide, the cities were generally more at risk of crime than the countryside and attracted higher rates of armed robbery and theft. Since 1994 incidences of homicide have fallen substantially in Manila and were estimated to be 2.6 in 2000 compared to 17.0 per 100,000 in 1994. Murder and homicide have remained high in rural areas and the overall national “volume” was 14.0 per 100,000 but significant declines indicate some success in the struggle to create effective general order policing in the Republic.

For Hong Kong rates of violent crime are much lower than in either Cambodia or the Philippines with the exception of injurious assaults. This may reflect situational advantages, especially medical assistance, and lack of access to lethal weapons, both significant determinants of mortality. The rate for property crime was considerably higher as was overall crime. A wealth of opportunity for theft, extensive personal insurance and a sophisticated modern police presumably account for this striking difference^{xxxv}.

Tentative Conclusions

This paper has attempted to estimate the prevalence of homicide, and describe the nature of violence from the limited sources available. Cambodia was found to have a high level of homicide fluctuating between 4.8 and 12.9 per 100,000 population. Much of the volatility in the homicide rate appears to reflect the varying stability of the state and acute episodic disruptions to economic growth. The nature of homicide in Cambodia differs from that of developed countries and features significant levels of extra-judicial homicide, banditry and mayhem that contributed to its lawless

reputation. These forms of homicide are indicative of weak formal social control. Khmer are subject to the same emotions and desires as everyone and thus homicide reflects the full range of categories albeit enhanced by ready access to highly lethal means. The majority of homicides are armed robberies suggesting that conflicts over scarce resources (strain) and values permissive of violence (via the mechanism of war legitimisation) are compelling factors in the elevated rate of homicide. Nevertheless, we know too little about the epidemiology to be confident about links between social structure and cultural norms. Given the appalling trauma of the recent past, enduring political conflicts, the sheer scale of economic adversity and the rapidity of urbanisation and social changes induced by market development, the current level of homicide is consistent with expectations. More developed neighbours also appear to experience similar levels of homicide but do not share the degree of social desperation or deficits in human assets. Indeed a rate somewhat lower than would be predicted by an integrated strain and cultural theory of violence may be indicated. Communal traditions, localism and pro-social values have prevailed as potent forms of collective protection and could be reinforced by effective governance, but these are fragile shields threatened by the tendency of modernity to privilege individuality and materialism.

Supported by international assistance the RGC has attempted to develop a rule of law state through reforms of the policing institutions but shortages of human and social capital compel the transitional process to be fraught with difficulty. The incessant need for dispute settlement and crime control consequently tends to operate to mobilise under-paid policing institutions according to market forces and not abstract notions of the rule of law. The low salaries, poor training and equipment provided

police and judicial officers induces bribery and corruption and provides the thread of impunity that enables predatory corruption to thrive and challenge or even capture key elements of the state. The establishment of effective policing institutions and their role in state legitimation is crucial to the provision of order and predicability as the means of furthering rational economic development and modernisation. The current situation, therefore, is not simply a product of lawless behaviour but the absence of law reflective of indigenous morality and legitimate institutions to enforce them. In practice the lawlessness reflected in extra-judicial homicide is a product of under-policing and the perceived lack of legitimacy of judicial processes which has left communal or customary dispute resolution intact. Summary killings by mobs and police may often reflect communal solidarity and achieved justice as much as the entrenched after-effects of wartime legitimation of violence. Many of these incidences are clear and deplorable breaches of the human rights of suspects but in circumstances where crime victimisation can be devastating to livelihoods citizens' actions can also reflect the need to act swiftly and sternly against predators. Police respond either sympathetically or impotently, thus further weakening rule by due process of law. It is, however, naïve to imagine that appeals to "normative" legal values will be effective in compelling weak policing institutions and fearful citizens to act otherwise.

