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TEMPLE WARS: CAMBODIA'S DISPUTE OVER PREAH VIHEAR
OWNERSHIP AND ITS EFFECTS ON NATIONAL POWER

by

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ABSTRACT

The Preah Vihear Temple along the Thai and Cambodian border has been a source of contention between the two countries for the past hundred years. Preah Vihear's origins go back to the ninth century, but the contemporary dispute is over a portion of land surrounding the temple measuring 4.6 square kilometers. Cambodia and Thailand share many similarities including customs, traditions, art, and religion. However, the temple has caused conflict fueled by historical enmity, domestic politics, and a fight for sovereignty and nationalism. The temple has tested Cambodia's resolve and its ability to exert its national instruments of power to quell the dispute. This paper argues that, as the weaker country in economic, military, and development terms, Cambodia was able to marginalize Thailand's efforts to regain control of Preah Vihear. Cambodia had effectively used its national instruments of power despite being the weaker nation and benefited from the conflict and rivalry in the region.

Introduction

There are no two nations in Southeast Asia besides Cambodia and Thailand that are more analogous to each other; both countries share similar customs, traditions, language, arts, history, and religion. Given these common traits, author and Professor of Southeast Asian Studies at Kyoto University Pavin Chachavalpongpun stated, “It seems surprising that relations between Thailand and Cambodia should be characterized by deep seated ignorance, misunderstanding, and prejudice.”¹ Despite Cambodians and Thais sharing a common ancestry, long standing enmity and a century-old territorial dispute has caused friction between them. These neighbors have experienced death and displacement in an area surrounding their shared border. Since early 2008, dozens of people have died and thousands displaced due to sporadic fighting between Thai and Cambodian military forces along the border surrounding a one thousand year old temple named Preah Vihear. The Preah Vihear Temple is at the epicenter of contention between Cambodia and Thailand. The temple represents both a cultural and religious symbol for both Cambodians and Thais. The temple serves a peaceful purpose, however; a disagreement over its ownership has invoked violence between the two countries. Conflicts between Cambodia and Thailand have been marked throughout history, and the Preah Vihear Temple dispute exemplifies a troubled relationship between the nations.

Cambodia is of the least developed nations in Southeast Asia and a neighbor with a more prosperous and powerful Thailand. Thailand is a larger and more developed country than Cambodia and has a greater military force, more prosperous economy, and has a well-established bureaucratic foundation that is resilient to the country’s historical political instability. For comparison, Cambodia’s gross domestic product (GDP) for 2011 was \$12.83 billion with a per capita of \$820 and a population of 14.31 million people; Thailand’s GDP for the same year was

\$345.7 billion with a per capita of \$4,480 and a population of 69.52 million.² The average annual income for a Thai is \$3,000 whereas for a Cambodian it is \$600; even North Koreans are more prosperous than the Cambodians.³ The United Nations Development Programme (UNDP) ranks Cambodia towards the lowest end of all Southeast Asian nations, only being surpassed by the less developed nations of Myanmar and Timor-Leste.⁴ Consequently, Cambodia has found itself in a conundrum of how to effectively engage a more powerful Thailand to quell the dispute over Preah Vihear.

However, less powerful countries should not be considered helpless when dealing with stronger nations. Effective use of a government's national instruments of power can help a state prevail. Cambodia has skillfully devised a strategy that capitalized on its national instruments of power and developed a positive outcome with a more powerful Thailand on Preah Vihear.

National Instruments of Power

When engaging another nation, a government applies their national instruments of power to change the behavior of another government; the effectiveness of a nation's power can be seen in its ability to influence a desired outcome. There are four basic instruments of national power which countries possess: diplomatic, economic, military, and information. The diplomatic instrument of power attempts to influence the international situation through formal agreements, official negotiations, and political engagement. The economic instrument of power is used in concert with diplomacy but adds the financial element (via loans, investments, and grants or sanctions and embargos) between countries through trade agreements or trade policy. The military instrument of power is fueled by diplomatic and economic instruments but is primarily focused on the use of force to influence an outcome. The information instrument of power is

closely tied to the diplomatic instrument and uses the elements of government communications and media to shape international perceptions, influence behavior, or determine an outcome.⁵

The use of a nation's instruments of power cannot be looked at in isolation. Each one is inextricably linked to another, and nations use a combination of them in order to influence outcomes. As an example, diplomacy may open bilateral talks between nations and establish the conditions to facilitate trade agreements that enable the economic instrument of power. The information instrument is used concurrently as a means to publicize intent, influence governments and populations, and gather international and domestic support for engaging in diplomacy and delivering economic benefit between nations. The military instrument is an extension of diplomacy (potentially failed diplomacy) that is fueled by a nation's economic instrument of power in terms of providing military resources and supplies. Preah Vihear provides an illustration of Cambodia's interconnected use of its national instruments of power.

Preah Vihear has indirectly and directly strengthened Cambodia's instruments of power, and the conflict had little effect on Cambodia's ability to use them. The dispute briefly aggravated Cambodia's diplomatic problems with Thailand, but it has positively affected Cambodia's information, economic, and military instruments of power. Cambodia's ability to build alliances, promote effective trade, garner regional favor, and develop regional security has flourished since the dispute resurfaced. However, in order reach a permanent bilateral agreement, Cambodia must continue to engage Thailand effectively to mitigate a potential war between the nations.

Preah Vihear Temple and the Dispute

The Preah Vihear Temple, or as the Thais call it Khao Phra Viharn (which means sacred temple) is located along the northern border of Cambodia and southeast border of Thailand along

the Dangrek Mountains. Preah Vihear is situated along the 803 kilometer Thai-Cambodian border amongst several other temples that are considered the “most spectacular remaining Khmer sanctuaries.”⁶ However, the Preah Vihear Temple enjoys “the most spectacular setting” perched atop a 1,720-foot cliff called Pey Tadi in Preah Vihear Province.⁷ Over the centuries, Preah Vihear has belonged to numerous different sovereigns which have exasperated the question of ownership.

Since its completion between the eleventh and twelfth centuries, the control and occupation of the land in and around Preah Vihear has swapped several times between Thailand and Cambodia. However, the current dispute stems from the region’s French colonial period when a 1904 border treaty between France and Thailand (then called Siam) established a commission to demarcate the border between the two countries. A controversial map was produced and became the center of the dispute of where the territory was in fact demarcated. The dispute and disagreement with the map made its way to the International Court of Justice (ICJ) in the late 1950s when the ICJ ruled in 1962 in favor of Cambodia. Presently, the Government of Thailand still disagrees with the decision and considers Preah Vihear’s territorial ownership unresolved.

Temple Construction

Preah Vihear Temple is a triangular structure that consists of a series of buildings, pavement, and staircases along a north to south 2,600-foot axis. The temple is constructed of laterite (enriched aluminum and iron oxide red soil), sandstone, and brick that were carved from quarries in Phnom Kullen to the south and transported to the Dangrek Mountains. Some of the temple’s architecture was carved out of stones weighing over ten tons, which were likely transported by thousands of laborers using oxen and elephants to move the massive material.⁸

While most Khmer sanctuaries are situated facing east towards the rising sun, Preah Vihear faces north towards Thailand. The temple was built to embody the mythical center of the universe Mount Meru, the home of Shiva and other Hindu gods, and its northern location was intended to denote the extent of the Khmer Empire in the ninth century.⁹ The temple represented the Khmer rulers' early use of the information instrument of power by demonstrating the empire's regional influence, cultural and religious significance, and reach.



Figure 1
Preah Vihear Temple viewed from Cambodian Territory¹⁰

The entrance to the temple is accessible via a paved road from Thailand or a laterite road from Cambodia (considered impassable during the wet season). Also on the Cambodian side, a 1,630 meter staircase with 6,550 steps from the base of the mountain to the temple was built in 2010 to encourage tourism to the site. The temple itself is separated by three levels and has five gopuras. Gopuras are considered part of Hindu architecture that signifies gateways that provide entry into the different parts of the temple. At the southernmost end towards the Cambodian frontier are the Central Shrine and Prasat that house a Buddhist temple honored by Thais and Cambodians.¹¹

Rediscovery of the Temple

French colonial occupation brought about the first archaeological investigations of the Preah Vihear Temple. In 1883, the French explorer and archeologist Étienne Aymonier discovered the temple and produced descriptions of both its architecture and Khmer and Sanskrit inscriptions.¹² Little was actually done to preserve or restore the temple until 1924 when Henri Parmentier of École française d'Extrême-Orient (translated as the French School of the Far East which focuses on Asian Studies based on Archaeology) visited the temple but did nothing to it until five years later. Parmentier returned in 1929 and conducted clearance and vegetation work in and around the temple site. Currently, École française d'Extrême-Orient has a permanent branch in present day Siem Reap dedicated to preservation and restoration of Khmer temples, and the institution is formally attached to the Cambodian Ministry of Culture.¹³

Cultural and Religious Significance

For both Thailand and Cambodia, the Preah Vihear Temple represents a symbol of territorial sovereignty and national identity. It is a religious symbol that signifies a place of worship for the region's Buddhist dominated population. Both Thais and Cambodians used the temple for religious reasons, conducting trade, and it served as the center between high and low Cambodian communities.¹⁴ Since the temple's entrance opens to the north with easy access from Thailand, it is feasible to assume that it was built to serve as a worship site for cities and towns in Thailand.

