



DECENTRALISED GOVERNANCE IN HYBRID POLITY: LOCALISATION OF DECENTRALISATION AND DECONCENTRATION (D&D) REFORM IN CAMBODIA¹

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This policy brief provides an overview of the progress of Cambodia's decentralisation reform in engendering good governance and democratic development at local levels since its inception in 2002. By bringing the government closer to the people, decentralisation is commonly assumed to help improve (1) government's accountability and responsiveness, (2) citizens' participation in local development, and (3) representation of marginalised groups of people, all of which are crucial to good governance and local democratic development. This policy brief assesses the extent to which decentralisation helps to induce these democracy enhancing factors and offers a perspective on what has been achieved and the remaining challenges that need to be addressed in order to deepen democratic decentralisation in Cambodia.

INTRODUCTION

Decentralisation reform has been greatly scaled up since its implementation in 2002. Beginning with the provision for local autonomy at commune/*sangkat* level under the Law on Administration and Management of Communes and the Law on Commune Elections, both enacted in 2001, decentralisation has been introduced at higher levels of sub-national administration. To date, two successive Commune/*Sangkat* Council elections, in 2002 and 2007, have been held at local level. Further reform occurred in 2005 with the adoption of the Strategic Framework for Decentralisation and Deconcentration. By design, this framework paved the way for the adoption of the Law on Administrative Management of the Capital, Provinces, Municipalities, Districts, and Khans (hereafter referred to as the Organic Law) in April 2008. The Organic Law created two additional layers of sub-national level government with higher administrative hierarchy, namely the district/municipal and provincial councils. These councils take office through indirect election in which the commune councillors (CCs) are voters. The first such election was held in May 2009. Within this extensive reform, significant functions, authority and resources are to be delegated from the central to provincial and

district/municipal levels with the aim of improving democratic development and basic service delivery under a unified administration. Further, mechanisms for accountability, public participation, representation, effectiveness, democratisation and local development have been mandated and put in place (RCG 2005).

Despite this progress in implementing the legal framework of decentralisation reform, there has been no systematic review of the substantive achievements to date. Literature offers conflicting views on the progress and prospects of the reform, thereby presenting only a partial picture of what has actually happened on the ground. These studies can be categorised into two main schools of thought.

The first school of thought claims that D&D reform has fallen short of original expectations because it is not conducive to the Cambodian political culture. Blunt and Turner (2005, see also Turner 2002), for example, said that due to deeply embedded cultures/patterns of hierarchy and patrimonialism, decentralisation does not fit in, thereby contributing to its weak forms (see Smoke & Morrison 2008: 19-20, 22).

Embedded cultures/patterns raised by this group of literature do represent a stumbling block to decentralisation reform to a certain extent. This is

1 This policy brief is based on the CDRI working paper by Heng Seiha, Kim Sedara and So Sokbunthoeun (forthcoming): "Decentralised Governance in Hybrid Polity: Localisation of Decentralisation and Deconcentration Reform in Cambodia". Localisation of D&D simply means that the intended theoretical assumptions are not realised, rather the results of the reform process have been transformed within the local context.

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evident in various problems (reported by both local level officials and key stakeholders in decentralisation reform) including coordination issues between line ministries and local administration, lagging delegation of discretionary power from line agencies to elected CCs, incomplete autonomy for commune councils (as stipulated in the legal regulations), blurred boundaries between political party and the state (political party influence) and accountability issues caused by power imbalance tilted towards appointed rather than popularly elected officials. However, this perspective may have overemphasised the static nature of Cambodian political culture and downplayed any achievements to date (Hughes & Öjendal 2006). A range of literature indicates that decentralisation works according to different socio-political context. And culture is not completely static but can be reshaped slowly within the changing political environment. Based on his long experience in some countries, particularly in India, Manor (2008: 3) showed that deeply rooted “caste hierarchies” and “patronage networks” do not pose an impediment to the efforts to enhance local democracy, and decentralisation systems are still working well.

The second school of thought takes a more optimistic view of the reform, claiming that decentralisation is a suitable device for post conflict reconstruction and restoration of the state’s legitimacy in Cambodia. It is also seen as “soft politics,” bringing about political change, reinventing state institutions and opening space for deepening democracy and good governance in Cambodia (Öjendal & Kim 2001; Kim 2011; Kim & Öjendal 2009; Ann 2008; Manor 2008).

This paper revisits the achievements and challenges of Cambodia’s decentralisation reforms claimed thus far. Taking into account the constraints raised by the first group of literature, this study acknowledges that decentralisation reform in Cambodia took place within a politically hybrid environment. Political hybridity is a situation in which the forms of liberal democratic system, such as formal institutions and procedures, are fused with local, historical political cultures and institutions (Van de Walle 2001; Diamond 2002). It reflects a transformation that takes place within a political situation characterised by Carothers (2002) as the “Grey Zone,” where countries in transition from authoritarian rule fall between “full fledged democracy and outright dictatorship.” In light of such situation, linear progression in democratic development cannot be expected. Challenges, including a variety of “informal institutions and cultural predispositions, invented ‘traditions’ and politicised networks,

many of which are either non-democratic or anti-democratic” can be expected (CDRI 2006: 16). Yet, the transformation of local values should not be underestimated. Sharing a similar view with the second school of thought on the dynamic and possible achievements of decentralisation reform, this study, however, cautions that the outcome of decentralisation has been to a great extent localised and transformed within a hybrid political context and that any possible changes and achievements are likely to be uneven and vary depending on specific context.