The above suggests some of the causes that generate high risks of personal violence in Cambodia and the complex role the state and modernisation may play in transforming the nature of homicide and crime. A lack of temporal data and detailed epidemiology of violence allows only speculation about the role development and policing play in the production of homicide and crime. The data indicate an increase

in property crime, sustained as the forces of economic transformation change the nature of criminal opportunities and competition for scarce resources. Thus while political stability may lead to a decrease in group-conflicts and war-legitimated lethal violence such events account for a declining fraction of homicide in Cambodia. Reduction in such violence alone is unlikely to lead to a rapid decline in the homicide rate because inter-personal conflicts arise from a multiplicity of sources that ultimately draw from the deep reservoirs of emotion and need. The cultural and structural determinants of violence and the capacities and autonomy of states to modify violence are highlighted by the extreme case of Cambodia. Comparative research may provide the contrast required in identifying the most salient conditions, weighing the role of the state and policing institutions. Continued close monitoring of homicide and violence based on sound reporting and investigative systems is one process by which a reflective state may seek to restore the sanctity of life and delegitimize the use of violence. Combined with a determined disarmament program and a commitment to ensuring legitimate independent law enforcement agencies such an approach should also contribute to a reduction or stabilisation of homicide and other violent crime despite the economic difficulties to be endured. We can conclude with the hope that as policing institutions become professional and rule by law is established, a decline in extra-judicial forms of homicide will occur. Even so unless there is an indigenous moral order reflected in law, and relief from desperation homicide will remain a potent symbol of Cambodia's continued trauma.

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Table 1: Crime Trends Recorded by Judicial Police 1992-1999

	1992	1993	1994	1995	1996	1997	1998	1999
Murder	429	599	303	397	542	317	793	581
Armed Robbery	1414	1613	905	832	1345	887	1822	1396
Grenade	40	157	79	27	54	46	68	42
Rape	106	43	39	84	122	46	130	165
Kidnap ^a	9	93	133	24	44	23	130	91
Poisons ^a	14	47	42	23	24	21	0	20
Patrimony ^b	8	6	20	12	6	n/a	n/a	n/a
Theft	1420	792	835	896	1471	868	1871	1789
Assault/Disputes ^c	515	267	353	423	1050	445	1114	1058
Fraud/pick-pocket ^d	23	117	163	214	233	97	244	248
Illegal Weapon	136	514	235	310	79	n/a	n/a	n/a
Other Offences	n/a	n/a	20	n/a	668	208	950	641
All Crime	4114	4248	3031	3260	5638 ^e	2958	7122	6031
Rate	45.2	44.7	30.9	32.6	59.6	27.9	65.8	53.8

Sources 1992-1996 and 1997-1999 annual returns MOI Judicial Police Centre; data for 1997 incomplete. *Notes:* n/a = not available; (a) poisoning and kidnapping are presumed non-fatal; (b) comprises theft of cultural heritage; (c) records only injurious assaults; (d) offences combined in original source; and (e) total includes 201 injuries associated with grenade attacks.

Table 2: Type of Crime as a Proportion of All Recorded Crime 1996

Criminal Offences	Cambodia	Phnom Penh
	%	%
Murder	10.3	3.0
Rape and Molestation	2.5	0.1
Assault	19.4	2.9
Armed Injuries	3.7	6.3
Other Against Person ^a	3.4	2.8
Armed Robbery	23.8	38.3
Stealing	26.3	35.9
Other Theft ^b	7.4	4.2
Other ^c	3.1	4.0
All Offences	100.0	100.0

Source: MOI Judicial Police Centre (1998). *Notes:* (a) grenade attacks, kidnap/abduction and, threats; (b) other offences against the state, cultural thefts, breaches of trust, pick-pocketing and fraud; (c) damage property, illegal weapons, drug and immigration offences.

