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## Coercive Localization in Southwest Vietnam: Khmer Land Disputes and the Containment of Dissent

In early 2007 a bus pulled out from the village of Kot Ampeul. On board were several dozen residents of this large Khmer settlement beside Vietnam's border with Cambodia. The harvest had just ended and the passengers were exultant. They had been discussing publicly their plans to hire a bus and go on an extended sightseeing tour. Buses like theirs were plying the roads of this mountainous region carrying domestic tourists to its pilgrimage centers, scenic beauty spots and sites commemorating the battles of the Indochina wars.

The bus joined the traffic and made its way past several local attractions without stopping. It drove through the district capital and the provincial capital without pause. Crossing the Mekong River it turned and headed for Hồ Chí Minh City, some 300 kilometers away. When the bus got to the southern office of the Vietnamese Prime Minister on Lê Duẩn Street, the passengers descended to the footpath and unfurled a red banner bearing prominently the words "Land Dispute." Several of the group went to the front gate of the large compound and asked the guards for permission to submit a folio of petitions to a representative of the Prime Minister. Gaining assent from the guards, they stepped inside.

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The people of Kot Ampeul were among the first group of Khmers from the border districts of Tri Tôn and Tịnh Biên in An Giang Province to present to the national authorities evidence of their long-running land dispute with local landowners and authorities. Like dozens of Khmer villages in its vicinity, its residents had suffered greatly during the Vietnam-Cambodia border war of the late 1970s. The majority of them had been compelled by Khmer Rouge troops in the late 1970s to relocate to Cambodia where many of their relatives and neighbors had perished from hunger and mistreatment. In the late 1980s, after struggling against bans on resettling in their home villages, they eventually returned home to find their stilt houses demolished, their Buddhist temples occupied by the army, and all their land taken over by Vietnamese squatters. They asked the local Vietnamese authorities for their land back, but only a small proportion was ever recovered. Over the next two decades they repeatedly petitioned authorities at the village, district and province levels to help them recover their land, but the requests were refused.

In 2007, when residents of Kot Ampeul resolved to submit their petitions directly to the office of the prime minister, they knew they had to keep their plans secret. Over the previous seven years, they had observed numerous attempts by Khmer people in neighboring villages to present similar petitions to the provincial and national authorities. They had also witnessed the determined measures employed by the local police to prevent the petitioners from reaching their goal. Petition organizers knew that if the local authorities found out they were planning to petition the national authorities, they would have prevented it as well. The organizers found perfect cover for their illicit trip in the increasing popularity of tourism in their local area. Domestic tour groups passed their village each day to visit the national memorial to the 1978 Khmer Rouge massacre of Vietnamese in the neighboring village of Ba Chúc. The organizers rented a bus saying they wanted to go touring as well. Through this means, at the height of the 2007 tourist season, a busload of petitioners was able to get away from Kot Ampeul undetected and make it to Hồ Chí Minh City.

Initially it seemed that, thanks to this ruse, they had scored a great victory. One of the petitioners told me that the central authorities considered the request and issued instructions for 100 percent of the land that had been

taken from them to be compensated by the local authorities. However, three years after returning from Hồ Chí Minh City, little had been done to implement the central directive:

The response of the local authorities was to compensate the petitioners for only seven tenths of what we had lost and we had to be satisfied with that. Not all the people got this much, mind; the rest had to be content with the few thousand square meters of land they had managed to recover. And this was terraced rice land only. Very little of our *chamkar* land<sup>1</sup> was recovered and none of our land on the mountain slopes.

Meanwhile, a rumor circulated among Vietnamese of the district that the petition-lodging exercise had been a devious plot. A few bad elements with land claims that had no merit had duped their fellow villagers into going with them to Sài Gòn. They knew that their claim would get more attention if it appeared to involve a large number of people. So, the story goes, they tricked their neighbors into leaving with them, promising them a sightseeing tour to lure them into what turned out to be a petitioning expedition. One could only feel sorry for the gullible petitioners; it would be wrong to blame them for their unwitting involvement in this mischievous scheme, which defamed the state and undermined security in the borderlands area.

This strange episode in the political life of the Khmers of An Giang took place some thirty years after the outbreak of the Vietnam-Cambodia border war, a conflict whose wounds remain unhealed and its story largely untold. What is known about this conflict are the repeated incursions across the border by Khmer Rouge troops and their massacre of Vietnamese civilians in 1977 and 1978. Also documented are the several cross-border incursions by Vietnam's own army and its occupation of Cambodia from early 1979 to the late 1980s.<sup>2</sup> Little is known about the impact of the war on the Khmer population of Vietnam. Few are aware that the Khmer Rouge implemented a forced transfer of many thousands of Khmers from Vietnam to then Democratic Kampuchea and that to this day many have been unable to return home. Nor is it widely known that the Vietnamese army responded by transferring all remaining Khmers away from the border. For several years, Khmers were not allowed to reside in the border area while Vietnamese had relatively free reign to occupy their land. The local and national

governments have been slow to reverse the large population and land transfers that took place between 1975 and 1990, and compensation efforts have not proven acceptable to a great number of Khmers rendered landless in the process.

This essay focuses on the most recent phase of this history, describing how Khmers of An Giang were frustrated in their attempts to recover land taken from them by Vietnamese settlers.<sup>3</sup> Despite the idiosyncrasies of their case, their story has parallels with the situation of the indigenous people of the Central Highlands, Khmers elsewhere in the Mekong Delta, and those living in strategic or resource-rich frontier areas targeted by the state for development. Their story is about a group of indigenous landowners with long ties to their region who have been overwhelmed and rendered landless by processes of explosive migration, development and land commoditization. Numerous obstacles lay in the way of their efforts to recover their land. These obstacles ranged from the exercise of stubborn incumbency and force by those occupying their land, to less tangible processes of authentication and narrative that preferentially accorded tenure to the new generation of landholders. Indigenous landowners' inability to gain assistance from local authorities in recuperating their land reveals the nature of a local state that has been more responsive to claims made in the name of kinship, ethnic and political solidarity, and mutual financial benefit, than to those made in the name of precedence, prior ownership or indigenous entitlement.

The attempt by residents of Kot Ampeul to resolve their plight promises to add to our knowledge of how people who have been marginalized by Vietnamese frontier expansion have reacted to displacement. We know from research on peoples the Vietnamese government refers to as "ethnic minorities" that the responses have included armed rebellion, involvement in ethno-nationalist political movements, religious conversions, "escape" from the frontier, transnational activism, and the reinforcement of ethnically or religiously imagined boundaries between themselves and the ethnic majority.<sup>4</sup> Yet, the response to marginalization adopted by Khmer people of the Vietnam-Cambodian frontier was quite different. It involved the attempt to intensify their contacts with the state, to engage with local officials and seek the central authorities' intercession. This article shows that concerted efforts to engage with the state and draw it into local orbits need to be counted

among the several strategies that Vietnam's minority peoples have adopted as a response to marginalization.<sup>5</sup>

However, persistent attempts by Khmer land claimants to seek adjudication from an impartial referee were greeted with hostility by local authorities and rival citizen groups, who used coercion, incentives and discrediting narratives to prevent disgruntled Khmers from gaining the ear of national authorities. Hence this case suggests that the state of Vietnam is being refigured in contestations between competing social forces. As a weapon or idea that can be captured by a plurality of interested actors, the Vietnamese state is not a monolith. Its components may be exhorted to act against each other in response to the entreaties of rival stakeholder groups. In turn, the degree to which political agency is officially endorsed or alternatively discredited cannot be determined solely by analyzing the inherent values or priorities of the state. Instead, as evidenced by the rumor dismissing Kot Ampeul petitioners as dupes, the legitimacy accorded to political action also reflects the extent to which those who engage in such acts have command over the state and its coercive and ideological resources. Thus, this essay documents how the Vietnamese state, long seen as champion of the marginalized, is fracturing along social lines, potentially very much to the detriment of the poor and the weak.

