

Problematizing Fragmentation of Environment Governance in Cambodia -Revisiting Weber's 'Objectivity'-

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Abstract: This theoretical study problematizes fragmented policies and governances of environment in Cambodia, drawing on some case studies of decentralization policy. The analysis through extensive literature review ascribes the cause of fragmentation to international aid dependence, which allows scientists to intervene in developing governance reform and policy-making process under the name of Technical-Assistance. The nature of social science will be examined by detailing Max Weber's proposition that signals a limitation of science methodology in developing social policy. The exploration distinguishes two modes of human thinking to explain the cause of fragmentation: 'analytical/calculative thinking' and 'reflective thinking'. Through the above theoretical investigation, the result indicates a need of a new educational program that fosters 'reflective thinking' and dialogue among different disciplines and sectors for adaptive policy-governance assistance.

Keywords: Aid-Dependence, Governance, Fragmentation, Cambodia

Introduction

Cambodia is known for its rich biodiversity and natural resources (NR), possessing one of the highest forest cover rates in Southeast Asia (MoE, 2016). The wealthy water eco-system is a center of the Mekong Delta, symbolized by the Tonlé Sap. (Sreymom and Sokhem, 2015). The eighty percent of the total population residing in this rural area heavily relies on such NR (GSSD, 2016) and have been demanding sustainable development for decades.

At the beginning of July 2016, the World Bank (WB) announced that the status of Cambodia's economy had grown from low-income to lower-middle income after its GNI per capita reached \$1,020 in 2014. Though it will continue to be classified as a Least Developed Country (LDC) by the United Nations (UN, 2016: 163; ILO, 2017), 7% GDP growth in 2016-2017 indicates that rapid economic growth is ongoing (WB, 2016). This growth, however, has put huge pressures on the national environment and NR. Numerous efforts have been mobilized for the green governance, but so far have borne few fruits. In 2016, the Environmental Performance Index published by the Yale Center for Environmental Law and Policy downgraded Cambodia from 145th out of 178 countries to 146th, due to an absence of effective environmental regulations and management systems (YCELP, 2016).

The Ministry of Environment (MoE), assisted by International Organizations (IOs), has worked for a central mandate of ensuring the conservation strategy and NR management (NRM). Environmental governance reform has progressed since March 2016, when the sub-decree (ANKr BK 34, 2016) expanded the powers of MoE by transferring the roles and responsibilities of community forestry (CF) and fisheries (CFi) from the Ministry of Agriculture Fisheries and Food (MAFF) (Instead, the sub-decree, instead, refers that all Economic Land Concessions (ELC) area shall be under MAFF jurisdiction.) to MoE. The whole cost of the reform is estimated to be a huge amount, ranging from 500,000 to 1,000,000 USD per area/per year (Souter *et al.*, 2016). Such dynamic transition requires an immediate review on the accumulated issues of environment governance in order to improve national coordination.

On the other hand, the problem of aid-dependence has attracted scholars' attention for decades. It has been indicated that hastily set up policies without sufficient allocation of roles and responsibilities have ushered in a heavy dependency on external aid and government generosity. The consequence invites *ad hoc* regulations, constraints and interventions (Contamin and Fauré, 1992; Ballet *et al.*, 2009). Such a dependency becomes a chronic relationship between traditional donors and the government in Cambodia (Sato *et al.*, 2011). The vast

number of ministries represent the gravity of the international aid heaviness in a nation where 94.3 percent of the national budget from 2002 to 2010 came from international aid (net) (Rothstein, 2014).

Decentralization in Cambodia has been led by the short-term benefit/rent-seeking in response to the agenda of donors (Blunt and Turner, 2005). Very often, it results only in an increase of transaction costs (Acharya *et al.*, 2006; Kragelund, 2008). However, policy makers tend to ascribe the poor implementation to an immature "capacity" of the officials or weak awareness amongst local players (Grimble *et al.*, 1996). There is an absence of long-term strategy among development partners regarding capacity development (COMFREL 2007: 22). To make matters worse, insufficient communication among ministries, NGOs and IOs accelerates fragmentation in pursuing respective policies and efforts.