Table 3: Serious Crime & Fatalities Reported by Khmer Press January 1-July 7, 1998

Type of Event	n	%
Police Action	48	15.4
Vigilante Action	16	5.1
Murder/Manslaughter	100	32.0
Attempted Murder*	46	14.7
Suicide	18	5.8
Attempted suicide*	2	0.6
Kidnap/Robbery*	20	6.4
Rape*	4	1.2
Road fatality	30	9.6
Misadventures	28	9.0
All victims	312	100.00

Source: *Phnom Penh Post* Vol. 7 (1-15) from crimes reported in Khmer newspapers *Rasmei Kampuchea* and *Koh Santeheap* January 1 to July 7 1998. Note: (*) indicates non-fatal event.

Table 4: Estimates of the Prevalence of Homicide 1992-98

	1992	1993	1994	1995	1996 ^a	1998
Murder events	429	599	303	397	542	793
<i>rate</i>	4.71	6.3	3.09	3.97	5.70	7.33
Grenade events	40	157	79	27	54	68
<i>rate</i>	0.44	1.65	0.81	0.27	0.57	0.63
Estimated victims	487	1008	427	551*	775*	1119*
<i>rate A</i>	5.35	10.60	4.35	5.50	8.18	10.34
“Offender” deaths	n/a	214	42	34	108	139 ^b
<i>rate</i>	--	2.25	0.43	0.34	1.14	1.28
All deaths	487	1222	469	585*	883*	1258*
<i>rate B</i>	5.35	12.86	4.78	5.84	9.32	11.62

Source: RGC MOI Reports of Judicial Police Centre 1998,1999 and 2000. *Notes:* (a) rates adjusted for missing provincial data; (b) estimated number of offender fatalities from newspaper and other sources; (n/a) data not available; (*) multiplier of 1.3 fatalities per event; estimates for 1997 not attempted and; offender fatalities unavailable for 1992.

Table 5: Homicide Rates in Asian and Selected Countries

Country	Homicide rate	GNP per capita	Religion ^a	Life expect.	% urban	% literate	PPT	PPTV
Nepal	2.3	225	Buddhism	55	14	28	174	355
Cambodia*	9.3	270	Buddhism	53	21	38	1212	119.5
Bangladesh	2.0	283	Islam	57	18	32	380	143
Mongolia	9.6	335	Buddhism	64	61	95	26.7	17.3
India	4.6	387	Hindu	61	27	52	65.3	16.6
China	1.3	738	Secular	71	30	82	22.4	4.1
Sri Lanka	11.1	760	Buddhism	72	22	89	65.1	15.2
Myanmar	1.4	765	Buddhism	59	26	82	265	22
Indonesia	0.9	998	Islam	63	34	84	47.7	6.8
PNG	2.9	1005	Christian	57	17	72	4.9	11.2
Philippines ^b	33.5	1203	Catholic	67	46	94	38.6	7.9
Thailand	9.6	2450	Buddhism	69	36	94	13.5	4.4
Fiji	5.9	2500	Christian	72	40	90	8.9	11.1
Malaysia	2.1	4287	Islam	72	47	89	5.5	4.7
South Korea	1.4	9511	Buddhism	72	81	97	2.1	3.4
Taiwan*	8.1	13303	Polytheism	75	58	93	2.1	3.1
N. Zealand	1.8	16970	Christian	77	86	100	1.4	2.0
Macau*	3.6	17475	Polytheism	73	75	94	2.5	3.6
Canada*	2.7	19740	Christian	78	78	99	1.3	1.5
Australia	1.9	20020	Christian	78	86	100	1.5	2.1

UK*	1.4	22268	Christian	76	90	100	1.9	2.2
FRG*	1.5	25720	Christian	76	87	100	1.8	1.8
Hong Kong	1.6	26400	Polytheism	79	95	92	1.5	3.0
USA*	9.1	29950	Christian	77	76	96	1.3	1.2
Singapore	1.8	31900	Polytheism	77	100	92	2.0	2.6
Japan*	1.0	33800	Shinto	80	78	100	1.5	1.6

Sources: The average per capita INTERPOL homicide rates between 1988-1994 cited in Neopolitan (1997) unless otherwise indicated. *Notes:* (*) national rates for a single year [1995/1996] cited from national sources; PPT = persons per telephone and, PPTV = persons per television; (a) principal or state religion; (b) reported by Philippines National Statistic Office as 18.0 incidents in 1994 for murder and other homicide incidents.