Preah Vihear is more than a temple of worship; it is culturally and historically significant to Cambodians who view the temple as an icon of "ancient cultural grandeur of the Khmer Empire."¹⁵ Preah Vihear symbolizes the history of Cambodia, a dominant society in Southeast Asia that ruled the majority of the territory in the region. The temple serves as a representation

of Khmer national identity and an element of the information instrument of power that can invoke a sense of supremacy for Cambodians, who throughout the previous centuries were stripped of their territory and dominated by both Vietnam and Thailand. Many Cambodians see the current dispute for the temple as another attempt by Thailand to “steal Cambodian territory and destroy Khmer identity.”¹⁶

For Thailand, Khao Phra Viharn symbolizes nationalistic ideals for the country. During the nineteenth century, Thailand’s government focused on “nation building from above,” which attempted to develop a single Thai nation that assimilated the multiple ethnicities within the state.¹⁷ Thailand developed an attitude of imperviousness and strict territorial integrity which characterized Thai nationalism. Thailand’s government would not concede territories since “territory (together with religion and the monarchy) became the manifestations of national identity.”¹⁸ The significance of Thai nationalism combined with historical animosity between Thailand and Cambodia have caused the ownership dispute to spur into armed violence.

Historical Background

The Preah Vihear Temple dispute between Thailand and Cambodia becomes more apparent by understanding contextually how Cambodia’s past and its use of its national instruments of power has shaped future relations. The remembrance of Cambodia’s rich history with the powerful Khmer Empire has resulted in identifying Preah Vihear as a part of national heritage. Cambodians today still consider themselves ethnically Khmer. The early history behind Preah Vihear gives the temple significant lineage to the Khmers, but loose borders and continuous conflict plagued the region for centuries.

The Khmer Empire: Yasovarman and Suryavarman's Reign

The initial construction of Preah Vihear began during the late ninth century. During this period, King Yasovarman reigned over the Kingdom of Angkor from 889 to 910, which marked the beginnings of the golden era of Khmer civilization that lasted until 1431. This golden era extended 600 years and is when Cambodia enjoyed a period of greatness and was considered the strongest kingdom in Southeast Asia; its prominence drew visitors and tribute throughout the region including from what is known today as the Thai kingdom.¹⁹ One of Yasovarman's initial actions as king was to honor his parents by building a series of brick temples across his empire.

Yasovarman ordered temples built upon natural hills, which began the initial foundations of the Preah Vihear Temple. The Preah Vihear Temple encompassed elements of Hinduism which was the dominant religion of the Khmer monarchs at the time. It was believed that the temple's construction site was built on a sacred sanctuary dedicated to Shiva, the Hindu god of destruction.²⁰ Yasovarman died before the temple was completed and most of the surviving parts of the temple existing today are remnants from the eleventh and twelfth centuries of the Khmer Empire.

Nearly 300 years later and through seven monarchs, the completion of the Preah Vihear Temple occurred during King Suryavarman II's reign. However, it was the reign of Suryavarman from 1002 to 1049 that was most responsible for the construction of the Preah Vihear Temple.²¹ Suryavarman was characterized as having a patronage of Buddhism and aspects of kingship that led to territorial expansion. Suryavarman was a unifying monarch that expanded the Khmer Empire by colonizing the western end of Tonle Sap (the largest freshwater lake in Southeast Asia) with new religious foundations and annexed the Theravada Buddhist kingdom of Louvo in present-day central Thailand.²² Even though the vision of Preah Vihear

was built under Hinduism, Suryavarman's patronage to Buddhism may be the reason why elements of the religion are found in the temple's architecture. Likewise, the thirteenth century brought about a decline of Hindu worship in the Khmer Empire and the Preah Vihear Temple was then dedicated to Buddhism.²³

Cambodia's Geography and its Vulnerability

Regardless of Khmer origins, Preah Vihear has not continuously been under Cambodian control. The Siamese were originally under Khmer suzerainty, but after the death of the Khmer King Jayavarman VII in the thirteenth century, they established their own sovereignty and began to challenge Khmer hegemony through their military instrument of power.²⁴ The Khmer Empire's territorial control of today's Thailand, Laos, and Vietnam began to disintegrate. Later in the fifteenth century, the Siamese King Paramaraja II projected his military power into Khmer territory and took over the capital of Angkor; his invasion marked the decline of the golden era of the Khmer Empire. The capital Angkor Thom was taken over in 1431 by Siam and forced the Khmer leadership to move the capital south towards Phnom Penh, where the capital of Cambodia would remain to today. Siamese incursions progressed over the next four centuries in which Siam began to gradually absorb Khmer territories including the area surrounding Preah Vihear.

Cambodia's location sandwiched between two other nations has caused significant turmoil and perpetuated border conflicts as seen with Preah Vihear. The country's geographical location at a crossroads between flourishing powers has led to the country being consistently dominated by the larger countries of Thailand and Vietnam. Historian John Tully described the situation between the fifteenth and nineteenth centuries and stated, "Cambodia almost ceased to exist and for much of the time it was a tributary state of one or another of its powerful neighbors."²⁵ What was once considered the most powerful empire in Southeast Asia was

“territorially truncated” and had lost much of its territory to the Siamese.²⁶ Khmer control and influence in the regions around Thailand, Laos, and Vietnam had diminished. Thailand encroached from the north and west while Vietnam took over territory from the east. Cambodia in its diminished and weaker state looked to gain support via its diplomatic instrument of power by building alliances in order to thwart impending territorial threats—mainly with Siam.

The historical use of the diplomatic instrument of power vis-à-vis more powerful neighbors by the weaker Cambodia signified a trend in Cambodian foreign relations that has perpetuated into today’s dispute with Preah Vihear. In the sixteenth century, Cambodia extended its diplomacy to the Philippines in order to establish friendship and solicit support from the Spanish colonists to help fight an approaching Siamese invasion. The Spanish initially agreed to support, but their negligible effort later turned out to be a broken promise. In the seventeenth century, the King of Cambodia Jayajetta II bridged foreign relations further by marrying a Vietnamese princess in an effort to form an alliance against the Siamese and protect territory. Cambodia’s diplomatic instrument was focused on building partnerships with stronger states to marginalize its neighbor’s power. This tendency continued through the French colonial years and in the 1950s and 1960s during King Norodom Sihanouk’s reign.²⁷

Despite its best diplomatic efforts to build alliances, Cambodia entered a tumultuous period called the Dark Age in 1778. Cambodia was ravaged by both Siam and Vietnam as they fought to gain control of the Cambodia. By 1794, Cambodia relinquished control of its northern provinces of Battambang, Sisophon, and Siem Reap to Siam.²⁸ Siamese aggressiveness amplified and, by the middle of the nineteenth century, Siam had invaded Cambodia four times and burned down the capital Phnom Penh. In opposition and an attempt to gain greater control in the region against Siam, Vietnam in the 1820s and 1830s took control of Cambodia and instituted a policy

of Vietnamizing Cambodia. Both Thailand and Vietnam have consistently tried to absorb, patronize, and instill a sense of superiority over Cambodia. Thailand characterized the Khmers as “children, albeit unruly and disobedient ones.”²⁹ Vietnam’s Emperor Minh Mang stated after his colonization of Cambodia that “the barbarians have become my children now.”³⁰ Cambodia, under the control of another country needed to find support to preserve the nation. In 1863, five years after French colonialism arrived in Southeast Asia, Cambodian King Norodom Suramarit used his diplomatic instrument of power to bridge an alliance with the French and signed a treaty with them to establish a protectorate in Cambodia in an effort to weaken Thai and Vietnamese influence.³¹ However, the French occupation also marked the origins of the contemporary argument about Preah Vihear.

French Colonial Influence: Redrawn Borders and Treaties

The arrival of the French added another dimension to territorial boundaries that carved up Southeast Asia, and the territory around Preah Vihear would be used as one of many bargaining chips between Siam and France. Prior to the French colonists’ arrival, Cambodia was under a vassal relationship with the Siamese, and Siam had possession of several Cambodian provinces. After King Norodom Suramarit requested and received French protectorate status in 1863 to strengthen his kingdom against his more powerful neighbors, Cambodia became a part of French Indochina. After four years, France and Siam entered diplomatic negotiations and initiated a series of Franco-Siamese Treaties. In an 1867 treaty, Siam relinquished suzerainty over Cambodia in exchange for territory. France ceded Khmer territory to the Siamese in the northern and western parts of the Khmer kingdom that included Preah Vihear.³²

However, Preah Vihear would exchange hands again after the French engaged in the 1893 Franco-Siamese War. The war left Laos in French possession, and a weaker Siam was

concerned and vulnerable to French domination in the region. In a series of treaties that ended in 1907, Siam began ceding territory to France to prevent a takeover.³³ Of particular importance to territorial ownership of Preah Vihear, France and Siam signed the Franco-Siamese Convention of 13 February 1904, a border treaty that set the conditions to demarcate the northern frontier around Preah Vihear along the watershed line in the Dangrek Mountains, but the treaty itself never indicated an actual border line.³⁴ Instead, Article 3 of the treaty established a mixed commission composed of both French and Siamese members with corresponding commission presidents that would demarcate the border. Article 3 stated:

There shall be a delimitation of the frontiers between the Kingdom of Siam and the territories making up French-Indochina. This delimitation will be carried out by Mixed Commission composed of officers appointed by the two contracting countries.³⁵

Article 1 stated that the boundary will be a watershed line along the Dangrek Mountains, but was contradicted by Article 3 which stated that the actual boundary was to be determined by the mixed commission. There was no mention of Preah Vihear.