The long-term international aid has made Cambodia a "laboratory for donor's trial and error experiments" (Ear, 2012: 10), and political and economic elites have stampeded to exploit the country's NR for personal gain. Through an examination on three sectors (garments, rice and livestock), Ear (2012) critically depicts how an absence of inter-institutional accountability (Ear, 2012: 284) and deterioration of the normative consciousness have debilitated Cambodia's democracy. Rothstein (2014) also shows how foreign aid has a negative impact on national governance systems, in particular on the livelihoods of common people and on human rights.

Yet, few of these accumulated studies identify a theoretical reason for the fragmentation and vice effect of foreign aid.

Materials and Methods

By reviewing the preceding literature, this paper will focus on the fragmented status of environmental governance and attempt a theoretical explanation of fragmentation as a fundamental factor of the vice effects caused by aid-dependence. This exploration looks into Max Weber's theoretical discussion and identifies the cause of fragmentation as a result of excessive intervention of scientists in developing social policy.

Results

Cambodia Decentralization Policy

An initial decentralization of national governance can be traced back to the Cambodia Reintegration and Rehabilitation (CARERE) project in 1994, led by UNDP. The SEILA Program commenced in 1996 (the name 'SEILA' comes from the Khmer/Sanskrit word meaning 'foundation stone') and re-designed the CARERE project (CARERE2). Andersen (2004:13) notes:

In the early 1990s Cambodia emerged as socially and politically fragmented with an acute need for reconstruction and reconciliation. It was marked by the legacies of prolonged and extreme violence (including civil war), by deep and widespread poverty, by lack of social trust and by a lack of perceptions of a benevolent state. It had experienced a systematic destruction of human capital and the rural society suffered from a deficit of credible political ideas and lacked respected or available local leaders. In general, the rural population did not engage with the state if they could avoid it. There was thus a crucial need for a development program that could simultaneously address social fragmentation at the local level while increasing the legitimacy of the local administration.

Nevertheless, the PILAC (2008) reveals that the overlapping functions in sub-national administrations remain seriously unresolved, hamstringing policy implementation within different line-ministries. The old report on the decentralization clearly signals an absence of vision and coherency in policy framework, neglecting to outline horizontal coordination between different ministries (COMFREL 2007: 14-15).

The overlapping roles and responsibilities prescribed in different legal instruments are easily found even today. For instance, the organic law (NS/RKM/0508/017, 2008) denotes in the Article 39 that sub-national councils 'shall formulate a development framework which describes basic principles for the use and management of land and natural resources in that area', whilst the Ministry of Land Management, Urbanization and Construction (MoLUC) in Article 3 of its Prakas (PrK/D.N.S/02, 1999) requests the Ministry 'assess impacts on environment in the provinces/municipality to make plans for construction'.

Land management is not the only area plagued by overlapping policies. Milne (2013) deplores the complexity of overlapping and conflicting roles in the fishing areas between MoE and Fisheries Administration (FiA) under MAFF. The conflict also occurs in water resource management among Farmer Water User Communities, initiated by ADB in 1999. The project has faced barriers due to overlapping mandates and frictions with Commune Councils (Ros *et al.*, 2011: 32).

CF, CFi and Community Protected Area (CPA) governance epitomises national Community-based Natural Resource Management (CBNRM) that established on the combined efforts by governments and international partners. However, most of the projects in identification,

design, implementation and policy-making are donor-driven (Godfrey *et al.*, 2002). The technical assistances offered by donors have intensified the decentralization of governance and have established the road for implementing CBNRM since the early 1990s in seeking 'democratic development'. After pilot projects from the Mennonite Central Committee in Takeo Province (1992), FAO's provincial level project in Siam Reap (1995) and the Department of Forestry and Wildlife (DF and W) achieved the establishment of a Community Forestry Unit in 1998 with the support of GTZ (Poffenberger and Smith-Hanssen, 2013: 42-43).

Apart from these projects, MoE has developed its CBNRM governance after reviewing ten years of management practice since 1993, when royal decree established 23 Protected Areas (PAs) of 3,273,200 ha. The General Department of Nature Conservation and Protection (GDANCP) in MoE issued a proclamation to invite the communities to develop a decentralization strategy of the PAs. The discussion revealed the difficulties of controlling (patrol) these major areas by the government (rangers) due to a scarcity of financial/human resources (Leakhena, 2006; Milne, 2013). After piloting four CPAs in 1999, the Protected Area Laws, revised in 2008, came to note "the management of the protected area shall have to guarantee the rights of the local communities, indigenous ethnic minorities".