## Background

At least 1.3 million ethnic Khmers or Khmer Krom live in the Mekong Delta. They speak Khmer, practice Theravada Buddhism, venerate *neak ta* spirits, and their ceremonies, customs and art forms are very similar to those in Cambodia. They are proud of their unique Khmer heritage, but also have been affected by the development policies of successive Vietnamese governments. Most now speak Vietnamese as a result of their interactions with Vietnamese immigrants and authorities. The habitats that Khmers occupy in Southern Vietnam are varied and include the coastal plain, saltwater and freshwater rivers, mountains and sloping uplands. The livelihoods, cosmological schema, senses of belonging and histories of interaction characteristic of the Khmers in each of these habitats are also significantly diverse.<sup>6</sup>

Here, I focus on the Khmers living in a mountainous region along the modern Vietnam-Cambodian border in today's An Giang Province, the area

known in Khmer as Moat Chrouk. The Khmers of this region are clustered around a group of small mountains that rise from the floodplain of the Mekong River. Their settlements are situated on the high land at the foot of the mountains that protect them from floods and provide year-round access to fresh spring water. They traditionally made a living from growing rain-fed rice in terraces on the alluvial apron and floating rice in the floodplain, cultivating gardens at the bases of the mountains, and harvesting the resources of the forested slopes. There are some sixty Khmer villages in this area, each with its own Theravada *wat*.

Long isolated from other Khmer Krom by the high floodplain of the Mekong River, the main interactions of these mountain dwellers traditionally were with Khmer settlements, also situated around mountains, just across the border in today's Kirivong District. They were drawn into violent encounters with the outside world during the First and Second Indochina Wars, when they were conscripted by the different sides and their communities were torn apart by bombing, refugee movements and forced relocation into strategic hamlets.<sup>7</sup>

Even more severe were the dislocations they suffered during the Vietnam-Cambodia border war of the late 1970s (described in Vietnam as the Southwest War and by international scholars as the Third Indochina War). Khmer Rouge cross-border military operations in An Giang included shelling, small-scale engagements with the Vietnamese army and, most notoriously, the massacre of over 3,000 Vietnamese civilians in the town of Ba Chúc in April 1978. However, their most concerted action was to abduct and induce to relocate to Cambodia some 20,000 Khmer residents of An Giang.<sup>8</sup> Many of the Khmer Krom who left their settlements at this time were compelled by Khmer Rouge cadres' depictions of Democratic Kampuchea as a land where Khmers enjoyed protection from Vietnamese mistreatment. Most had no choice, however, and were driven across the border at gunpoint by Khmer Rouge troops. Up to half of the relocated Khmers perished in Cambodia as a result of their subjection to a regime of heavy labor, inadequate rations and harsh discipline. Locals continue to debate why the Khmer Krom followed the Khmer Rouge to Cambodia, with some construing them as easily misled dupes or as willing recruits animated by ancient hatred for the Vietnamese, while others stress the role played by

violent intimidation. The evidence suggests that these population movements took place as a combined consequence of Khmer Rouge coercion and persuasion in a climate of war-induced terror and significant mistrust between local Khmers and the new Vietnamese state.

There has been much puzzlement and debate locally about why the Vietnamese army was unable to prevent the Khmer Rouge infiltration or protect local Khmers and Vietnamese. The speculative explanations for Vietnamese official inaction include the army's incapacity; its reluctance to provoke retaliation from China (then the major patron of the Khmer Rouge); the pretext that the Khmer Rouge attacks gave Vietnam to invade Cambodia; and the fillip that the mass abductions gave to Vietnam's alleged long-term plans to ethnically cleanse the borderlands of Khmers. In mid-1978 the Vietnamese army finally reciprocated by gathering all remaining Khmers from the border districts and relocating them to the eastern Mekong Delta, where they were to stay for up to several years. Local Khmers who were deported to the east remain unsure whether the purpose was to rescue the Khmers, collectively punish them, or neutralize them as a threat to national security. The deportees suffered from severe hardship and deprivation in exile, receiving inadequate state support for establishing themselves in their new homes. A lingering effect of this measure was the doubt it raised in Khmer people's minds about the Vietnamese state's commitment to protecting the Khmers of the Mekong Delta.

While the Khmers were away, the Vietnamese army occupied and administered the border districts. Along with the local civil administration and front organizations, the army used Khmer temples as headquarters. With the plains converted to state farms and co-operatives, the borderlands became a thoroughly etatized Vietnamese space. The army oversaw a dualistic residence regime whereby ethnic Khmers were strictly excluded from returning while ethnic Vietnamese were granted permission to remain in the borderlands and to migrate there. Khmer land was divided among Vietnamese migrants by the state. However, the failure of collective farming from 1978 to the mid-1980s triggered a rush to clear and colonize the foothills and slopes of the mountains. This movement of illegal encroachment, enclosure and privatization of the mountains was accompanied by the systematic looting of Khmer houses and temples. Khmers began to filter home from the

eastern delta during this period, autonomously and without state support. However, the efforts of local Khmers to return from Cambodia were aggressively blocked by Vietnamese residents and authorities; violent conflicts boiled over in the 1980s, with the returning Khmers accused of being Cambodian citizens and Khmer Rouge, and having taken part in massacres of the Vietnamese.

Khmers won permission to return home from Cambodia in the mid-1980s, just as the Vietnamese government was launching its program of decollectivization. The aim widely attributed to this national policy was to restore collectively-farmed land to its prior owners. However, there were a variety of reasons the returnees were unable to recover their land from the people residing on it and farming their fields and gardens. One was sheer incumbency. In some cases, the new occupants were unable to relocate because there were no alternatives. But in many cases they refused to move because the land they occupied was so valuable. Another impediment Khmer people faced was the inability to authenticate their ownership claims. Owing to the circumstances of the border war, many had lost their title documentation. At the same time, the authorities refused to accept customary methods of validating ownership, which relied on mutual validation of title by neighbors. These customary authenticating methods also lacked efficacy due to the intense churning of the local population in the war and post-war years. Khmer claims to have once cultivated gardens and orchards on the mountains were vigorously rebutted by Vietnamese settlers who asserted that the vacated land had been virgin forest prior to their own arrival, and that Khmers had no experience in mountainside farming or planting orchards or gardens. Efforts by the Khmers to re-occupy their land by force were more than evenly matched by aggressive counter-actions by the new occupants, acting in concert with the authorities, to debar Khmers from setting foot on their former land.

Over the course of the next two decades, Khmers made repeated appeals to the local authorities to help them regain their occupied land. Such approaches bore little fruit. One reason for this was that local officials were unable to assist them. The state in this era was entirely staffed by Vietnamese. The officials lacked a common language to communicate with indigenous locals and Khmers were unfamiliar with how the Vietnamese government

worked and didn't know how to influence it. But the authorities were also unwilling to help Khmers regain their land because as Khmers pointed out, in many cases it was the officials themselves who had taken it over. Much of this land was transferred to the relatives of officials, and since the officials were not drawn from local Khmer society, Khmers did not benefit from the widespread practice of reallocating land to the kinsfolk of officials.

Another major deficit Khmer land claimants faced was their lack of political intimacy.<sup>9</sup> When they made appeals to the state for adjudication, returnees from Cambodia found their loyalty and citizenship credentials questioned by officials and rival land claimants who portrayed them as Khmer Rouge collaborators, traitors or foreigners. It was not so much their ethnicity that was at issue as their political allegiance, for over this time Khmers who had been relocated by the Vietnamese state to the eastern delta were able to make some progress in recuperating their land and many were trusted enough to work for the government, a position that enabled them to consolidate their land holdings. Also significant was the power of money. By the 1990s people were able to use cash payments to induce local officials to prepare official title documents for their dubiously acquired land. But paying officials to manufacture land titles was out of reach to the vast majority of Khmers at a time when most of them lacked sufficient land for their own subsistence and were in dire poverty.

This compressed review of local history brings us to the events explored in detail in this essay, the attempts in the 2000s by local landless Khmers to engage national authorities in the resolution of their dispute with local landowners and authorities. Two last pieces of contextual information help set the scene. The national government by this time was making major efforts to assist ethnic Khmers living in remote and rural regions such as this, wielding a suite of policies aimed at rural development: agricultural intensification, electrification and water provision, poverty reduction, free social housing, cheap loans, and improved access to Vietnamese state schooling. Their efficacy can be measured in terms of increased school participation, productivity, trade, and household expenditures. However, the negative effects of these policies on the Khmers include rising levels of indebtedness, distress land sales, landlessness, chemical contamination of the resource base and

loss of pride in local Khmer culture. The major social development of this period was the abandonment of agriculture by thousands of local Khmer youth and their departure for factory and service labor in the Vietnamese-dominated industrialized northeast of the Mekong Delta.<sup>10</sup>

### Coercive Localization

By the end of decollectivization in the late 1980s, it was clear to the Khmers who had returned from Cambodia that the government was not going to help them regain the land taken from them in their absence. The essence of the problem they faced was lack of access to a sympathetic adjudicator. The local state was embroiled in a set of collusive relationships with the new occupants of their land. Petitioning the local authorities for assistance proved to be futile because the local state essentially had been captured by interests hostile to their own. However, there was another option. If the local authorities would not recognize their claims, they could seek a hearing from a more sympathetic arbitrator. Over the next twenty years, dispossessed Khmer landowners were to pursue a new strategy of seeking justice by going over the heads of the local state.