The Challenge of the Mixed Commission

The task of the mixed commission was focused on the eastern range of the Dangrek Mountains from the Pass of Kel, which included the area around the Preah Vihear Temple. The commission first met in January 1905 but did not conduct the border survey until after a meeting in December 1906. This meeting set the parameters between the French and Siamese as to where the survey would start and what territories it would involve. During the meeting, an agreement was reached that a French officer, Captain Oum, would “survey the whole of the eastern Dangrek range, in which Preah Vihear is situated.”³⁶ The survey was completed at the end of January 1907, and the president of the French section of the commission stated in a report, “Fixing the frontier could not have involved any difficulty.”³⁷

A meeting of the mixed commission was provisionally set to occur in March 1907 to discuss the survey report and develop provisional maps of the boundary. During these preparations, the governments of France and Siam negotiated another boundary treaty that was signed on 23 March 1907; this treaty ceded the border provinces of Battambang, Sisophon, and Siem Reap to the French. The treaty also established a second mixed commission to survey the area west of the Pass of Kel. Once these areas were surveyed, the delimitation of the border areas would be finalized via the publication of maps.³⁸

Siam did not have the technical expertise to produce surveyed maps, so they officially asked the French to provide topographical officers to map the northern frontier region. The French team included four personnel, three of which were part of the first mixed commission that surveyed the area east of the Pass of Kel. In the fall of 1907, the team and renowned cartography firm H Barrère produced a series of eleven maps. One of these maps included the area around Preah Vihear and showed the delimited area around the temple wholly within Cambodia. However, the boundary was supposed to be established along a watershed line, but the map did not support marking this line. In turn, Cambodia filed the map as Annex I and used this map as its claims of sovereignty over the temple. These maps were then provided to the Siamese government in 1908 without objection.³⁹ The territories and borders were apparently settled until World War II began to influence Southeast Asia.

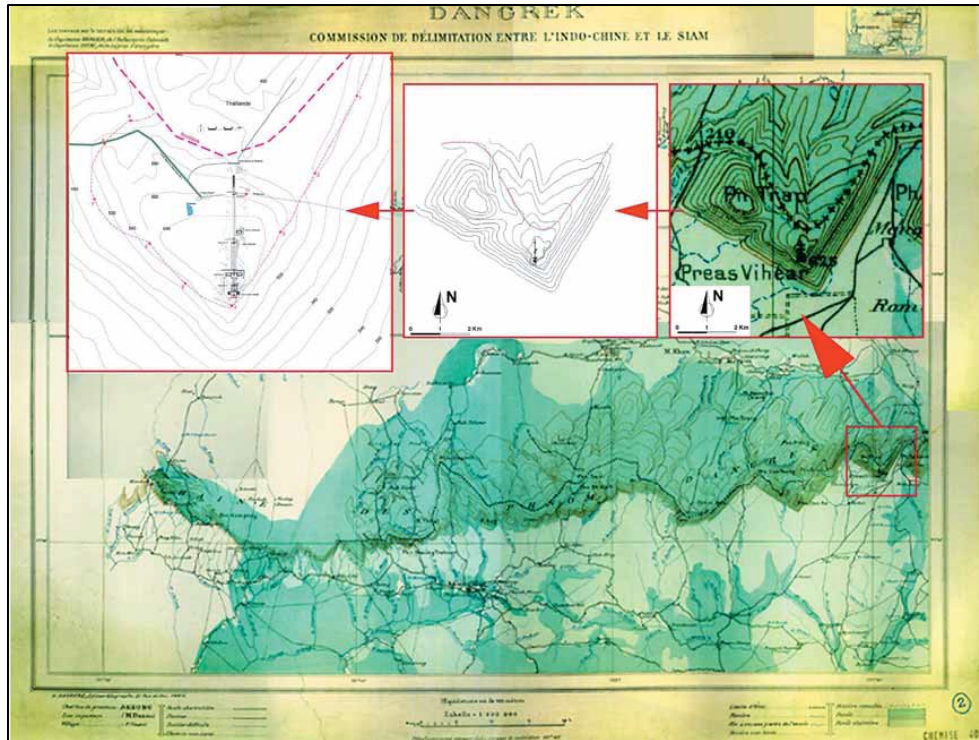


Figure 2

Annex 1 Map produced by the French cartography firm that shows Preah Vihear within Cambodian Territory. The dashed line on the far left inset identifies the frontier line between Thailand and Cambodia.⁴⁰

World War II

Despite the Franco Siamese Treaties in 1904 and 1907, Thailand took advantage of French weakness during World War II (WWII) since France was heavily engaged with providing support to the European war effort.⁴¹ In Southeast Asia, the Japanese invaded territories within French Indochina in an attempt to retrieve resources to supply their war effort in the Pacific. Thailand extended its diplomatic instrument to align with the Japanese and brokered their strength to regain territories lost to the French. Thailand demanded return of Cambodia's provinces that were ceded over thirty years prior and would use their military instrument of power as leverage. The Thai army invaded northwestern Cambodia in 1941 and took control of Battambang and Siem Reap provinces. Thailand legitimized the takeover through a Japanese backed peace treaty signed in Tokyo in March 1941.⁴² Additionally, Thailand sent armed forces

to occupy the Preah Vihear Temple and, in concert with the Peace Treaty, regained control of the territory. In an effort to solidify control and Thai ownership of the temple, Thailand used its information instrument and registered the site as a national monument calling it Khao Phra Viharn or Prasat Phra Wihan.⁴³

However, Thai ownership of Preah Vihear was short lived. In 1945 after the fall of the Japanese in WWII, the initial treaty signed in Tokyo was overturned, and the provinces ceded to Thailand were given back. The 1946 Treaty of Washington legitimized the Thai return and Cambodian reclamation of the border provinces that were lost five years earlier.⁴⁴

Cambodian Independence

After WWII, the Cambodians embarked on a road towards independence. Cambodian King Norodom Sihanouk effectively used his diplomatic instrument of power with the French to gain independence. In 1949, the Franco-Khmer Treaty was signed which gave Cambodia independent state status within the French Union. The treaty allowed Cambodia some freedom in internal governance and an autonomous military zone in Battambang and Siem Reap, but national finances, military, customs and duties, and foreign affairs were still largely under French control. Cambodian historian David Chandler mentions that these concessions were considered a “fifty percent independence” but provided an opening to greater independence since “a process had begun that would be difficult to reverse.”⁴⁵

In 1953, Cambodia would eventually gain full independence from France and would find itself in another dispute over the control of Preah Vihear. In August as their colonial powers diminished, France agreed to give Cambodia full sovereignty and began withdrawing their French troops from the country.⁴⁶ Cambodia had essentially gained complete independence from France. Nearly a year after Cambodian independence, the Geneva Peace Conference of 1954

brought independence to the whole of Indochina. Thailand, on the other hand, saw the removal of French power from the region as an opportunity to take advantage of a vulnerable Cambodia and moved to regain control of the Preah Vihear Temple.

In 1954 Thai forces invaded and re-occupied Preah Vihear.⁴⁷ In an effort to show their ownership and victory, Thai forces hoisted the Thai flag over the temple.⁴⁸ Cambodia protested the occupation and after failed negotiations between the two countries, Cambodia found itself in familiar territory being intimidated by Thailand. In response, Cambodian King Norodom Sihanouk followed the country's past precedents by using his diplomatic instrument to seek powerful friends and began building an alliance with China. Sihanouk told Beijing that he was willing to extend them diplomatic recognition. Chandler remarked that the incident occurred because "Sihanouk may have been stung into recognizing Beijing by an incident earlier in the year in which Thai military forces took possession of the tenth-century Khmer temple of Preah Vihear."⁴⁹ At the time, the relationship with China was inconsequential to the Thai occupation, but would have implications in the future.

Meanwhile, Preah Vihear was in Thai possession and the situation negatively affected diplomatic relations between Thailand and Cambodia in the 1950s. However, both countries agreed to bring the dispute to the ICJ. Preah Vihear remained under Thai control and occupation until the ICJ passed judgment in 1962.