Table 6: Selected Crime Rates 1996: Cambodia, Philippines and Hong Kong

	Cambodia	Philippines ^a	Manila ^a	Phnom Penh	Hong Kong ^b
Murder	5.7 ^c	9.0	5.0	4.7 ^c	1.2
Homicide	9.3 ^d	16.2 ^e	12.0 ^e	n/a	1.6
Robbery	12.5	9.0	25.0	59.8	1.3
Theft	17.7	12.0	28.0	62.6	680.0
Assaults ^f	12.1	19.0	21.0	14.4	27.3
Rape	1.1	4.0	4.0	0.1	1.4
All Crime	60.0	110.0	180.0	156.0	1252.0

Sources: RGC MOI Judicial Police Centre 1998; 1999 Philippines Yearbook and; 1996 Annual Report of the Hong Kong Police. *Notes:* (a) all rates cited for the Philippines and Manila are event or incident based; (b) all rates for Hong Kong are victim based; (c) murder rates for Cambodia and Phnom Penh are event/incident based; (d) the homicide rate for Cambodia is victim based; (e) murder and other homicide combined; (f) assaults causing injuries only; n/a = not available. All rates are per 100,000 population and rates for all crime are rounded to the nearest whole number.

Notes

ⁱ Diplomatic advice to expatriates and travellers provided a concise warning of the risks of crime and political disturbances. The risks were judged as requiring "...a high degree of security awareness at all times", while "...widespread banditry in the countryside and ill-disciplined security forces constitute an ongoing security hazard" [Australian Embassy "Consular Travel Advice: Cambodia", May 20, 1998]. Foreign nationals are at low risk of homicide but some risk of armed robbery, especially in Phnom Penh. Travel at night was considered dangerous and a natural curfew operated. Throughout 1999 and 2000 the general security situation improved and a decline in lethal violence in Phnom Penh but not in the countryside has been observed. Travel at night remains a high-risk activity especially in some locations although the self-imposed curfews of the past have now eased in Phnom Penh.

ⁱⁱ The accounts are reported by the *Phnom Penh Post* 1998 Volume 7, and extracted from Khmer newspapers *Koh Santeheap* and *Rasmey Kampuchea* by Bou Saroeun and Pok Sokundara.

ⁱⁱⁱ Market reform and liberalisation was instigated in 1989 by the former State of Cambodia (SOC).

^{iv} A process mirrored in the mid-nineteenth century restoration of the monarchy after decades of Vietnamese occupation and hegemony. Chandler (1992) argues the 1975-79 Khmer Rouge induced Armageddon had parallels in the 1840s replete with foreign rivalries albeit less intensive than the cold war conflicts that propelled modern Cambodia to its present state. In the new constitution "...the King shall reign but not rule".

^v The few records available do not permit trend analysis but suggest homicide rates

were seldom more than 2 per 100,000. Throughout the colonial protectorate period, only one French Civil Servant was murdered while collecting taxes but in circumstances of extreme provocation. Caution needs to be applied in acceptance of the colonial picture of low crime. French policing practices were typically indirect and in the early post-colonial period policing became increasingly de-centralised and fragmented.

^{vi} Shifts between homicide and suicide patterns and changes in the relationship between familial and non-familial homicides are sometimes observed in post-war societies. For example, in Hong Kong the immediate post war period saw declines in homicide but a rapid increase in suicide that stabilised at a significantly high rate as the economy developed (Broadhurst 1998). The decline in homicide also coincided with increases in the risks of intra-familial homicide suggesting that the process of development and modernisation weakened traditional bonds of filial piety based on the importance of family and clan in Taoism and Confucianism. Modernisation's tendency to strengthen individuality and heighten sensibilities towards violence combined with a weakening of communalism and informal social controls increase the relative incidence of suicide compared to homicide. The prevalence of suicide is unknown for Cambodia but based on anecdotal, newspaper and hospital reports it appears far less common than homicide.