The first instance I have been able to establish of this strategy being used took place in 1991. One of its leading figures was born in 1958 in a village in Tịnh Biên district around eight kilometers from the Cambodian border. Her parents came from the district. Her father had served as a soldier for France. Theirs was a reasonably wealthy family who in 1975 had owned over ten hectares of land on the mountain slopes, the rice terraces and the floodplain. She had just a few years schooling. Like most Khmer Krom women of her generation she has only basic literacy in Khmer and to this day does not speak Vietnamese well. In 1978 she was captured by the Khmer Rouge army during a cross-border raid and taken to Tram Kok, Takeo. There she was forced to undertake hard labor for nine months until the Vietnamese army occupied Cambodia. She was not allowed by the Vietnamese army to return to reside in her home district but instead was relocated to Sóc Trăng for a number of years.

Then only 21 years old, she distinguished herself as an irrepressible protestor. She protested her family's forcible relocation to the province of Sóc Trăng and was threatened by local officials with a second deportation to

Cambodia. Then she was among the first in her district to defy orders and return home to her village. There she faced violence and threats from the Vietnamese people who had occupied her village, and hid from the authorities when they came to evict her. She took an active part in protests in 1986 to reclaim land that had been taken over by Vietnamese, but her family only managed to regain scarcely one hundredth of what they had once owned. She was respected by Khmer people of her district as a brave leader in their struggle to re-establish their tenure in their home villages. She was known to the provincial government, whose representative once visited her home to discuss the local Khmer situation and demands.

By the early 1990s Khmers had regained some of their former rice terrace land but none of their land on the floodplain and mountain slopes. Then in 1991 an opportunity presented itself to make their plight public. King Sihanouk had just returned to Cambodia after the Vietnamese withdrawal. Locals had high hopes that he might be able to intervene on behalf of the Khmers in Vietnam who had suffered in the border war. She collected signatures from Khmers living in her region. She then travelled to Hồ Chí Minh City, accompanied by a few others, as the representative of the Khmers of Tịnh Biên District, to submit a petition to the Cambodian Consulate requesting King Sihanouk's assistance with recovering all the land that had been taken from them.

She managed to get to the Cambodian Consulate without the knowledge of commune authorities but during her absence they had found out about the petition. When she got back to her village the police came to her house and asked her to come to the commune offices so they could investigate her. After asking her about the petition, they asked her how much land she formerly had owned. The commune officer said he would arrange for her to get back all of her land provided she accept the matter as settled and take no further part in the protests. She refused, saying that she could not accept the offer of personal restitution while none of her neighbors and fellow petitioners received back what had been stolen from them.

When her relatives and neighbors found out she had been taken to the commune office, they feared for her safety. They gathered knives, axes, pitchforks and sticks and a group of over one hundred people marched to the commune offices planning to liberate her. The authorities had to ask her

to face the crowd to request that they disarm. She was told to tell them that the authorities were just having discussions with her and she was free to leave. Once they dropped their weapons they were allowed to enter the office. A negotiation took place. The people did not agree and eventually left the office. The police took her by car back to her house.

When she got home she was afraid for her safety because she had been identified as the leader of the demonstrators, but even more so because she had refused the offer made to her by the authorities. She had gained the ear of Cambodian national authorities and the trust of landless Khmers in her district. Having refused the attempt by local officials to induce her to abandon her role as spokeswoman for local Khmers, she represented a threat to their power and the local system of property relations. She was approached by a relative who expressed concern that she would be arrested or secretly killed by the authorities for her defiance. So she slipped across the border to Cambodia where she has been living, since 1991, as a petty trader. She has never been back to her home district since that time.

Following her flight to Cambodia there seems to have been a hiatus in collective representations made on behalf of local Khmers to higher-level authorities. However, as one study by a Vietnamese anthropologist reports, local land litigation cases began to explode in 1989 and continued to rise. In Tịnh Biên and Tri Tôn districts alone, by 2004 there had been over 2000 prosecuting and contesting applications with many Khmer applications among them.<sup>11</sup> This too was a time of aggravated conflict between Khmers and the occupants of land they considered theirs. The author of the study notes: "Sometimes, hundreds of landless Khmers went to the fields and scuffled with current owners who have been given by the state the land abandoned by the Khmers due to the previous border war."<sup>12</sup>

By the early 2000s, with the local authorities unfavorably disposed to reverse the land transfers, the aggrieved landowners decided to try appealing to the provincial authorities in Long Xuyên. Residents of several villages in one of the worst affected areas, An Cư Commune, resolved to go in a group to present the case collectively so that their claim would have more force. The first attempt to get to the provincial capital was in 2002. Organizers put out an appeal to those who would be prepared to join them, assembled a full set of petitions, set a date, and lined up transport.

However, their plans were discovered by the commune authorities, who dispatched police to prevent the petitioners from boarding the buses. The demonstration was abandoned but the next year the organizers tried again. Once again they made the arrangements to get to the provincial capital, and again the petitioners were stopped in their tracks.

Over the next few years, people from one village alone made six or seven attempts to get to Châu Đốc or Long Xuyên to submit their petition letters to provincial authorities. Whenever a group assembled, the police arrived immediately to prevent them from leaving. Over time, the protestors' resolve hardened and they broke through the blockade. One person was jailed for a year for defying the order to return home. On occasion they made it part of the way despite strong force assembled against them. They told me what had happened during one attempt to get to Châu Đốc (some thirty kilometers away), in 2007:

On the day we assembled to leave, the petitioners were surrounded by police. We tried to mount the buses we had chartered, but the drivers were forbidden by the police from allowing us onto the vehicles. So we went ahead and walked to Châu Đốc, surrounded by a huge group of police. The police forbade people with stalls along the roadside to sell us food, even water. They used electric prods to force people to turn back. Many people were shocked with these devices. They set dogs onto us to frighten us into turning back. Children were beaten with batons. As we got close to the destination, petitioners were violently dragged onto trucks to bring them back home, several suffering serious injuries.

As the thwarted petitioners explained to me, the purpose of this repression was not to prevent locals from publicly demonstrating; it was to prevent them from making contact with outside authorities who might have the power to intervene on their behalf. To this end, police from their own and neighboring communes were used to throw a ring around the protestors, containing the dispute locally and preventing them from communicating their grievances to the outside world.

The police also were used to prevent outsiders from coming to find out what was happening. Villagers told me that commune authorities have consistently prevented investigators from outside the commune from entering the village and meeting up with its residents:

Anyone who comes to talk with us is barred by the authorities from entering the village. The police have even put up road blocks to prevent vehicles from entering the village. As soon as we talk to anyone, the authorities are informed and they come from the commune people's committee to break up the meeting with a huge contingent of police.

These containment measures, they said, were also used against the higher level authorities:

Provincial authorities who have come to investigate always are received at the commune level in the offices of the People's Committee. We hear that officials have come to find out about our situation, but they are never allowed to talk to people directly at the hamlet and neighborhood level.

These local containment measures have continued to the present. In 2012, while doing a survey of local water using practices, I happened to visit one of the worst affected villages, a fact unknown to me at the time. As I approached a group of elders by the village well, they clutched me, pulled me into their house and began pouring out the story of their difficulties in reclaiming land. A crowd quickly gathered in the front room of the house, everyone speaking at once and pressing sheaves of petitions into my hands. They described at length their problems trying to get their story out and the virtual blockade of their village over the last ten years.

"You are lucky to be able to talk with us", one of the group declared. They continued: "Journalists and even national authorities have been unable to sit where you are sitting. But you won't be able to talk with us for long. The police will soon come to stop the meeting when they hear that an outsider is visiting the village."