The International Court of Justice Ruling

In preparation for the hearing on the case involving Preah Vihear, each country hired internationally recognized American lawyers: Dean Acheson for Cambodia and Philip Jessup for Thailand.⁵⁰ Harvard Law graduate Dean Acheson was the former U.S. Secretary of State for the President Harry S. Truman administration from 1949 to 1953.⁵¹ Yale graduate Philip Jessup

served as an interim U.S. delegate to the U.N during the Truman administration, was subsequently nominated to the ICJ by U.S. President John F. Kennedy, and became an ICJ judge in 1961.⁵² Thailand argued that the Annex I map was not developed by the originally chartered mixed commission (which had dissolved some months prior to the French mapping team); thus, the map had no binding character, did not follow the true watershed line, and Thailand never officially accepted the map.⁵³ On the other hand, Cambodia based its claims solely on the validity of the Annex I map. The Thais were confident of victory; even Sihanouk expected defeat. However, in 1962 with a landmark vote of nine to three, the ICJ ruled in favor of Cambodia. Following the decision, Thailand's Prime Minister, Field Marshall Sarit Thanarat, said, "With blood and tears, we shall recover the Phra Wihan one day."⁵⁴ Conversely, Cambodia regarded the decision a monumental victory and celebrated for hours at Sihanouk's palace; one American diplomat stated that the festivities "resembled [a] football rally following [an] upset victory."⁵⁵ As part of the judgment, Thailand was ordered to withdraw troops from the temple and return any artifacts that may have been removed from the temple since their occupation.

The court based its decision on the fact that the maps were clearly communicated to the Thai government and, since there was no adverse reaction or objection to the maps, Thailand had essentially acquiesced. Since Thailand raised no question to the authenticity or correctness of the map for decades, it was logically prudent to state that Thailand had accepted the maps as a *fait accompli*. In the following years, Thailand continued to use, publish, and reproduce maps showing the Preah Vihear Temple in Cambodia. The court ruled that Thailand had enjoyed the provisions given to them on other territories from the 1904 treaty and, thus, had in fact accepted the map.⁵⁶ However, according to Thailand, the court only decided on the ownership of the temple and left the surrounding area unresolved. Ownership of 4.6 square kilometers of territory

around the site was considered unsettled by the Thais, and this claim would have implications in the future of how this area would be contested.

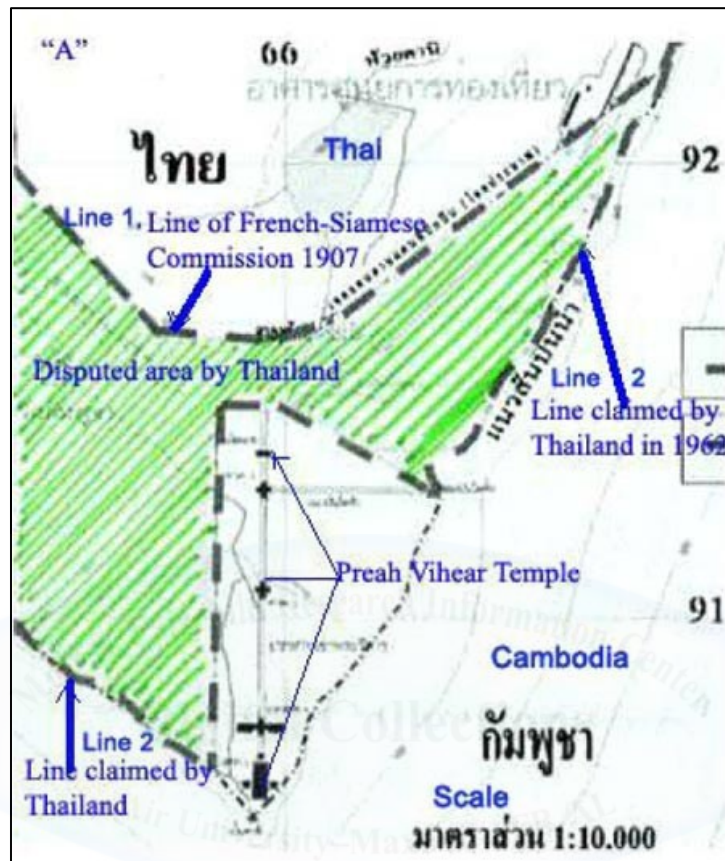


Figure 3
Map with captions depicting the original border lines and those claimed by Thailand in 1962, which extends along the cliff line and includes the Preah Vihear Temple. The shaded area depicts the most recent territorial dispute.⁵⁷

Of particular note, the ICJ judgment on Preah Vihear was based solely on the map and the lack of Thai objections to it. There was neither discussion nor interpretation of historical linkages of the Preah Vihear Temple to either Cambodian or Thai ancestry. Surprisingly, the history of the temple being built under the Khmer Empire by direction of Khmer kings had no real consequence to the question and decision of its ownership. The temple represents rich Cambodian heritage with strong historical, cultural, and ethnic lineage to Khmer history dating back to the ninth century. It is a symbol of strength, dominance, and influence once experienced by the Khmer Empire.

Once the decision was made public, violent protests erupted around Bangkok. Students protested and demanded that Sihanouk's name be removed from Thammasart University in Bangkok where an honorary degree was given to him; Sihanouk eventually returned the degree albeit through the Indonesian Embassy.⁵⁸ Tempers eventually calmed and Thailand honored the ICJ decision, surrendered its sovereignty, and removed the Thai flag from the temple. In 1963, Sihanouk held a ceremony to take possession of the temple and, in an effort to extend an olive branch, remarked that the temple had Buddhist significance for both countries. Thais would be free to visit without a visa and, despite the court's decision, allowed Thailand to retain relics removed from the temple during their occupation.⁵⁹

Years of War, Instability, and Impact of the Khmer Rouge

Inconsequential to the ICJ decision on Preah Vihear, Cambodia fell into a violent and unstable period dominated by the military instrument of power for the next thirty years. After Cambodia regained control of the temple, the problems of war in the region effectively made the area inaccessible and off limits. Communist Khmer Rouge guerillas, amongst other military forces, fought for control of the area as its cliff top position provided an excellent strategic location.⁶⁰ The forces that controlled Preah Vihear heavily mined it, and the temple became a center of combat between differing forces.

During the Second Indochina War, Cambodia attempted to maintain its sovereignty and territorial integrity of its borders by remaining neutral and relying on its diplomatic strategy of using stronger neighbors to help maintain its neutrality. Sihanouk extended his diplomatic instrument of power in an attempt to gain unilateral pledges from as many countries as he could to maintain territorial integrity of Cambodia and asked for support from the United States. However, due to their close relations with Thailand and the Thai's support of American efforts

during the war, the United States would only officially pledge towards maintaining Cambodia's sovereignty and integrity and kept referring to its borders as "ill-defined."⁶¹ The United States was also suspicious that Cambodia was giving refuge to North Vietnamese forces and the Viet Cong within its boundaries.⁶² The situation drew additional concern from Sihanouk's recent signing of a treaty of friendship with communist China. Cambodia's fate would again be decided by external forces. The war eventually intruded the borders of Cambodia, and the country was thrust into the conflict and suffered from a limited ground incursion and intense aerial bombing by the United States. For comparison, nearly double the tonnage of bombs was dropped on Cambodia in the first half of 1973 as was dropped on Japan during the entire WWII campaign.⁶³

Additionally, China backed the communist Khmer Rouge forces which were gaining control of the Cambodian countryside, which had a profound effect on Preah Vihear. The Khmer Rouge took over the country from 1975-1978 and as part of their strategy in consolidating their revolution, banned any cultural and religious activity. The Preah Vihear Temple was rendered inaccessible and its significance most likely forgotten during their horrific reign; needless to say, little was done toward restoring Preah Vihear.

Moreover, the Khmer Rouge's relationship and support from Thailand during their rule would partially fuel present day tensions regarding the Preah Vihear conflict. Thailand considered the mass murders conducted by the Khmer Rouge a "secondary concern" and instead saw the guerillas "as a useful buffer between their nation and Vietnam."⁶⁴ Thus, Khmer Rouge forces along the border including those posted at Preah Vihear received military support from Thailand. Furthermore, these borders were contested during the Third Indochina War when Soviet-backed Vietnam invaded Cambodia in late 1978. The fighting concentrated refugees and

resistance forces along the Thai-Cambodian border, rendering the border area uncontrollable and ridden with violence.⁶⁵

Vietnam eventually pushed the Khmer Rouge out of Cambodia, but they were able to survive largely because of a steady supply of arms from China via Thailand.⁶⁶ Concerned about falling to Soviet-backed communism as a relative domino in Southeast Asia, the Thais established diplomatic relations with China to balance the threat. This relationship embittered the Vietnamese-backed Cambodian government and fueled greater enmity between the two countries. Despite being defeated, the Khmer Rouge continued to retain control of Preah Vihear until the 1990s.

Post War Construction

The climate of conflict seemed to settle and the Preah Vihear Temple was finally reopened in 1992 to tourism, albeit briefly, and only from the Thai side of the border. During its opening, tourists could apply for entry through Thai provincial authorities as the only accessible route to Preah Vihear at the time was through Thailand. The Thais also provided the necessary security and infrastructure to support visitors. Additionally, Thailand was interested in renovating the site and ventured further to develop regular rail service to the temple.⁶⁷ These actions made it seem like Thailand was promoting jurisdiction over the Preah Vihear. Moreover, Thailand's official national carrier Thai Airways, which is majority owned by the Thai government's Ministry of Finance, depicted the temple within the boundaries of Thai borders in their route maps.⁶⁸ Preah Vihear could be considered as being unofficially claimed by Thailand. However, these efforts fell silent once the resurgent Khmer Rouge seized the temple in 1993 and maintained control of it for the next six years. The Khmer Rouge effectively placed guerilla fighters in reinforced bunkers to secure the area from any outside threats during this period.⁶⁹

Preah Vihear turned out to be the last Khmer Rouge stronghold but was finally permanently liberated in 1999.