^{vii} Durkheim argued the shift from mechanical (traditional) to organic (modern) forms of society produced more individual differences and deviance because of increasing specialisation and atomisation (anomie). This process weakened traditional social control and required increasing investment by the state in formal means of surveillance and social control.

^{viii} In Europe violence declined with the advent of mass education, health, and literacy

but declines in communalism and the rise of individualism tended to transform violence to more intimate relationships or suicide [see Gillis 1994].

^{ix} The gross re-structuring of economic relations in the transformation of the pre-modern state also generates significant conflicts because of the restructuring of labour and modes of production. Displaced workers may be brutalised and prey on the vulnerable while the land-less and land poor face competition from commercial agro-capital and their enclosure like practices.

^x Neopolitan found that Islamic countries had lower homicide rates and the proportion of Christians (in non-Christian nations) indicative of higher homicide rates. He did not interpret these as differences arising from the religions per se but rather the former reflected cultural integration and traditional values while the latter was associated with the role of colonisation and the resultant cultural conflict.

^{xi} Following Elias (1939), see also Johnston and Monakkonen (1996).

^{xii} In the constitutional framework adopted by the Paris Accords RGC governance and succession is regulated by free and fair elections.

^{xiii} The November 2000 raid on Phnom Pehn by the exile backed self-styled Cambodian Freedom Fighters is an example of the persistence of these threats. The poorly conceived attack was designed to undermine confidence in the protective role of the state and calculated to compel repressive counter-measures.

^{xiv} Based on National and Judicial police arrest statistics clearance rates are particularly low for murder, assault and rape but higher in respect to robbery and theft. A 1998 MOI (Judicial Police Centre) report stressed increasing encounters with well organized criminal syndicates often enjoying immunity from law enforcement and interdiction. The *Phnom Penh Post* has frequently alleged that elements of the RGC military and police have been implicated in organized crime and racketeering. The

pay of many officials is insufficient to meet everyday needs and many, if not most, are forced to seek employment or funds by exploiting their official status.

^{xv} The Cambodian Women's Crisis Centre [CWCC] has estimated that between 50-55,000 prostitutes are active with 14,000 thought to be under-age. Conditions in illegal brothels are often akin to slavery but the extreme poverty of many families suggests that irresistible "push-pull" factors compel the sacrifice of daughters regardless of conditions (personal communication Ms. Michele Brandt CWCC).

^{xvi} UNCOHCHR and the Cambodian Institute of Human Rights [CIHR] undertook training programs on the constitution for senior officers of the Royal Army of Cambodia, National Police, Gendarmerie [Military Police] and MOI in human rights, democracy and neutrality.

^{xvii} Chandler (1992: 105) refers to 19th century client-patron relationships amongst officials as one of "consuming" and "eating" their clients, slaves and people. Cambodian folklore portrayed the elite or the patrons as "...tigers, crocodiles, and venomous snakes" in much the same way Khmer may talk of government officials today.

^{xviii} Little is published about the nature of crime in Theravada Buddhist societies and only limited temporal data is available to compare with other ASEAN countries. Thailand, however, does offer a comparative perspective, which suggests that the initial processes of modernisation provoke an increase in crime, including violent crime. The murder rate has fallen dramatically from the 1970s when intentional homicides were estimated to be 24-34 per 100,000 but stabilised toward the late 1980s and in 2000 was reported to be 8.3 per 100,000.

^{xix} Without a crime victim survey, it is difficult to assess the extent that police statistics are an index crime.

^{xx} MOI Judicial Police and medical officers, who participated in a medico-legal investigation course in May 1999, also provided valuable information on the scope and nature of homicide in Cambodia.