KEY FINDINGS

Accountability and Responsiveness

After more than a decade of reform, some progress in terms of accountability and responsiveness is evident. Both CCs and citizens have reported definite improvements in accountability and service delivery. Commune chiefs are accountable to the people/voters and carry out their duties/mandates based on the principle of accountability. Local people feel empowered by the decentralisation process as they can hold elected leaders accountable by exercising their legitimate rights to vote incompetent councillors out of office. Similarly, increased responsiveness by local leaders has also been noted. However, this improvement in accountability and responsiveness deviates from common assumptions of democratic decentralisation. There is significant continuity in the way local administration operates. To a great extent, party discipline is very strong and creates a form of pressure for upward accountability through the party line, a force that contradicts the need for downward accountability. CCs’ responsiveness has been driven by the personal ability of local leaders to garner external support beyond what the available budget allows. Clearly, the limited amount of Commune/Sangkat Fund is not sufficient to meet local development needs. In light of such resource shortage, the ability of local leaders to be accountable and responsive to the needs of local people depends on each leader’s personality and leadership skills to access other resources for the development projects needed in their locality. CCs have tried to be responsive to the needs of people and supplement budget shortage through appealing to the party, *saboraschon* (generous people) and other sources. Personal connection and patronage, commonly viewed as a source of corruption, is also used to secure funding for delivering public services. However, such dependency on informal sources of financing raises questions for broader accountability since it is not always clear where funding other than

that formally provided by the state comes from. An added constraint to local government's accountability and responsiveness occurs in resource rich rather than resource poor localities. For example, CCs, who have strong interests in supporting local people to fight natural resource crime and in assuring the sustained use of common pool resources with a view to securing votes, formally have no real management or decision making power though they are expected by the people to take action. Much of the difficulty stems from elite capture at the centre which is often beyond the scope of D&D.

Citizen Participation

Decentralisation has created a space for citizens to participate in local politics and local development activities. Citizens are now allowed to choose local leaders and express their ideas and opinions in relation to local development and community needs through participatory local governance. Despite this improvement, the question remains as to whether decentralisation has really brought about participatory local democracy. Findings from the literature and recent fieldwork suggest that the nature of citizen participation in Cambodia has been determined by economic and cultural factors. Poor living conditions force many people to spend more time making a living rather than taking part in public/community activities and create an incentive to opt for immediate benefits from any form of participation. This issue is exacerbated by CCs' inability to respond to the people's needs, a situation that contributes to loss of interest in participation. When people do attend local meetings, cultural hierarchy may prevent genuine participatory development activities from taking place.

Representation

Decentralisation has also opened up political space for improved representation of political parties and marginalised groups of people, including women, at the local level. Clearly, having representation in place (i.e. the creation of locally elected commune councillors) not only reflects the notion of democratic principles but also helps to bridge the gap between the state/authorities and the people. Despite this improvement and change in the local governance landscape, the meaningfulness of representation and its impact on local politics and local development remain questionable. Opposition parties are unlikely to strengthen their presence at local level in the face of a dominant and politically affluent ruling party, which has consolidated its power and reinforced its political forces at all levels. Similarly, due to

socio-economic, cultural and political constraints, increased representation by women does not render an increase in political clout. Family burden, limited education, lack of assertiveness, lack of financial support, and cultural hierarchy place women in a rather politically weak position. Apart from being in charge of women's and children's affairs, women are rarely assigned other important tasks. Further, representation in the political sphere within the Cambodian context is largely dependent on each political party. Since the current electoral system is based on proportional party lists, where candidates are ranked is dependent on the priority, motivation and political will of the party leaders. However, political will to raise the profile of women's roles within political parties remains limited.

THE WAY FORWARD

The outcomes of decentralisation reform have some features in common with democratic decentralisation while others are associated with local factors indigenous to Cambodia. In other words, the achievement to date is not fully-fledged democratic decentralised governance but can be termed as, to use David Roberts' words, "indigenized democratic practice" (Roberts 2008). Whether there will be further developments in democratic decentralisation beyond this stage is debatable. Developing democracy is not a simple task. However, decentralisation reform has so far laid the necessary groundwork for local democracy. The potential of D&D in developing democracy should not be underestimated.

- Decentralisation reform has helped to create political pluralism, especially setting up multi-party councils at local level through local election. It has reconciled political differences through compromises on differing political ideologies at grassroots level for the ultimate aim of local development.
- Decentralisation has contributed to increasing the political legitimacy of the regime by revitalising the role of local state apparatus, which had been neglected for a long time due to political upheaval and civil war. Under the reform, local political institutions have been re-structured and re-invented, and local authorities have been, to a certain extent, empowered to be an agent or actor of local development.
- Decentralisation has bridged the gap between society and the state. Since implementation of the reform, the milieu of fear, repression and coercion has gradually dissipated. As argued by Öjendal and Kim (2006: 157-158), the way in which local people are expected to show *korob*,

kaud, *klach* – respect, admiration, fear – to local authorities has also shifted. Villagers' dealings with these authorities used to be characterised by *klach*, and in good cases some *korob*, but very little *kaud*; now, there is a lot of *korob* and some *kaud*, but not so much *klach*.

- Decentralisation may appear to be mismatched with a hierarchical and non-participatory culture, but it has helped familiarise voters and elected officials with democratic values. Through political education, elected representatives/leaders are now well aware that being a leader, for example, entails being accountable to people, responding to the needs of local communities, engaging people in community development, and representing the interests of local communities.

Further deepening of democratic decentralisation will require a number of facilitative factors including:

- Empowered local councils with improved access to formal resources and reduced dependency on informal sources of funds for local development.
- Improved civic education and engagement in demanding accountability and good governance from sub-national governments and line ministries.
- Enhanced coordination among key ministries and territorial authorities at sub-national levels working within a unified administration so as to improve accountability and service delivery.
- Improved capacity for leaders at sub-national levels (particularly at district level) so that a unified administration can function appropriately.

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