After the final fall of the Khmer Rouge, Cambodia looked to establish itself further in the international arena and accomplished two significant tasks. First, Cambodia strengthened its diplomatic and potentially its economic instrument of power by joining an internationally recognized and legitimate regional institution that fosters economic growth and regional cooperation—the Association of Southeast Asian Nations (ASEAN). Then, Cambodia attempted to strengthen its information instrument of power by nominating the Preah Vihear Temple to the World Heritage List. This nomination intended to symbolize triumph over the Khmer Rouge, project nation building, and promote economic development through tourism.⁷⁰

Additionally, the turn of the century brought about a sense of reconciliation between Thailand and Cambodia that involved settling territorial disputes between the two nations and the ownership of Preah Vihear. Both countries signed a Memorandum of Understanding (MOU) on 14 June 2000 to establish a joint border commission to resolve territorial disputes, develop friendship, and deter conflict.⁷¹ This joint border commission was charged with surveying and demarcating the boundary in accordance with the treaties and conventions of 1904 and 1907.⁷² Of particular importance was the verbiage within the MOU; Article 1(c) stated that the survey and demarcation will be conducted jointly in accordance with the maps that were produced as a result of the demarcation work conducted by the boundary commissions organized under the 1904 convention and 1907 treaty between Siam and France.⁷³ The MOU specified that reliance will be placed on the maps that were used during the initial surveys conducted in the early 1900s which includes the disputed Annex 1 maps.

Additional signs of increasing friendly relations between Thailand and Cambodia occurred in 2004 when the governments established a joint panel to administer and develop the Preah Vihear Temple. At the time, Thai Foreign Minister Surakiart Sathirathai and Cambodian Deputy Prime Minister Sok An stated that the joint development between Thailand and Cambodia “would be a symbol of the long-lasting friendship, based on mutual benefits and understanding, between the two countries.”⁷⁴ After being officially sanctioned by the two governments, Preah Vihear became a permanent border crossing between the two countries.

Contemporary Issues

Despite the two countries entering a series of bilateral agreements and negotiations, 2008 brought about a departure from the seemingly progressing friendly Thai-Khmer relationship concerning Preah Vihear. In that year, Cambodia and Thailand signed a joint communique to inscribe the temple as a United Nations Educational, Scientific, and Cultural Organization (UNESCO) World Heritage Site. Prior to the joint communique, Thailand had initially suggested nominating Preah Vihear jointly to UNESCO due to the Thai’s perceived ambiguity in the 1962 ICJ ruling. Cambodia objected and, through effective use of its diplomatic instrument of power under a Khmer-friendly Thai government led by Prime Minister Thaksin Shinawatra at the time, Thailand agreed to Cambodia’s sole listing. In 2007, Cambodia began to prepare for the listing and apparently received active support from the military-led Thai government that overthrew Thaksin in 2006. Thai support for Cambodia remained the same throughout 2007 and after the December elections of that year when Thaksin proxy Samak Sundaravej and the People Power Party took over the government. Samak Sundaravej’s stance on Preah Vihear remained unchanged but would meet significant challenges in 2008.

What Does World Heritage Mean and does it Matter?

Both Thailand and Cambodia agreed that the Preah Vihear Temple should be a UNESCO World Heritage Site since it had exceptional universal value and its architecture resembled cultural and religious heritage for both countries. UNESCO created two treaties to preserve and protect sites that fit into the World Heritage List. The World Heritage Convention from 1972 was established to defend historic landscapes before they disappear, and the Convention for the Safeguarding of Intangible Cultural Heritage from 2003 was intended to defend traditions. Traditions were defined by UNESCO as domains that include: oral traditions and expressions such as language, performing art; social practices, rituals and festive events; knowledge and practices concerning nature and the universe; and traditional craftsmanship.⁷⁵ Overall, the UNESCO listing would potentially safeguard Preah Vihear, protect it from destruction, and preserve it for future generations to enjoy. Additionally, designating Preah Vihear as a World Heritage Site brought UN funds to develop, maintain, and preserve the temple architecture. Furthermore, World Heritage can help recover or boost economies as it brings in numerous tourists and can provide service industry jobs to poor countries. Along with the advantages, World Heritage status can bring in the less savory aspects of tourism that include the development of tacky hotels, restaurants, and transportation to sites that infringes on the sacred cultural ambiance of the site.⁷⁶

Having Preah Vihear listed as a World Heritage Site matters immensely to Cambodians. The temple could be successfully used by Cambodia to strengthen its information instrument of power. For a rebuilding country with a horrendous history, World Heritage brings positive international attention, awareness, and recognition to Cambodia. Using the publicity of World Heritage, the Cambodian government can promote the country's cultural and religious

significance and its development. Additionally, the Cambodian government can use the temple designation to influence international perceptions by publicizing an achievement over a centuries old dispute with a stronger Thailand. The triumph over the temple is emblematic of a once powerful Khmer Empire and Khmer culture. Cambodia's rich history could effectively be disseminated to a greater international audience to shape perceptions via the information instrument of power.

Firestorm Ignited

In addition to being a source of cultural pride, Preah Vihear was also a source of nationalism for the Thais. Between the time that Thaksin was overthrown and the election of Thaksin's proxy People Power Party in December 2007, political pressure from the opposition People Alliance for Democracy (PAD) party grew intensely and used the issue of Preah Vihear as a way of igniting Thai national pride that created a maelstrom of conflict against Cambodia. The People Power Party met significant resistance after the Foreign Minister of Thailand Noppodon Pattama signed a joint communique agreeing to Cambodia's listing of Preah Vihear as a World Heritage Site in 2008. The PAD depicted the signing as "a treasonous sell out of Thai sovereignty and used it to destabilize the pro-Thaksin government."⁷⁷ The PAD also accused Noppodon and Prime Minister Sumak of having sacrificed the nation's sovereignty for Cambodian business concessions.

Regardless of Thai domestic politics, Cambodia continued with listing Preah Vihear on the World Heritage List in July 2008. Cambodians celebrated as Thai tensions escalated against the People Power Party. The PAD movement generated enough support that in December 2008 they took over the government and placed Abhisit Vejjajiva as prime minister. Abhisit took a strong stance on Thai national sovereignty and territorial integrity, and the government adopted

“hawkish measures” against Cambodia.⁷⁸ The PAD government essentially stressed the relationship between Thailand and Cambodia through its unwavering stance on reclaiming Preah Vihear’s ownership and perceived Thai territory.

From Diplomatic to Military Instrument of Power

Soon after the listing of Preah Vihear to the World Heritage List, mounting escalation and protests from Thailand caused Cambodia to close the border between the two nations and use its military instrument of power to defend its territory. In July 2008, Cambodian and Thai military forces were mobilized into the Preah Vihear area despite condemnation from Cambodian Prime Minister Hun Sen. The military buildup resulted in an initial exchange of gunfire in October 2008 that killed one Cambodian and two Thai soldiers. Later that month, the smoke from another exchange of rocket propelled grenades, machine gun fire, and mortars clouded the temple site. The conflict remained relatively quiet for the following months until April 2009 when UNESCO conducted a reinforced monitoring mission at Preah Vihear as part of regular supervision of the World Heritage Site. The UNESCO team identified damage from both the exchange of fire between Thai and Cambodian soldiers and military occupation of the area. The UNSECO team was not involved with the dispute and only concerned with the management of the temple site, but shortly after the team departed, fire exchanged again after a dispute over access to the territory. The exchange left one Thai and two Cambodian soldiers dead.⁷⁹

Cambodia and Thailand accused each other of increasing troop numbers around Preah Vihear and at one point amassed nearly 8,000 troops stationed along the border area. Despite the conflict, the military leadership from both sides continued to try to settle the escalation of hostilities. Both sides came to an agreement that stated the troop presence in the disputed area would be reduced. Thereafter, exchanges of fire at Preah Vihear dropped significantly, and the

only altercation that occurred resulted from Thai protestors attempting to access and cross the border into Cambodia.⁸⁰

In February 2011, however, border skirmishes at Preah Vihear escalated again with several days of exchanging gunfire leaving six people dead and numerous others injured. Grenades and machine gun fire littered the sacred site. Each nation again accused the other of provoking the outbreak. The UN Security Council condemned the attacks, called for a ceasefire, and urged the two countries to “resolve the situation peacefully and through effective dialog.”⁸¹ UNESCO also sent a special envoy to meet with the prime ministers from Cambodia and Thailand to discuss safeguarding the World Heritage Site. UNESCO stressed that, in keeping with the Convention, parties to the World Heritage List must recognize that “such heritage constitutes a world heritage for whose protection it is the duty of the international community as a whole to co-operate.”⁸² The meetings had some effect, albeit short lived.