I asked if I should leave right away, worried about their safety. "No, don't worry, the police will just shout at us, that is all. But we are not worried about that," the spokesman said. "After you leave, the authorities will issue a letter, inviting us to the People's Committee to explain who you were and what we talked about. It's nothing."

The scene that played out was just as he had predicted. After I had been sitting and talking for about forty-five minutes, someone stuck their head into the room and announced that a neighbor had alerted the police. Instantly the crowd of people around the house dissolved. Three middle-aged women

slipped away unobtrusively through the back of the house. An elderly man who had brought a thick stack of photocopied petitions in the hope that I would take it away with me bundled it up and also disappeared with it through the back door. I had taken one petition letter and had set it on the bench beside me in a non-committal way. When the news came that the police were on their way, I was urged to put it away in my pocket.

A few minutes passed. My hosts poured more tea. I asked a few questions about the water in their well but the tension continued to mount. I again suggested that I leave. An old man sitting beside me reassured me: “Don’t worry, son, I am here. You just stay right next to me and you will be fine.” He patted my knee to make me sit. More minutes passed and my anxiety bubbled over. I sprang up and told my hosts that I had better go before the police arrived. They nodded eagerly. Trying to look unconcerned, I stepped out of the house, sauntered up through the temple grounds, and exchanged polite goodbyes with the monks by the front gate. The timing was good. At that moment, five motorbikes burst into the temple grounds, swerved to avoid me, and headed for the hamlet below. Riding two to a bike were five government officials and five uniformed police. Each pillion passenger gave me a scowl as he bounced past, except for the last one, who cautiously returned the smile that was fixed onto my face.

### Breaking the Blockade

Three decades after their settlements had been overrun by the Khmer Rouge army and their population captured and deported to Cambodia, Khmer people in Tịnh Biên District were still waiting for the Vietnamese national government to exercise its sovereignty over the borderlands. Through sheer inaction and passive resistance, local officials had been able to prevent former residents from regaining land they said had been stolen from them during their forced absence. At the same time, the authorities deployed the full set of resources available to government officials to aggressively prevent locals from gaining access to other centers of authority, even higher levels of the Vietnamese state. By the late 2000s, Khmers began to find ways to break free of these relations of coercive localism. It took courage, endurance and invention for dispossessed landowners to make contact with representatives of the nation-state that claimed jurisdiction over their homelands.

As we already have seen, the success of residents of Kot Ampeul in getting attention from the central authorities for their plight relied on a ruse. For most, it required great physical endurance and acts of individual audacity to break free of the police encirclement of their villages. One person who exemplified these qualities was a woman from An Cự who was 67 years old at the time of the demonstrations in her village. In 1978 she and her family had been captured by Khmer Rouge troops. They were marched to Takeo Province and put to work doing heavy agrarian labor, spending the entire time in Cambodia hungry and barefoot, and losing two of her children to starvation. In 1979, she and her husband and their surviving child were released but they were not allowed to return to their home village until 1985.

In the interim, all their land had been occupied by Vietnamese migrants. Following protests and petitions, some land was returned but over half of the land in their village that had been taken was not returned. Scarcely any of their most productive land at the base and slopes of the mountains was returned or compensated. To this day, these areas are owned by Vietnamese who use them to cultivate cash crops in gardens and orchards. The elderly woman explained: "My family along with others in the village has repeatedly petitioned the commune and district governments for the return of the land that was stolen from us, but with no success."

In the late 2000s, she joined together with several hundred people from a group of neighboring villages in An Cự Commune to travel to the headquarters of the central government in Hồ Chí Minh City to request the return of their land. She described the improvised and feisty methods she had used to evade the police blockade:

The first time I joined a group, the local authorities would not allow us to board the buses that had been booked for us to travel to Prey Nokor.<sup>13</sup> So we just walked all the way to Châu Đốc at night. When we got to the intersection of the Châu Đốc - Long Xuyên road, we tried to board the buses again and succeeded. But police also boarded the bus, and they forced the driver to turn around and drive us all back to An Cự. At that point a fellow protestor, a young girl, tried to get off the bus and a policeman grabbed her. He was hurting her so I kicked him in the shins to make him let go. Then, as the bus driver started to drive us back home, I got my scarf, looped it around his neck and pulled at it so hard that he was forced to stop the bus.

She demonstrated her move by pretend-throttling her 70 year-old husband with her worn-out checkered scarf. He smiled stoically as he was being throttled by his wife and her companions laughed with delight at her demonstration.

However, on that trip she did not make it to their destination:

When the bus stopped we got off. Ignoring the police, we kept walking towards Long Xuyên. I stopped at a Khmer temple just outside of Long Xuyên and asked to come in and rest. The abbot came out and told me that I couldn't come in to rest – the police would not allow him to invite us in. Finally, at Long Xuyên, the police told us we could not continue onto Prey Nokor. They offered to pay for a bus to take us home. Since there was no other choice, we finally got on board and went back home.

The next time, using different tactics and a different route, she reached her destination:

We realized we would be stopped if we went all together, so we split up into smaller groups of three or four and went at different times and different ways. I arranged to travel with my daughter on the back of a motorbike along a small dirt track around the mountain to Tri Tôn town. From there we took a back road all the way to Long Xuyên. There we boarded a bus that took us to Prey Nokor. On the bus I held a sign on which was written the reasons for our protest and pressed it against the window so people we passed could learn about our protest. We got to the place in Prey Nokor where people with land disputes gather to protest. We stayed on there for two days and slept on the side of the road.

However, having finally made it to the protest site in Hồ Chí Minh City, all the petitioners got was a verbal undertaking from the police that their case would be addressed. As the elderly woman outlined, the undertaking turned out to be empty:

The police kept trying to get us to return home. Finally, they promised to resolve our dispute for us, but only if we agreed to go home. The police offered to pay for the bus fare. They gave us a loaf of bread and a bottle of water for the trip. We agreed and boarded the buses. Later we realized it was a lie to make us drop our protest. Despite the protests we got nothing. None of the land has been returned and we have not received any compensation whatsoever.

The effort by locals to register their claims with the national authorities also required that they master the language and bureaucratic practices of the Vietnamese state. The gap to be bridged was considerable, because even in the 1990s most local Khmers still could not speak Vietnamese well, let alone write it. This was especially true of the older generation who, in their youth, had access only to Khmer language schools in the local *wat*. Scarcely any of them knew how to write Khmer, for all the people literate in Khmer had been targeted and killed by the Khmer Rouge. Those who had been taken to Cambodia by the Khmer Rouge in the late 1970s had missed out on schooling altogether and many had spent upwards of ten years in Cambodia, gaining no exposure to the Vietnamese language. In their world, the Vietnamese state was a distant and alien entity. Culturally they were still part of the Cambodian sphere. As we have seen, the earliest petitions to higher authorities made by Khmers in Tỉnh Biên District, in the early 1990s, were presented to the Cambodian king.

However, the organizers of the protests of the early 2000s came from a different social background. They came from two or three villages located next to a market or former Republican army base. Through interactions with Vietnamese traders, soldiers or officials in the pre-border war era, most had managed to pick up some knowledge of Vietnamese language and ways. Yet even so, most of their residents were poor, illiterate in both Vietnamese and Khmer, and too preoccupied with scraping together a living to study or gain knowledge of how the Vietnamese state worked. The organizers were drawn from a very small group of people who, through family occupation or personal experience, had picked up functional knowledge of the Vietnamese bureaucratic world.

One of these leaders was a schoolteacher and mother of three who was around 50 years old at the time of the first major petition-lodging expedition to Sài Gòn. She was born in 1957 and had studied in the local Vietnamese primary school. Her father was an officer under the former regime. He was reluctant for her to study further because at that time it was thought that literate girls would write love letters to their sweethearts. Overcoming her father's objections, she stayed with a family in the administrative and market centre of Tri Tôn while she completed secondary school and high school. She initially paid rent, then did work washing and cleaning the house to pay

for her board. On weekends, she went fishing in the canal in Tri Tôn for extra food. By the time the border war broke out and the Khmer Rouge army invaded and abducted people from her village, herself included, she had passed her Year 12 examination and had just begun to work as a teacher.