This brief history of CBNRM reveals the major separation of NRM between MoE and MAFF, which impedes communication and cooperation within the ministries and between technical assistants (IOs) within both ministries. Kurauchi *et al.* (2006: 7, 19) once warned that such 'overlapping responsibilities of multiple agencies involved in community project operation and limited interagency coordination have been roadblocks to the effective implementation of CBNRM', and 'overlapping and conflicting laws and regulations are also a common impediment to the success of decentralization policies'.

Fragmented Status in CBNRM

In spite of the efforts to protect NR, deforestation and its accompanying destruction of inhabitants' livelihood have been exacerbated by the same hands of these development agencies. Before the 2000s, the main cause of destruction was sporadic 'illegal logging', but gradually Economic Land Concession (ELCs) issued by both MoE and MAFF have become the foremost agents of deforestation. It has become clear that forests are controlled by national policy makers, not by the communities. As Poffenberge and Smith-Hassen (2013: 39) state, "The big increases in ELC are made in compliance with the government's development policy

in alleviating poverty for the country". This type of contradiction in 'development' and 'conservation' requests circumspect action.

The term "natural resource" has various phenomenal facets for communities, not only as a target of protection, but of food resources and also of cash resources. The reality is fragmented into 'realities' by the respective interests of policymakers and the fragmented realities have been entangled too heavily to identify a priority among different development issues: Rectangular Strategy Phase III (currently 2013-), National Strategic Development Plan, Cambodia Millennium Development Goals, the National Protected Areas Strategic Management Plan (NPASMP), Spatial Planning Policy, Declaration on Land Policy (2009), National Forest Sector Policy (2002), The National Forest Program (2010-2029), to name a few.

The situation becomes such as Ballet *et al.* (2009: 24) describe: 'In many developing countries, a large number of ministries and public bodies (development agencies etc.) are responsible for natural resources and the environment, without the links between the specific problems being clearly identified'.

Cambodia's food security domain, for instance, has become the same administrative area of the following policies: Macro Economic Development Policy, Decentralization and De-concentration Policy, Rectangular Strategy 2004, Gender Policy, Disaster Management Policy, National Adaptation Program of Action to Climate Change (NAPA), National Population Policy 2003, Strategy on Agriculture and Water 2006-2010 (SAW), Ministry of Water Resources and Meteorology Strategic Development Plan 2006-2010, Land management policy along with Land Law 2005, Rural Water Supply, Sanitation Sector (RWSS), 10 years Sector Strategy 2001-2011, Food Safety Policy, Ministry of Health Sector Strategic Plan 2003-2007 and Education Sector Strategic Plan 2006-2010 (Keosothea and Molyaneth, 2014). The above differentiation among the security policies reveals the huge range of perspectives which commonly target NR.

Ear (2005) points out that in the livestock policy as well, too many strategies and plans have become jumbled up together, with too few funded mandates and feasible policies of three national plans; The Socio-Economic Development Plan II (SEDPII), the National Poverty Reduction Strategy (NPRS), the Rectangular Strategy are made 'from donor requirements' (Ear, 2005: 15).

This fragmentation debilitates an implementation of the policies due to branched governance. When shining a light on the management zone of CPA in particular, the preceding literatures (ICEM, 2003; Gurung, 2013; ENRCC, 2016) indicate at least 12 direct links of ministries to the CPA, as depicted in Fig. 1.

The case of the Land Law exemplifies the story of harmful effects of such fragmentation.