April 2011 brought a four-day exchange of fire at Preah Vihear that left one Thai soldier dead and eleven others injured. Authorities evacuated thousands of people in neighboring villages in an effort to minimize civilian casualties. This attack marked the fifth attack since the site was placed on the World Heritage List. The clash invoked more cross-border accusations and condemnation from both countries. Thailand accused Cambodia of bringing weapons to the temple site which violated a mutual agreement, and Cambodia accused Thailand of flying military aircraft deep into Cambodian airspace. The UN Secretary General Ban Ki-moon was initially optimistic about peaceful settlement but was dismayed about the recent clashes.⁸³

Conflict Intervention: ASEAN and the UN

The strategies Thailand and Cambodia employ towards reconciliation of the border dispute around Preah Vihear are markedly different. Cambodia prefers to use its diplomatic

instrument of power by seeking outside support with international bodies to settle the dispute while Thailand prefers to settle the dispute bilaterally. Thailand's Prime Minister Abhisit stressed that the border dispute is a bilateral issue and can be solved through dialog between the two countries, which is an effective approach for the stronger country. However, previous bilateral negotiations have been proven unsuccessful. Abhisit also argued that Cambodia has "repeatedly tried to internationalize the dispute by involving outside groups such as ASEAN and the UN."⁸⁴ The United States, China, the UN, and ASEAN have all expressed concern about the border conflict and potential effect to regional stability. Cambodia as the weaker country uses familiar diplomatic strategy in soliciting support from stronger actors to balance against Thailand.

In February 2011, Cambodian Prime Minister Hun Sen used his diplomatic instrument by asking for assistance from the UN Security Council in settling the dispute. The UN engaged and decided that ASEAN should mediate talks regarding Preah Vihear. As a part of ASEAN, both countries are signatories to the 1976 Treaty of Amity and Cooperation which commits them to reject the use of force and solve disputes between states peacefully.⁸⁵ Also, the ASEAN charter allows countries to request the support from the ASEAN chairman or ASEAN secretary general for "good offices, consultation, or mediation."⁸⁶ ASEAN planned for an Indonesian mediator and deployment of thirty unarmed observers to the temple site. Both governments agreed to ASEAN's plan, but the Thai military opposed the movement and stated that the presence of the observers could threaten Thai security.⁸⁷ Unfortunately, the diplomatic effort was unnecessarily negated by Thailand's military instrument. Essentially, ASEAN efforts were halted based on Thai military objection.

This objection prompted Cambodia to go further and use its information instrument of power and seek interpretation from the ICJ on its initial ruling over the ownership of Preah Vihear. Cambodia filed an application with the ICJ in late April 2011 to get an interpretation of the 1962 ruling. The court deemed the matter “urgent enough, and the potential risk of damage and renewed clashes sufficiently serious, that provisional measures were necessary.”⁸⁸ Thailand attempted to remove the request, but the ICJ rejected the motion. Judges ruled on the case in July 2011 and, with a vote of eleven to five, directed both sides to immediately withdraw military personnel and establish a demilitarized zone around the temple.⁸⁹ Additionally, with a vote of fifteen to one, the ICJ decided three critical issues: Thailand should not block access to Preah Vihear; both countries must cooperate with ASEAN and implement their mediation and observer plan; and both countries should refrain from activities that would aggravate the situation.⁹⁰ Despite the ICJ reiterating its decision on troop withdrawal in February 2012, both sides maintained a military presence, although violence had significantly diminished. The ICJ is scheduled to convene April 2013 where the court will interpret the decisions made in 1962. Their decision could potentially end or escalate conflict along the border near Preah Vihear.

Cambodia’s Use of its National Instruments of Power

Diplomatic Engagement

After Preah Vihear was nominated to UNESCO’s World Heritage list, diplomacy between the two nations began to fail. Thailand preferred to use bilateral talks to solve the dispute, but Cambodia chose to raise diplomatic engagement regionally and internationally. For Cambodia, it made sense considering the country lacked the economic and military backing in the event that bilateral talks escalated to greater armed conflict. Cambodia played its cards right in elevating the problem to both ASEAN and the UN. Using regional and international support

adds legitimacy to Cambodia, and it can use the move to publicize itself as the victim in the situation. Throughout history, Thailand considered Cambodia its “younger brother,” and Cambodia can use this analogy to its advantage and play the role of the protagonist against the antagonist Thailand.⁹¹ Additionally, previous bilateral negotiations regarding Preah Vihear have resulted in unsuccessful attempts at resolving the dispute. Continuous bilateral engagements yielded gridlock as the two sides could not decide on a mutually-accepted conclusion.

Moreover, the timing of the Preah Vihear dispute was more than circumstantial to the elections and domestic politics occurring in 2008. Cambodia’s Prime Minister Hun Sen exploited Khmer cultural heritage by using Preah Vihear as the backdrop to fueling support for re-election in Cambodia. On the other hand, Thailand used Preah Vihear as a symbol of nationalism and territorial sovereignty that the PAD used to garner support for its takeover in the same year. Both countries used the temple as means for short term political gains, which unfortunately cost lives and disruption between the two nations. Hun Sen used the situation to show his bravery by opposing a more powerful Thailand which helped him gain popular support. Popular support feeds the political base for Hun Sen since “Cambodians see Thailand as arrogant towards its small neighbor...Hun Sen scores easy political points for standing up against Bangkok.”⁹² Hun Sen was successfully re-elected that year. This “convenient little border war” helped his election results and with the proposed ICJ ruling in 2013, Preah Vihear could be the catalyst that ultimately decides who will rule the country after the elections later this year.⁹³

Conversely, Hun Sen meddled in Thai domestic politics during the Preah Vihear Temple dispute in 2008 and invoked a firestorm within Thailand. Diplomatic ties were essentially severed between the two nations when Cambodia refused to extradite Thailand’s prior Prime Minister Thaksin Shinawatra from Cambodia. Thaksin fled Thailand after he was ousted by the

military in order to escape imprisonment from corrupt land deals. Thaksin eventually ended up in Cambodia where Hun Sen appointed him as his economic advisor in 2009. Thaksin's appointment caused both nations to withdraw their ambassadors, and Thai Deputy Prime Minister Suthep Thaugsuban threatened to close the border between the countries.⁹⁴ The relationship between Hun Sen and Thai Premier and PAD leader Abhisit was cold at best.

However, 2011 brought a new face to Thai politics that eased tensions on the Preah Vihear situation. The Pheu Thai Party with close ties to Thaksin won the elections in 2011 and placed Thaksin's younger sister Yingluck Shinawatra as Prime Minister. Cambodia would benefit from a renewed relationship that faltered when Abhisit was in power. Through numerous visits to Phnom Penh, Yingluck diplomatically engaged Hun Sen and mutually agreed that observers should be allowed to enter the contested temple site and they would both honor the July 2011 ICJ ruling.⁹⁵ Relationships between the nations improved and, as one outcome, have resulted in relative stability along the border.

If conflict resurfaces, however, the Preah Vihear dispute may widen the peace gap between Thailand and Cambodia, but Cambodia's effective diplomacy with other powerful countries could strengthen its other instruments of power making its relationship with Thailand less significant. Cambodia's position in Southeast Asia has generated significant interest by two world powers: China and the United States. China's regional influence has shifted US policy as it engages in a strategic pivot to the Asia-Pacific region. The US wants greater influence through partnerships within Southeast Asia in order to offset China's engagement in the region. President Obama made "historic trips to Myanmar and Cambodia...Cambodia, currently the chair of ASEAN, is widely viewed as being in the China camp."⁹⁶ Cambodia stands to benefit from these engagements diplomatically, economically, and militarily if they can broker

agreements and support from the two world powers. Cambodia may be able to effectively engage these world powers to their benefit, but it could also play them against each other which could result in an alienated Cambodia.