As one of the most highly-educated Khmer people of her generation, she was unusually experienced in the Vietnamese social system; and she was exceptionally lucid, one of the best Vietnamese speakers I have met in the two districts. These intellectual skills were essential in the land restitution process. Petitions to the national authorities had to be in Vietnamese; they had to be crafted in relation to the relevant Vietnamese laws; the cases each had to be documented; and the history and details of each case had to be put in consistent and intelligible language. Finding the right authorities required knowledge of the structure of government. Once in contact with national authorities, petitioners had to know how to frame their case. This is how the teacher described her actions:

In 2000 a law was passed that gave people the right to petition for the return of land they had owned. Based on that, we started petitioning for the return of our stolen land. It was a few educated people who understood the law, read and watched the news, and informed themselves about the land reclaiming process who led these efforts. We learnt from Khmer people around Wat Thmei. They got their land back earlier than us because there are more educated people there who know how to organize petitions and pressure the local authorities. We went to the commune, district and province level, collecting paperwork and presenting our case. But the results were poor. We gained only a little of what we asked for. The local authorities did not recognize our claims.

In 2007 she helped organize a trip to the offices of the central government in Hồ Chí Minh City to demonstrate for the return of the land. She told me that educated people in her village played a leading role in organizing the trip. But people from all of the neighboring affected villages in An Cù joined in. She said the organizers realized that they needed a large group of protestors, otherwise the claims would be overlooked. A great many people took part in the march. She recalled:

The line of demonstrators was about one kilometer long. The local authorities did everything in their power to stop us. They followed us and would not let us

board a bus to get to Hồ Chí Minh City. We had to walk all the way to the provincial capital in Long Xuyên before we were allowed to get on a bus and travel to Sài Gòn. We stayed in Sài Gòn for two weeks demonstrating and holding banners outlining in Vietnamese the details of our case. Several of us by then had learnt how to talk, how to express our demands in acceptable language, how to conduct ourselves at meetings. We did everything correctly, speaking of Uncle Ho, the struggle for independence, the language of the law.

She said that the central authorities eventually took action to aid the protestors but the local authorities did little to carry out the required changes. So villagers went to the central government offices in Hồ Chí Minh City two more times, in 2008 and 2009. She explained: “We couldn’t go continuously because we had to wait for the next harvest when we had earned enough money to go again.” Eventually, as a result of these repeat protests, she said, some protestors, herself included, got back up to 60 percent of the land that had been taken from them.

These stories demonstrate that it was possible for members of a poor, marginalized and misgoverned ethnic minority to overturn efforts by local authorities to silence them. It took clever ruses, acts of personal audacity, and courage in the face of intense intimidation to break free of the net thrown around them by authorities. It also required dogged persistence, feats of physical endurance and careful learning of the rules of the bureaucratic game to lodge their protest with the relevant national authorities in distant Hồ Chí Minh City.

However, where Khmer locals achieved notable success in bursting out of the coercive cordon maintained by local officials, the national authorities in whom they invested their hopes were far less adept in projecting their writ into the local context. Their muted and partial resolution of local claims demonstrated the incapacity and perhaps unwillingness of national authorities to right the wrongs, recognize the validity of local claims, or intervene in what Khmer people described as the patterns of abuse, predation and institutionalized criminality that pertain in their local area.

### The Onset of Post-Protest Winter

As I personally experienced during the course of this research, authorities in this locality continue to use intimidation to silence dissent and conceal news

of their misdeeds from the outside world. Stories circulating in the local area about the lengths that authorities are prepared to go to suppress the protests also have had a chilling effect on people's willingness to continue pressing their case. Three years after the last protest had taken place in her village, I spoke to a woman who had been involved in several petition expeditions. She expressed disappointment that the local authorities had not complied with the promise given to the protestors by national level authorities that their land would be returned. However, she had no plans to protest again. She spoke of an incident that had happened several months earlier that had caused everyone to reconsider their involvement in further protests:

At the beginning of this year a girl from the neighboring village was murdered in Nhà Bàng town. She was well-educated and unmarried. She was the person who had helped people in this and other villagers put together the paperwork for the protests. What happened is that her father was arrested by the authorities and taken to a building in Nhà Bàng. She was told she could visit him there. Getting to the building she was told to climb a ladder to the room where her father was waiting for her. Once she got to the top of the ladder, someone leant out the window and pushed her, causing her to fall to her death.

Some mechanisms to stifle dissent are more banal. Leaders of the protest in this borderlands district described the differential way that local authorities treat people according to the role that they took in the protests. Some of their neighbors had been too apathetic to join the protests and many had been too scared to join in, lest their participation be held against them by the authorities. The local authorities have disbursed to such people the full measure of resources allocated by the national government for the support of poor, landless, remote-dwelling, ethnic minority households. They have been allocated free houses given to poor families, and are provided with free schooling, spending money for the Tét New Year holiday, travel rights and the opportunity to obtain low-level employment in the local government. In short, these entitlements were distributed selectively as a reward for non-participation in the land-reclaiming protests. However, these people gained back none of the land that had been taken from them unfairly. The price they paid for not asserting their claims was to become permanent landless dependents of the local authorities.

The protesters paid a price, as well. People involved in the protest in one village told me they eventually had received more than half of what they had been seeking. However, as a result of their protest, they have been discriminated against by the local authorities. As one of the protest leaders noted:

We get none of the kinds of financial assistance allocated for poor families. We cannot work for the government and cannot get the papers needed to travel. I have relatives in Cambodia and want to visit them but the local authorities will not issue me with the papers to travel there. They say that I was one of the protest ringleaders. They want to punish me that way.

In short, the authorities systematically incentivize dispossessed people not to press their claims. Ironically, it would seem, resources drawn from the central government expressly to benefit the Khmers are being used to induce Khmers to abandon all efforts to make contact with their national representatives.

Some people also pointed to the social penalties for continuing to protest, especially in settlements that are now part Khmer and part Vietnamese and where the dispossessed land-owners live among those recognized by the government as the owners of the land. Some have come to accept incomplete restitution for the sake of harmony. One person who had been a vociferous complainant during the protests observed:

As a result of the protests, I myself got back almost two thirds of the land stolen from me. A third has not yet been returned. It is very valuable: almost a hectare is around the local market hamlet. But I am reluctant to press on for full restitution because the people there will hate me too much.

For both partial winners and outright losers among the Khmer land claimants, it appears that the heated and hopeful phase of the land disputes has drawn to a close, to be replaced by another phase of tense and suppressed dissatisfaction. People have learnt how to censor themselves, for the risks of speaking out are too great.

A couple of years after the incident during which police broke up a group of villagers who had gathered to complain to me at length about their mistreatment, I returned to the same village to learn about the latest developments. It was by now three years since villagers had last protested. I approached an elderly man drawing water from the village well and asked

him if he owned land on the mountain above us. He looked around warily, then pointed out a knoll on the slope directly above the well. He spoke quietly and quickly: "I used to farm fruit trees there. That land is mine. I own a hectare of land right there." As people passed he fell silent and only resumed when I pressed him again. He said the land had been occupied by someone from the big army base nearby during the ten-year period that he and fellow villagers had been forced to vacate his home village. Another pause as a child with a cow walked along the road, staring at me curiously. The main told me that he eventually regained some of the rice terrace land that had been taken from him, but has been unable to reclaim any of his land on the slopes. I tried to find out if he had taken part in the land protests but as more people had arrived to draw water from the well, the question went unanswered. He nodded a goodbye, hopped on his battered bicycle, and left.

### Discounting the Khmer Claim for Justice

There is very little sympathy for the Khmer land claimants among local Vietnamese businesspeople, local authorities or new migrants to the region. As well-connected stakeholders and beneficiaries of the post-Khmer land regime in these districts, they share a tendency to discredit the protests and discount the legitimacy of the cases that the claimants attempt to bring. People in this position have put forward a number of explanations for the protests, which in different ways, smear the credentials of the protestors and deny legitimacy to their claims while absolving the authorities and new landowners of any responsibility for the situation and of the need to undertake any further restorative action.

Government officials, landowners and business operators routinely make the case that Khmers in this borderlands region already have been more than adequately compensated for any losses they suffered as a result of the Vietnam-Cambodia border war. They point out that the government has done an enormous amount to improve life for the Khmers in the last few decades, that all people with legitimate claims have already received back their land or have been compensated financially. They also argue that the government has bought land for landless Khmers, and they have been given houses, cattle and low-interest loans. Flood-control and irrigation systems have been developed to increase the extent and intensity of rice farming and

new crops have been introduced to improve productivity. Water, electricity and roads have been brought to remote villages. Schools have been established in every commune. The government has lowered entrance requirements for all levels of schooling, provided fee exemptions for impoverished Khmer families, and has set up free-of-charge ethnic minority boarding schools to teach the state school curriculum to Khmer students. These members of the rural bourgeoisie voice the complacent attitude that all is right with the world, the government has acquitted itself honorably, and the Khmers enjoy a privileged status as beneficiaries of a host of special benefits.