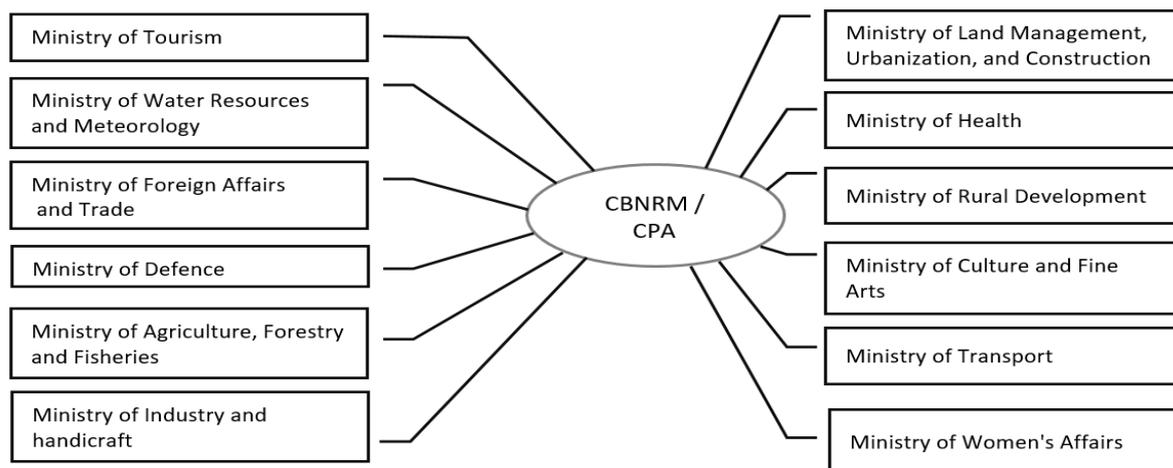


Fig. 1: Relevant ministries on CPA management

The Case-Study of the Land Law

NRM and Environment governance encompass various issues related to people's livelihood, and land tenure issue is one of the most prominent subjects for consideration.

It is notable that most of the resettlements of minority population are not initially caused by malicious intent on the part of the development agencies. Fox and Poffenberger (2013: 108-114) detail such a situation in Ratanakiri, Virachey National Park, a 338,000-hectare protected area.

According to Fox & Poffenberger, the ethnic communities of Ratanakiri traditionally respect the elders as leaders who orchestrate land-use decision-making in the village. Their traditional and spiritual knowledge of the forest, lands and waters are crystallized to their customary law, which allows family rights to hand over the lands from generation to generation.

Land use and control have been passed along the female lineage based on a tradition of 'Own by Axe' (Delvert, 1994: 488-489). There was no practice of selling communal property, nor was it seen as a commercial object; 'instead, land was viewed as a resource held in trust by the community for future generations' (Fox and Poffenberger, 2013: 108).

In order to protect their customary law, the Land Law (2001) bestowed a 'collective title', which allows traditional use of their spiritual and cemetery forests including Swidden agriculture (shifting cultivation) in combination with the following legislations of Forestry Law (2002) and Sub-Decree on Procedures for Registration of Land of Indigenous Communities (2009).

However, in practice, the Articles 25 and 26 of the Land Law prohibits the land being sold and secured for debt, and the community must use the resources according to the traditional manner; otherwise, property ownership must be returned to the owner, the state.

Under such circumstances, the communities are gradually torn between conservation for traditional identity and their demands for cash to meet education and health costs. In the end, the situation usually leads the people to give up the communal title. To make the matter worse, community members are not usually sure who owns title as the individual parcel; therefore, the transaction comes to be controlled by brokers and land speculators, including local officials.

An absence of transparency during the transaction and registration hinders the community from participating in the process. The communities cannot help but feel powerless as 'villages are unable to define the process or a clear distinction on the limits of the land sold' (Fox and Poffenberger, 2013: 111). Even when villagers attempt to protest or confront the transactions, the landowners can defend themselves by simply saying 'Where is your documentation to prove how much I purchased? Where is your stump?' (Fox and Poffenberger, 2013: 111). But it is important to remark that originally there was no culture of land transaction within this community and therefore, no reason to expect or demand documentation.

The law (2001) apparently escalates a view of the land as a market commodity among the local people. The communities are driven by desire to raise cash through land sales behind increasing atmosphere of self-interest. Capitalism and money-seeking orientation among the individuals destroys mutual help among the communities, which even the severe civil war failed to do (Hughes, 2001: 22-23).

The legal development of the Land Law during 1998-2002 met conflict among the aid communities. The Japan International Cooperation Agency (JICA) offered technical assistance for developing the civil law from 1999 to 2007 in the same period of the Land Law development assisted by ADB with WB and others.

Both laws developed in parallel despite a deep discrepancy in philosophy of land-ownership. According to Kawata *et al.* (2014), the Ministry of Justice with JICA requested to postpone the revision of the old Land Law (1999) until the civil law settled in completion, as the civil law is the general law that regulates private transaction. JICA had studied deeply Cambodia's traditional culture for better adaptation to its cultural context.