Information Leverage

The Preah Vihear issue was not only of diplomatic importance, but it also served as a source of power used to invoke nationalism by leveraging the information instrument of power. Preah Vihear was publicized by both countries to promote varying degrees of nationalism, sovereignty, territorial ownership, proud cultural history, and ethnic dominance. It has also been the case within Thai and Cambodian politics that the temple could serve as a “narrative rallying people around the idea of territorial defense or ancient temples to provoke nationalist sentiment and popular support.”⁹⁷ Cambodia looks at its horrific and glorious past to inspire its people for a cause; the cause in this case is sovereignty. Cambodia has successfully used Preah Vihear as a source of nationalism and pride. Cambodia has successfully provoked the image that Thailand is the “bogyman” that has invaded Cambodia several times throughout history and destroyed the once powerful Khmer Empire.⁹⁸

The conflict invoked nationalism to a country that is inferior economically and militarily to its stronger neighbors. Cambodia’s has never been able to exert much influence on its neighbors, but propagandizing Preah Vihear allowed the country to build pride within its people. The Preah Vihear issue rallied Cambodians in 2008 when Hun Sen’s government received word that UNESCO granted Preah Vihear as a World Heritage Site; Phnom Penh erupted with dancing in the streets. The government capitalized on the situation and used its mass media outlets to broadcast the festivities across Cambodia.⁹⁹ Hun Sen was characterized as a hero based on his efforts to stand up against Thailand—a modern day David and Goliath story. Unfortunately,

Thailand used the same event to spark nationalist sentiment for support against Cambodia's claims and provoked a buildup of military forces along the border. However, Hun Sen enjoyed the revelry since it diverted attention from his opposition party campaigning against him.¹⁰⁰ Essentially, Preah Vihear had unified the population. Cambodians even generated tremendous support in terms of donating cash and food to frontline forces stationed along the Preah Vihear border area.¹⁰¹ The government played on growing support and officially organized "a 'Day of Anger' against Thailand...in an effort to strengthen feelings of patriotism."¹⁰²

On the other hand, once the tensions changed with the election of Yingluck Shinawatra, the Cambodian government looked to further capitalize on public engagements between the two countries and quell the border dispute. Cambodia engaged the new Thai government, and Hun Sen promoted, encouraged, and televised a soccer match between the two nations to build upon friendship. The match was a combination of diplomacy and information leverage. The game was in Phnom Penh, attended by 3,000 Thai and tens of thousands of Cambodian spectators.¹⁰³ The event was widely televised in both countries. Political researcher Pavin Chachavalponpun from the Institute of Southeast Asian Studies in Singapore stated, "Thais who remained at home were paying close attention to the match...the match showed that suddenly, Thai-Cambodian relations have improved so much, and that the domestic situation in Thailand is the determinant factor in this relationship."¹⁰⁴ Cambodia characterized itself as the innocent bystander to an aggressive Thailand, extended the olive branch, and successfully played the role as the broker of peace between the two nations.

That peace is sometimes interrupted by PAD leadership that continues to contest the Preah Vihear claims. Despite not being in power, Abhisit continued to provoke sentiment against the renewed cooperation between the two nations in January 2013. Abhisit made

comments in the *Bangkok Post* that called for the government to issue a statement against Cambodia's ownership claim at the ICJ and to say nothing would put Thailand at a disadvantage.¹⁰⁵ Hun Sen responded in kind in *The Cambodia Daily* by stating that the benefits between the new Thai government and Cambodia is peace and development along the border and questioned as to what disadvantages Abhisit referred to.¹⁰⁶ No response was provided.

Cambodia's Preah Vihear strategy has also influenced the Thai government to adopt an informational campaign to settle tensions and sway opinion with the public. There are currently far less emotions concerning Preah Vihear among Cambodians who consider the ownership a "done deal" after the 1962 ruling.¹⁰⁷ Cambodians feel that the issue is not Cambodia-specific but more related to politics in Thailand.¹⁰⁸ However, Thai politics have caused significant tension involving the temple issue. Yingluck Shinawatra has engaged the population by asking Thais to "please demonstrate in a peaceful manner and don't politicize it to put pressure on the government."¹⁰⁹ Additionally Yingluck established a team to specifically handle the Preah Vihear issue. The new public relations team was organized to promote better understanding of the Preah Vihear dispute and the government's engagement with Cambodia among the population.¹¹⁰ These informational efforts, sparked by a rekindled Cambodian friendship, could help distinguish the fervor amongst PAD nationalists.

Consequently, the Preah Vihear dispute actually strengthened Cambodia's ability to leverage its informational instrument power. Preah Vihear ignited a sense of nationalism and pride within the Cambodian population that was enabled by the government's use of media. Even though the dispute was used for domestic political gains, it was successful in its aim of garnering public support and the subsequent re-election of Hun Sen. Also, internationally televised events such as the soccer match attended, played, and watched by both Cambodians

and Thais helped rekindle the relationship between the two countries. Furthermore, Thailand's public relations engagement shows the effects Cambodia had in promoting peaceful reconciliation and understanding between the nations.

Economic Cooperation

In terms of economics, the Preah Vihear dispute seemed to have little to no impact between Thailand and Cambodia. Only one event during the period after Cambodia nominated Preah Vihear to the World Heritage List in 2008 was a cause of worry. Cambodia was concerned about pressing the Preah Vihear issue in a way that would hinder economic cooperation with Thailand. Thai and Cambodian economic elites were heavily invested in casinos and special economic zones on the border and the Preah Vihear dispute could derail further cooperation.¹¹¹ Previous to 2008, Cambodia engaged in the development of special economic zones that took advantage of cheaper utilities across borders and provided tax breaks and special services to investors to boost competition and spread development around the country.¹¹² However, as tensions rose with the hiring of Thaksin as Hun Sen's economic advisor, Thai Premier Abhisit in 2009 ordered a review of infrastructure projects in Cambodia worth \$42 million in loans, decided to put all talks and cooperation programs on hold, and revoked an oil and gas exploration agreement signed during Thaksin's power.¹¹³ Conversely, the move had little effect on Cambodia who responded by stating that it "will no longer need economic assistance from Thailand."¹¹⁴ The move was potentially supported by Cambodia's growing reliance on its burgeoning economic relationship with China.

Despite the ongoing Preah Vihear dispute and moves by Abhisit, the countries continued to experience economic cooperation. Cambodia and Thailand, along with other neighboring countries, maintained active economic engagement and are becoming "increasingly

economically integrated.”¹¹⁵ Economic integration is part of Cambodia’s strategic plan to further invest and develop in building the nation. In its 2010 National Strategic Development Plan,¹¹⁶ Cambodia stated that:

The Royal Government will make significant strides at the free movement of goods and services within the country and her trade partners. [It] will actively participate in implementing strategy focused on cross-border investment development, cross border transportation, and investment along the borders.¹¹⁷

The broad strategic guidance mirrored the engagement that Cambodia has participated in despite tensions with Thailand. In fact, bilateral trade volume between the two has increased thirty-five percent since 2010, making the Preah Vihear dispute seemingly inconsequential to the economic cooperation between the two countries.¹¹⁸ In 2012, Cambodia and Thailand strengthened their economic ties further by signing bilateral investment agreements. These agreements extend reciprocal national treatment to investors, taxation rules, guarantee repatriation of investments, arbitration for settling disputes, and protection of intellectual property with Thailand.¹¹⁹ Cambodia continued to effectively utilize its economic instrument of power in concert with diplomacy with Thailand despite the conflict.

Since eruption of the temple dispute in 2008, economic growth was positive in Cambodia. In fact, the nation had experienced positive growth since 1998, eclipsing ten percent per year. However, 2008 brought a decline to growth, but it still measured positive and hit between six and seven percent per year through 2012.¹²⁰ The decline was not due to the Preah Vihear conflict, but instead was due to the worldwide economic collapse that occurred in 2008. The only noted decline based on Preah Vihear was tourism, which suffered from both global economic effect and the conflict along the border.¹²¹ Overall visitors to the Preah Vihear Temple dropped fifty-nine percent from 85,000 in 2008 to 34,500 in 2009.¹²² Foreign tourist numbers saw more dramatic declines of eighty-three percent from 30,000 visitors in 2008 to 5,050 in

2009.¹²³ However, recent de-escalation of tensions between Thailand and Cambodia and World Heritage distinction brought a climb in tourism at Preah Vihear. The site attracted nearly 100,000 visitors in 2012, up seventy-nine percent from 2011 numbers.¹²⁴

Furthermore, Cambodia's strategic location in Southeast Asia has attracted investment from other international and regional powers that had little concern about the Preah Vihear conflict. Cambodia currently occupies a viable economic space between the manufacturing economies of Vietnam and Thailand. The country is close to the Straits of Malacca and has a significant transportation waterway in the Mekong River. Its future could reveal a logistical hub for movement of good in and through Southeast Asia. The United States wants to bring foreign investment into Cambodia, especially in infrastructure development. The United States' pivot to Asia does not only involve security concerns, it also involves economic involvement in which U.S. State Department Representative for Commercial and Business Affairs Lorraine Harlton stated, "in order for us to be successful in the long term, we have to be economically involved in the region."¹²⁵ American firms should look at infrastructure deals in Cambodia and invest in projects such as power plants and airports.¹²⁶ Investment opportunities in Cambodia have not dried up since the outbreak of the Preah Vihear conflict, instead it has increased and Cambodia's geographic location has attracted big investors into the country.

Thailand's claim to Preah Vihear and its follow on threatening actions have partially caused Cambodia to look elsewhere for support. Cambodia was able to use its geographic location and diplomacy to strengthen its economic instrument of power when it engaged China for investment opportunities. China's importance as a trade partner to Cambodia has risen over the past few years and became Cambodia's largest donor, investor, and trade partner—trade with China reached \$2 billion during the first half of 2011.¹²⁷ For comparison, in 2012 China invested

\$250 million while the United States invested \$10.9 million.¹²⁸ China supplies grants and loans to Cambodia targeted at infrastructure building by way of bridges, highways, and hydro power plants. Cambodia prefers to work with China because Hun Sen characterized the loans received from China come with “no strings attached.”¹²⁹ Economic interdependence with China could actually cause negative effect with Thailand in the future. Cambodia may look at China more often for economic partnerships rather than steering business towards Thailand.