So why do Khmers continue to protest? One view holds local Khmer people entirely responsible for the loss of their landholdings, owing to their allegedly innate moral and cultural failings. The owner of a successful tourist restaurant in Ba Chúc discounted the land disputes as nothing more than an expression of the fundamental backwardness of the Khmer. He told me that from time to time, some Khmers rise up and protest and cause trouble, saying land was taken from them and they want it back:

The Khmers who cause these problems say they are poor because their land was taken from them, but in fact they have been fully compensated. In truth, the Vietnamese state has done a great deal for the Khmers, giving houses to those without them, buying land from Vietnamese landowners to give to the Khmers to farm, providing them with cows free of charge and giving them loans. In fact, the Khmers are poor because they cannot stand to work. During the growing season, they just wait around until the rice is ready to harvest and cut it and take it home to eat. They go up into the mountains to find something in the forest to eat for that day. That is their custom. It is all they know. They are like the tribal people living in the mountains in central and northern Vietnam. They have not adapted their way of life to modern conditions.

This too is his explanation for why Khmers on the eastern flanks of the mountains have not participated in land protests:

The Khmers living closer to Tri Tôn are different. They have lived close by the Chinese in the market for a long time and have picked up knowledge of modern ways of living from them.

This approach dismisses the grounds for the protests by holding the Khmers accountable for their own misfortunes. It displays no animosity or mistrust towards the protestors, whose acts of protest are easily comprehended as

those of savages. The explanation proposes that trapped in the past and cut-off from civilization, many Khmers possess no understanding of the principles of modern existence; it would be wrong to get angry or frustrated about the protests because they are the acts of child-like beings. It would be just as unwise to believe what the protestors say or to act on their demands, because they are not based upon mature reason. Instead, one should teach them about what life is like in the real world and as a result they will come to understand that they have only themselves to blame.

It is not uncommon to meet local Khmer government officials who hold this condescending attitude, describing those who petition the government for the return of land as people who are too lazy to work or to improve themselves through study. Some Khmer officials described the protestors as confused, or animated by a mechanical sense of justice. One told me that the problem of Khmer landlessness stemmed from the fact that Khmers have too many children. The protestors did not appreciate that this is why they own much less land than their parents had once farmed, but instead irrationally believed that the land had been taken from them. Some protested when they saw their neighbors doing well, thinking they should have the same amount of land as others, not realizing that their neighbors acquired their property through hard work. Some claims involve cases where Khmers had abandoned land granted to them by the government after failing to make it productive. When others took over the land and succeeded, the former owners grew resentful and pressed claims for land that they had willingly abandoned and, at root, were too incompetent to farm.

Although these explanations trivialize the protests by attributing them to Khmer people's inability to reason or understand, this alleged inability is seen as fundamentally dangerous. This is the premise of a second common explanation local elites give for the protests, that they are driven by external actors. According to this explanation, which has been provided to me by Vietnamese officials, soldiers and university lecturers, local Khmers have been incited to protest by outside forces hostile to the Vietnamese government, be they opposition politicians in Cambodia, Khmer nationalists overseas, or foreign governments. Because Khmers believe whatever they are told, they are easily manipulated by others who have an agenda entirely unrelated to the concerns or well-being of the Khmers.

One person articulating this viewpoint was the owner of a roadside refreshment stall in Văn Giáo Commune, just north of the large Vietnamese army base of Chi Lăng. The stall sells fruit, sugar and syrup from the sugar palm tree (Kh: *thnaot*, VN: *thốt nốt*), which have been harvested and produced by local Khmers, most of whom are landless. He and his wife are from the eastern delta province of Bến Tre. They have lived in Văn Giáo for fifteen years but don't speak a word of Khmer. He served in Cambodia for three years, from 1987 to 1990, fighting the Khmer Rouge in the jungle near Battambang. Encountering mines, ambushes and skirmishes during his tour of duty, he entertained no hope of returning to Vietnam alive. Withdrawn to Chi Lăng in 1990, he continued to serve in the army for one more year before going home to Bến Tre.

He returned to the border area after four years because his home in the island province of Bến Tre was far from the road. It was too hard to do business. There were no customers. He bought almost half a hectare of roadside land here, piece by piece, from Khmer owners. He said he knew the area well from his time as a soldier in Chi Lăng. Only with land by the side of the road can one make a decent living by selling local produce to pilgrims, tourists and foreign travelers such as me. He could have bought even more land in the interior and farmed; however, the returns for farming are too low.

I asked him what he thought about the merits of the land disputes and protests that had taken place in his district. He replied:

Contrary to what is reported on foreign radio stations, there are no land disputes in this district. The true situation is that there are some people who were compensated by the government with land given to them by the state. Once fully compensated they asked for more. Their demands have no merit; they have already been met. Regarding the demonstrations, those people have been paid by opposition parties in Cambodia to demonstrate. Each protestor was fed and paid a certain amount for a day of protesting. They have been manipulated by anti-Vietnamese factions in Cambodia into thinking that they have been treated unfairly. The Khmers are stupid. They will believe anything you tell them.

Other variants of this explanation portray local Khmer protestors as a proxy for China, which wishes to undermine Vietnamese sovereignty. One

Vietnamese university lecturer in the provincial capital told me that the Khmers only protested because they were in contact with members of the Khmer Krom diaspora. She said these overseas Khmers instigated local Khmers to confront the government and make demands. The disputes would give the diasporic groups ammunition to use against the Vietnamese government: as proof that the Khmers in Vietnam were being oppressed.

This approach dismisses the agency of the local Khmer protestors who are the mouthpieces of external actors. It suggests that Khmers have no thoughts of their own; that they are stupid and gullible and vulnerable to manipulation. This shortcoming is dangerous because Vietnam is surrounded by hostile forces that will use any means possible to bring it down. These forces use the Khmers to advance their fundamentally anti-Vietnam aims. Khmers represent a point of vulnerability for Vietnam, owing to their lack of self-conscious agency. As the tools of ill-intentioned others, the protestors undermine all the good work the government has done. Their claims misrepresent the local situation, blacken the good deeds of the government, and provoke unrest. Despite the threat the local Khmers pose when accusing local officials of wrongdoing, they are not inherently seditious. Instead, they simply are the puppets of malicious outsiders able to take advantage of Khmer people's incapacity to think for themselves.

The retired soldier's comments about the illegitimacy and danger of local contacts with outside forces are contradicted by his own actions. Following demobilization he failed at business in his home province, because, in his analysis, it was too insular. He moved to this Khmer-dominated area to set up a business by the side of the road where he can profit from the steady stream of national and international tourists who pass by his roadside stall each day. However, when local Khmers make contact with the outside world, it is a serious threat to national security. His insistence that Khmers must remain parochial is contradictory, since it denies Khmers the benefits of outside contact that he himself extols as beneficial. This stance is unjust, considering that he profits from selling local Khmer products to the outside world from a stall built on land he has purchased at a cheap price from Khmers. In essence, he has appropriated Khmer land, produce and labor power for his own exclusive benefit. When Khmers protest about the way that arrangements such as his have come about, they give voice to a false

and malicious external view whose articulation is a threat to national security.

A third approach to the Khmer land protests found among local Vietnamese is to consider them the manifestation of deep-seated and intractable resentment among the Khmers about Cambodia's historical loss of territory during the process of Vietnamese southward expansion. Khmer land disputes are believed to be propelled by an ambition for restitution of territory so sweeping and unreasonable that it would be impossible to ever satisfy.

One exponent of this perspective was a local farmer residing just north of Nhà Bàng. I met him in August 2007, in a small roadside café perched on stilts over the banks of the canal, in a region the Khmer Rouge army held for three days in 1978 before the Vietnamese army repelled them. In his late 50s, he said his family had lived in this locality for three or four generations – since the 1800s. He said that about 30 percent of this village consisted of Khmer people, cohabiting with Việt people such as himself.

This man said that so far in 2007, three or four demonstrations by Khmer people had come through here from Tịnh Biên to Châu Đốc. Each time, the numbers were close to one hundred people.