^{xxi} Prison census data is provided by the Asian Pacific Correctional Association Conference: personal communication Mr. David Biles.

^{xxii} The population of Cambodia was estimated to be 10,824,244 as of mid year 1998 (Central Bureau of Elections) and at end-of-year 1996 was estimated to be 10,300,000 and 9,500,000 in 1993 (National Statistics Office). The demography shows a very young population and substantial imbalance in the sex ratio: women outnumber men in the older age groups (Huguet 1997). Age and sex rates are important in identifying trends and changes in offender and victim profiles but are unobtainable. The rates for 1996 are adjusted for missing returns from remote provinces.

^{xxiii} The municipality of Pailin under Khmer Rouge control in 1996 was excluded because it was not within the jurisdiction of the RGC. The high rate for Seim Reap province arises from remanent KR banditry in the south-east and fishing disputes along the north-eastern shores of the Tonle Sap. The provincial centre and tourist town of Seim Reap enjoys relative tranquillity and has a rate lower than for the province as a whole.

^{xxiv} Investigative capability remains compromised and police are bereft of forensic scientific services.

^{xxv} A fuller account of the conduct of the *coup d'etat* is provided by Sorpong Peou (2000:298-305; 343-54) and the reasons behind it. Attempts by the first Prime Minister to neutralise CPP superior military strength may have precipitated action and the bloody *coup* cost over 50 lives. The defeated Funcinpec forces withdrew to the north-east where they continued to resist RGC forces until a political settlement was

reached late in 1998.

^{xxvi} As previously, noted Khmer are at least as reluctant to report crimes to police as other nationalities. However, it would appear in rural areas that this reluctance extends to serious crime including homicides. A study of customary dispute settlement undertaken in 1997 showed that although suspicious deaths are reported to commune officials they are often dealt without recourse to Judicial Police or the courts (Tarr 1998). It is probable some of these cases are not reported to National Judicial Police.

^{xxvii} Police record serious offences and therefore UNCOHCHR suspicious death reports overlap with police murder records and are apparently not in addition to official murder counts [personal communication MOI].

^{xxviii} For example, the UN body reported thirteen "killings", four alleged killings and three attempted killings linked to political intimidation in the four months prior to the 1998 elections. The COHCHR also confirmed 76 of 189 serious allegations involved political motives.

^{xxix} For example the International Classification of Disease and World Health Organization E codes; see also US Department of Justice 1997.

^{xxx} The concept of modernisation is often synonymous in the ASEAN region with the problematic notion of "Westernisation" that implies the dual adoption of European technology and politico-cultural values.

^{xxxi} Caution is necessary in interpreting differences in homicide rates since differences occur across measures (ie. WHO, INTERPOL, UN), counting rules and definitions between nations. No data on homicide was available for Brunei, Bhutan and two important neighbours of Cambodia, Vietnam, and Laos. For further discussion about various cross-national measures of homicide, see Newman (1999:257).

^{xxxii} The socio-economic indicators reported in Table 5 are for 1997 as cited in *Asiaweek*, June 19, 1998.

^{xxxiii} The homicide rate in the US (sometimes described as a “weak” domestic state) has subsequently fallen to about 7 per 100,000 while the rate in Cambodia has increased.

^{xxxiv} The INTERPOL homicide victim-based rate for the Philippines includes attempted homicides and manslaughter as reported in Table 5. This is not comparable with the data available for Cambodia that excludes attempts. Comparisons are thus drawn with national data based on “volume” that distinguishes between murder [intentional] and homicide [other lethal acts]: this source also provides data for Manila.

^{xxxv} Although armed robbery rates in Phnom Penh and Manila appear high, especially in the city, Australian rates of armed robbery [although usually not involving firearms] were in 1996 34.2 per 100,000, and 55.2 for unarmed robbery. Recorded theft rates are also much higher at 1714 for house break-ins, 671 for vehicle theft and 2849 per 100,000 for other thefts (Australian Bureau of Statistics 1997).