Yet, the rampant disputes over land tenure due to ELCs and soaring land price in harsh trade policymakers to prioritize a stability of legal relations; thus, MoLUC was hurried to enact the new Land Law. Before this period, ADB had started a large-scale agriculture project, urging the government to review the 1992 Land Law promptly to smooth commercial transaction. The new Land Law was developed based on a philosophy of "Land of Their Own", which intended to promote distribution of national lands to farmers.

After all, current Land Law adopts the so-called "Torrens System", in which land registration eventually finalizes land ownership (A65, A239). Such strong ownership of land-registration makes a restoration of the right almost impossible, even in case of a defective or fraudulent registration process. Under this system, the communities have no choice but to abandon their lands when usurped by elites, business dealers or officials.

It is noteworthy that in the case of Japan civil law, the Article 177 stipulates the land-registration effect merely for requirement against third party, meaning that a change of land ownership depends on a decision and negotiation between the landowner and buyer. In developing Cambodia's civil code, the Japanese technical team was drawing on their national experience in modernization. The experts developed Article 137 of the Cambodia civil law, which expresses "presumption" of ownership by those who have land-registration. Article 134 of the Cambodia civil law, thus, limits an effect of registration, as follows:

134. (Perfection) (1) *Except for a right of possession, a right of retention, a right of use and a right of residence, the creation, assignment and alteration of a real right pertaining to an immovable cannot be asserted against a third party unless the right is registered in accordance with the provisions of the laws and ordinances regarding registration.*

That is, JICA emphasizes the dualism of property right and usufruct right to secure a space for the custom in Cambodia, where owner and user are often different, and the people don't have a conception of privatized land, forest and NR. Thus, the concept of civil law differentiates itself from the Land Law.

On the other hand, ADB relies on liberalism as a guide to promote privatization of ownership and on new institutional economics theory, strengthening privatization of ownership. The clear ownership is supposed to diminish the cost of dispute resolution and smooth business transactions. Thus, the policy is harnessed to logical simplicity, promptness and transparency.

Consequently, the new Land Law brought out considerable forfeitures of farmers' lands (Kaneko, 2010) and constant abuses of registration system, allowing socially and politically powerful people to consolidate land titles and exploit business speculation. The unresolved disputes over land tenures led to the directive No.01 in 2012 issued by Prime Minister Hun Sen, which suspended ELCs. The directive also rephrases that indigenous communities can get their land title only when they obtain the private owner title (registration). "This trend, however, tends to negatively affect the community's membership, population and solidarity - after all those years in which the community has fought to register under a Collective Land Title" (Pen and Chea, 2015: 16).

The Land Law initially intended to empower the vulnerable communities by setting some special chapters, but this also failed to be realized. Through the process of developing the legal documents, IOs have not exercised sufficient control for adapting the local perspective. Ethnic minority in Cambodia denotes the people living on highland, who are commonly called as '*chun chiet*' (meaning "ethnic group") by Khmer majority. The process of legalizing Land Law translates 'indigenous people' into Khmer '*chun chiet daoem pheak tech*', adding '*daoem*' which means 'from the origin'. The term connotes 'original ethnic minorities' (Padwe, 2013). This allowed recognition for both the Khmer and the highlanders to be "original" and the nuance of "minorities" implies that they can receive special pro-poor rights by the policy.

International communities including NGOs have assisted to draft a sub-decree, which adopts the communal land right. The stipulation is more suited to indigenous custom, but at the same time, the indigenous part of the Law allows "any member of an indigenous community to exit from the 'domination of the community' with its communal land system, instead to receive compensation from the community". Individual right for "self-determination" could be distortedly interpreted toward an incentive for pursuing beneficiaries. Then, many people have chosen to get rid of their custom and communal land ownership. The technical assistance and consultations by IOs, ironically, "represented one of the first times that many communities became aware that there were potential land rights advantages associated with being 'indigenous'" (Baird, 2011: 168), and "many who denied being ethnic minorities in 2001, are now

claiming to be 'indigenous' (*Khmer Daoem*) people.....[and] also [have] started differentiating themselves from the majority because they felt there was political space to do so" (Baird, 2011: 169).