Just two weeks ago a crowd of Khmer demonstrators came by here. There were sixty-four of them and they walked by on foot to Châu Đốc. They were followed every step of the way by police on motorbikes and cars, who would not let them mount a vehicle. The police would not let the demonstrators buy any food or water from sellers along the road. They were from An Cự village in Tịnh Biên and walked at least twenty kilometers to Châu Đốc.

The farmer's account of tight police control and repression of the protestors corroborates the accounts given by the protestors in An Cự. However, he was unsympathetic, describing the passing demonstrators as "trouble makers trying to undermine the country."

When asked what they were protesting, he said they wanted the return of the six provinces of southern Vietnam to Cambodia. "They want their land back, and they want people like us to go back to where we came from. That's Hà Nội," he said, in clarification to his two companions. He continued, "The whole demand is ancient history – about something that happened two to

three hundred years ago!” His nearest neighbor’s face grew tense as he listened to his friend make this truculent declaration.

“Surely they just want their own private property back – that’s what they mean by wanting their own land back,” I countered. His neighbor’s face lit up and he nodded vigorously in agreement. “No, they want the whole six provinces,” the farmer replied – referring to the Vietnamese territorial divisions of the pre-colonial period. “How do you know that – did they actually say this to you?” I asked him. “Yes, they can speak Vietnamese – there is no problem there,” he said. “But how would you know if you didn’t actually speak to them?” I persisted. His companion nodded again in agreement, smiling broadly.

This man clearly was putting words into the mouths of the protestors. I never heard a Khmer person in this region mention the deep history of Vietnam-Cambodian relations, let alone link their locally specific land disputes to anything so grandiose. However, his nightmarish fantasy offers insights into the dynamics of the disputes from a local Vietnamese perspective: the suspicion that there may be far more to Khmer demands for the return of their land than meets the eye.

Such a view of the protests is not uncommon. It was articulated by a hotel security guard in Châu Đốc, child of 1954 refugees from Hải Phòng. From 1986 to 1989 he had served as a soldier in Cambodia. When I discussed the protests with him he offered the following reflection:

Vietnamese people do not hate Khmer people. But Khmer people hate us. They say we took their land. But that is ancient history now. It belongs to the past. Now we have the United Nations. All the boundaries have been delineated clearly. Territorial claims from the past should be dropped. That is international practice. But the Khmers, they won’t forget it.

It is indeed true that many nationalist Khmers are pre-occupied with Vietnam’s historical annexation of Cambodian territory. However, this does nothing to illuminate the motivations of the land disputants in Tri Tôn and Tịnh Biên districts, whose claims are based on recent and personal concrete grievances. The essence of the criticism is that Khmers are driven to protest for their land because they, unlike others, are unable to forget past injustices. One might say this approach is not helpful because it is encumbered by the

ambivalence that many Vietnamese people themselves hold about the settlement history of their region.

Unlike the other approaches already discussed, this perspective does not trivialize the protestors' claims by attributing them to ignorance or the influence of external actors. In fact it greatly inflates the claims, making them far more sweeping than they actually are. Interestingly, the proposition that Vietnamese had taken land from the Khmers is considered substantively true. However, for Khmers supposedly to expect the return of everything taken from them since the beginning of history is dismissed as preposterous. This is another method of discounting the legitimacy of the protests, and indeed suppressing them, by making the claims of the protesters sound entirely unreasonable.

## Conclusion

This paper has focused on the struggle of a group of Khmers to bring to the attention of national authorities the dispossession they suffered at the hands of local landowners and officials. Their efforts to gain a hearing for their claims were pitted against coercion and incentives wielded by local authorities in order to silence them and make them drop their case. Their protests took place in the face of heavy disparagement by rival land claimants who both trivialized and exaggerated the protests, attempting to disable them by representing them as a threat to national security. In several respects, the experience of the protestors is akin to domestic abuse, with the tactics they faced – threats, intimidation, confinement, isolation, the imposition of economic dependency, minimizing, denying and blaming– being precisely the tactics used by abusers in domestic violence cases to silence their victims.<sup>14</sup> However, the essay also examines the agency of the landless Khmers and concludes by posing a number of questions that their case raises about the nature of politics in Vietnam.

The Khmer protestors' methods of overcoming despotic governance are of general interest to people in Vietnam and elsewhere who struggle against similar forms of coercive localization to exercise their rights as citizens and have their voice heard. By drawing upon inventiveness, courage, physical endurance and patient self-education, these Khmer protestors managed to bring their case to the outside world. In the process, they overturned

common stereotypes about the Khmers as politically disengaged, conflict-adverse or alternatively prone to murderous rage when pushed to the limits.<sup>15</sup> More broadly, their actions show that the response of marginalized minority groups to frontier expansion in Vietnam and elsewhere cannot be limited to the conventional repertoire of resistance, disengagement, flight, or the construction of a nostalgic or religiously-defined alternative reality. Rather, through their efforts to engage with the national authorities they manifest a determination to draw the state into the resolution of their grievances and make it a part of their world.

However, the authorities' inability to deliver justice to Khmer petitioners raises questions about the Vietnamese state's capacity to respond to such appeals. The local authorities have at their disposal an arsenal of resources to quell dissent and impede the exercise of full citizenship rights. The strategies deployed in this case include local authorities' stubborn non-implementation of national directives and their efforts to prevent national representatives from making contact with the landless to determine the facts of the case. They use coercion to mute local protest and compel the disaffected to endure their lot, while employing national resources to incentivize victims of land theft not to press their claims. For many Khmers, the local authorities are morally tainted by their perceived alignment with the opportunists who allegedly stole their land. By contrast, the national state is construed as beneficent, yet practically impossible to access. Intriguingly, the facts of their case test the limits of models of the Vietnamese state as "dialogic,"<sup>16</sup> for how can social elements engage the state in dialogue when the state simply fails to show up? At the same time, the coercive behaviour of local authorities in this and other rural land disputes should caution against taking the recent proliferation of such disputes as a sure sign that political space in Vietnam is expanding or that Vietnam is becoming a "rice-roots democracy" in practice.<sup>17</sup>

The capacity of the national state to play a meaningful role in dispute resolution in this case is vitiated by a number of incoherencies that have long been intrinsic to the Vietnamese polity. One of these is the familiar political tension between local and central interests, with the local commune's and district authorities' strong capacity to ignore and deflect central initiatives well summed up in the Vietnamese proverb: "the writ of the king bows

before the customs of the village” [*phép vua thua lệ làng*]. Another incoherency exposed in this case is the nature of the Vietnamese state as the expression of class interests. Here local landholders’ success in utilizing local officialdom as a weapon against claims by disenfranchised Khmers inverts conceptions of the socialist state as a weapon of the weak and reveals the nature of the “Market-Leninist” state as a captive to class interests. A third incoherency brought to light in this instance is the weakness of a Vietnamese state whose functional mono-lingualism makes it poorly equipped to represent the interest of constituents who do not speak its language. Vietnam’s linguistically-challenged state struggles to play a meaningful and progressive role in a region it vociferously claims to be inalienable national territory, yet whose languages it has utterly failed to master.

The case also leads us to question whether the proliferation in Vietnam of discourses that discredit autonomous political action allow us to conclude definitively that the state is inherently monopolistic. The discrediting of protesting minority actors as misguided and simplistic, as dupes or puppets of hostile outsiders, or as excessive and dangerous to the nation’s interests, are familiar rhetorical moves in the lexicon of Vietnamese politics and often are attributed to a totalizing national security apparatus.<sup>18</sup> However, in this case study we see such disparaging assessments voiced not by national leaders or state security officials but by a particularistic network of local socio-economic actors who stand to lose if the protest action is successful. The vocal representations of this group demonstrate that the state does not hold an exclusive monopoly on the discourse of national security. Such dynamics lead us to wonder how often official warnings about the threat posed to security by politically spontaneous (*tự phát*) action might be nothing more than gambits mounted by parochial groups to defend a status quo that suits their own particular interests, irrespective of all others.

We have seen that landless Khmers in this case do not silently surrender, as the state is captured by powerful local interests. However, nor does their own story of dispossession and official mistreatment receive a fair hearing. Their dissenting account is difficult to articulate, scarcely heard and energetically discounted. It is not the state conceived as an autonomous agent or repressive principle that muffles their dissenting voices but the state as a contested idea, invoked by local non-state actors with interests that conflict

with theirs, who summons it in defense of their own sense of what ought to be.<sup>19</sup> These inter-group conflicts in this war-affected border region show the state to be the focus of an intense political struggle; a struggle between actors whose capacities are unevenly matched to make the state more accountable to their own circumstances, memories and needs.