Overall, the Preah Vihear dispute had little effect on Cambodia’s economic instrument of power. Economic cooperation between Thailand and Cambodia has flourished. Additionally, Cambodia has been able to extend its reach by effectively engaging China for economic support, further strengthening its own instrument of power. The United States, in an effort to balance the growing Chinese influence has also engaged Cambodia and invested in the nation. Cambodia may again find itself in the center of contention between several countries as they attempt to sway Cambodia to favor one or the other. Cambodia could enter into alliances of convenience to support both and revel in the benefits. However, the relationships could backfire and cause Cambodia to become a proverbial battleground between world powers as it was during the Second Indochina War. The relationship with Thailand could essentially be a sideshow to Cambodia’s engagement with China and the United States. Inconsequential to Preah Vihear, Cambodia’s economy has prospered.

Military Initiatives

Cambodia met an unexpected consequence of listing the Preah Vihear Temple as a World Heritage Site. Protests from PAD members massed near the temple after the site was approved by UNESCO prompted military buildup of forces at the border. The Thai military presence was “under the pretext of ensuring the protesters safety.”¹³⁰ Years later after prolonged presence of

Thai and Cambodian forces along the border, Cambodian Deputy Prime Minister Hor Namhong accused Thailand of not wanting to settle the dispute peacefully and their aggressive actions were “a pretext for using its larger and materially sophisticated armed forces against Cambodia.”¹³¹

Cambodia lacked the necessary military might to thwart a more powerful and Thai military.

However, the Preah Vihear dispute has somewhat strengthened Cambodia’s military instrument of power. The affair provoked the military elite in Cambodia to act in solidifying resources to protect their borders. Military leadership successfully launched a conscription campaign to recruit additional forces, landed funding for building soldier villages across the border, and received a larger share of the 2009 budget.¹³² Despite being militarily inferior to Thailand, Cambodia used the Preah Vihear dispute as another opportunity to help build its military instrument of power.

Additionally, the temple dispute did not cause an invasion from Thailand. This can be seen as the Cambodian military successfully deterring further conflict from the border. Casualties were not one sided, nor was there any Cambodian territory lost during the quarrels. The Preah Vihear conflict “allowed the government to prove its ability to defend the country’s sovereignty.”¹³³ Regardless of Thai superiority, the lack-luster Cambodian military was able to contain the threat and keep the situation from escalating into Cambodian territory or greater violence.

The presence of the Thai military along the border around Preah Vihear was partially responsible for Cambodia’s move to develop, build, and modernize its armed forces. The conflict at Preah Vihear affected Cambodian defense priorities by marking border security as “one of the top security threats for Cambodia.”¹³⁴ Cambodia’s military instrument of power may be weaker in comparison to Thailand, but the events around Preah Vihear to some extent helped

energize a campaign of building Cambodia's armed forces. Cambodia may still need support from partners around the world, but it has placed a stake in investing in its own military security.¹³⁵

Preah Vihear has also caused a greater rift in cooperation between Thai and Cambodian militaries, but Cambodia has successfully engaged and been approached by other nations for military support despite the conflict. Thai and Cambodian militaries have engaged in cooperative talks since 2000, but those have turned cold over the previous decade. However, Cambodia's military relations with China and the United States have grown regardless of the dispute. China is building Cambodian partnership capacity and expertise by offering training courses and providing military equipment and materials.¹³⁶ In 2010, China donated over 250 jeeps and trucks to the Cambodian Armed Forces and pledged to provide 200 patrol boats to the country's navy.¹³⁷ In 2013, China will be donating twelve helicopters to Cambodia and has also agreed to provide training to the Cambodian military. On the other hand, the United States, a traditional ally and military partner with Thailand, has also engaged in military cooperation with the Cambodian military through its Global Peace Operations. The United States donated surplus military equipment and conducted three multilateral exercises in Cambodia called Angkor Sentinel.¹³⁸ Angkor Sentinel includes planning and executing a command post exercise, engineering civic action projects, and executing a medical civic action program.¹³⁹ The exercise, similar to China's intentions, aims at building partnership capacity and military readiness within Cambodia.

Adding to military readiness, the two sides are preparing for the outcome of the April 2013 ICJ decision on Preah Vihear. Through February and March of this year, both Cambodia and Thailand have scheduled exercises as a show of force to the other side. Thai Army Chief

Prayuth Chan-ocha responded to an inquiry by the *Bangkok Post* about what the Thai Army will do in the event of an unfavorable outcome by the ICJ with; “We the soldiers are ready...that’s [our response is] entirely up to the government...we will withdraw the troops, or if we opt for war.”¹⁴⁰ Cambodia’s Defense Minister Tea Banh responded, “We are to cooperate more under the ASEAN economic community framework, there is no reason to use force...We should look on the bright side that the court is fair and there will be no war.”¹⁴¹

The Preah Vihear conflict has tested the militaries on both sides and, despite being weaker, Cambodia was able to some degree use the Preah Vihear conflict as a means to generate greater support and development of its military. Cambodia used its military instrument of power to the best of its ability by negating greater escalation in the border region with Thailand. Additionally, insignificant to the Preah Vihear situation, Cambodia has successfully engaged militarily with China and the US. Consequently, the temple has partially affected Cambodia’s focus on strengthening its military instrument of power. The Preah Vihear dispute has both directly and indirectly influenced Cambodia to engage in building vice collapsing its military.

Cambodia’s Challenge to Paving a Path to Peace

Preah Vihear has tested the capabilities of Cambodia across the range of its national instruments of power. Cambodia is a relatively weak country compared to Thailand in terms of military power, economy, and development but was able to mitigate the threat, neutralize escalation, and bridge peace with Thailand. It is evident that throughout history, Thailand has been the aggressor against Cambodia. However, Cambodia’s skillful use of its instruments of power has largely proven to be successful against Thailand, but the ultimate test is still to come.

Future Implications

If the ICJ rules in favor of Cambodia in April 2013, nationalist sentiment in Thailand will rise and domestic politics may force the government to act. The ruling could have grave consequences to the burgeoning friendship between the nations and potentially damage what has been built over the past couple of years. An escalation of tensions and potential war would destabilize the region. The Thai government could generate significant domestic support for war, but it could be condemned internationally as it would be seen as the aggressor in the conflict. While Cambodia honors a favorable decision, Thailand could potentially lose economically to other regional and international players. China and the United States' growing influence in Cambodia may make the Thai-Cambodian relationship inconsequential. Additionally, Cambodia could look towards Vietnam for increased relations, which would place Thailand at a significant disadvantage.

If the ICJ rules in favor of Thailand, Cambodia will not have the effective means to militarily react to the situation. The judgment will cause an outcry amongst the population and condemnation by Hun Sen, but Cambodia will only be able to effectively use its economic, informational, and diplomatic instruments of power against Thailand. Although greater attention was placed on Cambodia's armed forces, it still requires much maturing before it could counter Thailand's military. Economically, Thailand still could lose a great deal since the countries are becoming more integrated. Cambodia can rely on other investors such as the United States, China, and Vietnam and potentially alienate Thailand.

However, Cambodia has to be careful to not become a proxy between the United States and China as it has been between Vietnam and Thailand. Also, the growing influence, especially with China, has caused serious concern amongst the ASEAN members. China has gained

Cambodia's favor and their relationship is a source of contention amongst ASEAN. As an example, ASEAN is seeking a unified approach to the South China Sea territorial dispute, but it has been unable to reach consensus because of Cambodian support to China in the situation. Cambodia could find itself alienated from the greater ASEAN community in the future if it continues with its "no strings attached" support from China.

Recommendations

Regardless of the ICJ ownership decision, Cambodia and Thailand should foster a joint relationship with regards to the management of Preah Vihear. The temple should be jointly administered between the two nations with specified responsibility for the upkeep and maintenance of the historic temple. The countries could potentially enjoy mutual economic benefit and increase cross border relations based on a bilateral venture. The temple would serve as a free zone for tourism that allows reciprocal benefits such as free crossing and no visas required for citizens and tourists. The development could go further and be similar to how the Niagara Falls is used as a joint tourist destination between the United States and Canada. Both countries stand to benefit from managing the site and building the area together as a destination spot in Southeast Asia. The joint venture could also further strengthen relationships between the two countries.

Conclusions

Preah Vihear, a religious sanctuary that is supposed symbolize peace has caused significant turmoil between Cambodia and Thailand. The temple and ensuing conflict based on historical enmity has partly fueled foreign relations between the two countries for the past hundred years. However, the dispute highlighted Cambodia's capability of successfully using its national instruments of power. Cambodia was effective in engaging Thailand regarding the

dispute, and the conflict also allowed Cambodia to look elsewhere to engage other world powers such as the United States and China. The Preah Vihear conflict has actually produced more positive effects than negative effects for Cambodia.

However, Cambodia must approach its relationships and use of its instrument of power with caution. China may offer greater support, but Cambodia cannot be blind to China's intent of using the country to project Chinese power. Additionally, the relationship with Thailand is important for regional stability and prosperity due to the geographic relationship between the nations. An area measuring 4.6 square kilometers and a sacred temple should not invoke war and tumult between the nations; it should be a symbol of a shared heritage and deep cultural linkage between Khmers and Thais. However, a long history of bitterness is difficult to overcome in a few short years.

Notes

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