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#### ABSTRACT

*This paper describes the protracted struggles by ethnic Khmers in An Giang Province to regain farmland taken from them by ethnic Vietnamese migrants during their forced absence from the Vietnam-Cambodian border during and after the Third Indochina War. Efforts by the original land-owners to organize collectively to seek justice from national authorities were stifled by local officials motivated to preserve the new status quo and were ideologically delegitimized by members of the rural middle class. The findings shed new light on ethnic minority political agency and show how the Vietnamese state is drawn materially and discursively into conflicts between competing social groups.*

KEYWORDS: *Land conflicts, dissent, protests, state, Khmer Krom, Vietnam*

#### Notes

1. *Chamkar* is a Khmer term, here referring to intensively cultivated plots on sloping terrain at the foot of the mountains on which are grown fruit trees and ground crops such as cassava, corn, beans, squash and sweet potato.

2. Nguyen Vo Thu Huong, *Khmer-Viet Relations and the Third Indochina Conflict* (London: Mcfarland & Company, 1992); Ben Kiernan, *The Pol Pot Regime: Race, Power, and Genocide in Cambodia under the Khmer Rouge, 1975-79* (New Haven: Yale University Press, 1995); Nayan Chanda, *Brother Enemy: The War after the War. A History of Indochina since the Fall of Saigon* (New York: Collier, 1986); Grant Evans and Kelvin Rowley, *Red Brotherhood at War: Vietnam, Cambodia and Laos since 1975* (Second Edition) (London: Verso, 1990); Stephen Heder, "The Kampuchean-Vietnamese Conflict," *Southeast Asian Affairs* 6 (1979): 157–86.
3. This account of the land conflicts that took place in An Giang Province in the aftermath of the border war is based on six months of fieldwork conducted along the Vietnam-Cambodia border between 2006 and 2014. During eight fieldtrips to some sixty villages in districts on both sides of the border, I obtained oral histories from around two hundred Khmer and Vietnamese borderlanders who had been displaced by war and government programs and caught up in long-running land disputes. I gathered detailed testimonies from over one hundred land disputants and made numerous site visits to the disputed land. My research consultants included around twenty Vietnamese and ethnic Khmer government officials holding positions from the village to the provincial level in An Giang, who provided me with insights into the history of a conflict on which no detailed official documentation is available.
4. Studies on these themes include: David Chandler, "An Anti-Vietnamese Rebellion in Early Nineteenth Century Cambodia: Pre-Colonial Imperialism and a Pre-Nationalist Response," *Journal of Southeast Asian Studies* 6, no. 1 (1975): 16–24; Gerald Hickey, *Free in the Forest: Ethnohistory of the Vietnamese Central Highlands 1954–1976* (New Haven, CT: Yale University Press, 1982); Human Rights Watch, *Repression of Montagnards: Conflicts over Land and Religion in Vietnam's Central Highlands* (New York: Human Rights Watch, 2002); Oscar Salemink, "Enclosing the Highlands: Socialist, Capitalist and Protestant Conversions of Vietnam's Central Highlanders" Paper presented at *Politics of the Commons: Articulating Development and Strengthening Local Practices* (Chiang Mai, Thailand, July 11–14, 2003); James Scott, *The Art of Not Being Governed: An Anarchist History of Upland Southeast Asia* (New Haven: Yale University Press, 2007); Philip Taylor, *Cham Muslims of the Mekong Delta: Place and Mobility in the Cosmopolitan Periphery* (Honolulu: University of Hawai'i Press, 2007); Philip Taylor, ed. *Minorities at Large: New Approaches to Minority Ethnicity in Vietnam* (Singapore: ISEAS, 2011).
5. A seminal study in the "state engagement" paradigm in Southeast Asia is Andrew Walker, *Thailand's Political Peasants: Power in the Modern Rural Economy* (Madison: University of Wisconsin Press, 2012).

6. For a comprehensive survey of the Khmers in Vietnam, see Philip Taylor, *The Khmer Lands of Vietnam: Environment, Cosmology and Sovereignty* (Honolulu: University of Hawai'i Press; Singapore: NUS Press, 2014).
7. Detailed information on the history and living conditions of the Khmers of An Giang Province can be found in Taylor, *The Khmer Lands of Vietnam*, 162-190. The condensed account of the Vietnam-Cambodia border war and post-war conflicts in the following paragraphs draws upon the original research described in Endnote 3.
8. This figure of 20,000 Khmer Krom transferred forcibly or otherwise to Democratic Kampuchea during the border conflict was given to me by a senior provincial official in An Giang who said it had been worked out by using official census statistics. Ben Kiernan also writes that over 20,000 Khmer Krom were kidnapped by the Khmer Rouge, although he provides no source for this number. See Ben Kiernan, *The Pol Pot Regime*, 426. I lacked the means to independently confirm this figure; however, my own investigations suggest that many thousands of Khmers from Tịnh Biên and Tri Tôn districts were indeed forced by Khmer Rouge troops to cross the border and thousands more were either induced or implicitly coerced to do so.
9. I thank Bo Kyeong Seo for proposing this term.
10. These recent trends in this and other Khmer localities in the Mekong Delta are discussed in P. Taylor: *The Khmer Lands of Vietnam*. For An Giang specifically, see pages 186-189.
11. Nguyễn Văn Điều, "Một số vấn đề phát triển kinh tế - xã hội và quan hệ dân tộc vùng dân tộc thiểu số đbsCL" [A Number of Socio-economic Development and Ethnic Relations Problems in Ethnic Minority Areas of the Mekong Delta] *Tạp Chí Dân Tộc Học* 2 (2002): 52-55.
12. *Ibid.*, 54.
13. The Khmer name for Sài Gòn or Hồ Chí Minh City.
14. Domestic Abuse Intervention Programs, *The Duluth Model: Social Change to End Violence against Women* (www.theduluthmodel.org.) (Duluth Minnesota, 2011).
15. For example: "The Cambodians' passivity in the face of Annamite [ethnic Vietnamese] infiltration is very often noted. Rather than struggle against the persistent invader, he prefers to leave home and move away, retaliating against him, in sudden fits of anger, with robbery and murder." Charles Robequain, *The Economic Development of French Indo-China* (London: Oxford University Press, 1944), 48.
16. Benedict Kerkvliet, "Authorities and the People: An Analysis of State-Society Relations in Vietnam," in *Postwar Vietnam: Dynamics of a Transforming Society*, ed. Hy Van Luong (Boulder, Col.: Rowman and Littlefield, 2003), 27-54.

17. Here I refer to propositions about political change in Vietnam outlined in a paper by Andrew Wells-Dang, "Political Space in Vietnam: A View from the 'Rice-roots,'" *The Pacific Review*, 23:1 (2010): 93-112. The enlargement of political space he detects may be occurring in urban and institutional contexts; however, the closed, harsh and intractable qualities of politics in this rural area contradict his optimistic conclusion: "As Vietnam edges toward a more open polity, change will come first from the riceroots." A. Wells-Dang, "Political Space," 109.
18. For instance, ethnic minority protests in the Central Highlands in 2001 and 2004 were discredited by Vietnamese security authorities as the result of ignorance, misinformation, deception and incitement by extremists and outside hostile forces. See Human Rights Watch, *Repression of Montagnards*, 90-94. Also Carlyle Thayer, "Military Politics in Contemporary Vietnam: Political Engagement, Corporate Interests, and Professionalism," in *The Political Resurgence of the Military in Southeast Asia*, ed. Marcus Mietzner (Oxon: Routledge, 2011), 72-73.
19. This interpretation is inspired by the ideas of political anthropologist Yael Navaro-Yashin in her book, *Faces of the State: Secularism and Public Life in Turkey* (Princeton, New Jersey: Princeton University Press, 2002). For an illuminating discussion of how "the state" is invoked and contested by residents in a similarly marginal border region, see Leila M. Harris, "States at the Limit: Tracing Contemporary State-Society Relations in the Borderlands of South-eastern Turkey," *European Journal of Turkish Studies* 10 (2009). URL: <http://ejts.revues.org/4122> Consulted 05 October 2014.