The term "marginalized", which has frequently been used by donors, is also controversial. It is difficult to recognize ethnicity in Cambodia due to a historical trait of the nation that is quite different from U.S, Australia or New Zealand. The Cham, for instance, have lived in Cambodia for generations, but are not considered as having 'originated' in Cambodia. Vietnamese as well as Lao who have lived in north eastern side of Cambodia were originally marginalized for being parts of Siam and Laos in the nineteenth century. The translation process, which did not sufficiently take the historical/cultural uniqueness of Cambodia into consideration, has resulted in bringing further confusion and distortion to the communities.

The biggest lesson learned from this discord among different donors is exactly Morishima (2004: 22) warns here: "*The biggest problem is to ignore the culture and society of counterpart and bring market economic into law*". The technical supports from development partners, most of time, dismisses Asian-Cambodia's context. The implementation becomes difficult since the notion of democracy and human rights in current governance presumes that an individual wants to participate, voice their opinion, claim rights, determine their own future and pursue tangible benefit. But these are not always true in Cambodia.

Since the nineteenth century, the meaning of "indigenous" has demarcated "Self" (colonizer) and "Other" (colonized) (Goldie, 1995). The demarcation still seems to be remained by catalysing 'pity' from donors. The discussion above provides the lesson that the technical assistance made of "pity" toward pro-marginalized/poor in tackling poverty and securing survivability, leads ironically to disenfranchisement, mainly because the right comes from the donor's preconditions and predefinitions of the value system of the other.

Simple participatory development, however, does not seem to provide a perfect resolution for the fragmentation phenomena, as the next section will discuss.

Analysis on "Participation" in Policy-Making Process

In Cambodia, where the national administration is vertically segmented, a single minister independently goes into negotiation for policy-making with the donor under the donor's initiative (Kawata, 2014). Most legal instruments in Cambodia have been developed by foreigners (Trzcinski and Upham, 2012).

It is reported that the legal documents have been developed exclusively by the government officials and development partners, as symbolically voiced in the early days of 1998 election period: "We find it very difficult to get. They always say we cannot give before we have the official draft - but we want it before that, we want to have influence at an earlier stage" (Hughes and Sedara, 2004: 97).

However, even when the Cambodian people gain access to the process, the common language used in communication channels (in meetings or documents) is English. (Nguon, 2015: 15) The law legislative process "was participatory for NGOs but not necessarily all Cambodians and that it resulted in NGOs essentially imposing an essentialized Western concept of indigeneity on Cambodia" (Baird, 2011: 164).

The goal of the projects is defined outside the local communities and is premised on an assumption of the rational individual of economics. Thus, the NRM policy ends in a 'fight' for financial income between all stakeholders (Fay, 2007). Ballet *et al.* (2009: 64) denotes the situation as follows: "indeed, local populations themselves sometimes perceive conservation projects as opportunities to receive money... In the end, this forces the government to seek international funding to meet the costs entailed in implementing the projects. In this way, participatory projects can be developed without there being any real interest in conservation".

In spite of the above facts, the professional advisors and donors seem to be very proud of their capacity to lead sustainable development in a 'foreign' nation, and this confidence originates from a conception of the universality of science. In the name of 'technical assistance', they usually ascribe their failure of policy implementation to the 'insufficient capacity' of Cambodian people, who lack a science-based mentality, empirical knowledge, or so on. Their 'assistance', thus, means to fill a gap between reality and *their* ideal blueprint. (Godfrey *et al.*, 2002; WB, 2004; Siddiqui *et al.*, 2004). For them, the 'Other' (Cambodian), who has a different value system from Western understanding of human rights, democracy, evidence-based mindset, etc., are always "lacking capacity", under "developing", "ambiguous", "corrupting" and ignorant to stop "illegal" logging, fisheries and sand dredging.

The term 'experts' indicates educated persons - Ph.D.-holding scientists, for instance - who are supposed to be specialists of specific disciplines. Very often, the expert's knowledge and analytical thinking pinned on science methodology is believed to produce evidence-based outcomes. The expert's "objectivity", however, only has legitimacy in the context of scientifically observable or measurable facts. It is 'objective' in terms of rejecting subjective value and the perspectives of both observant (the experts, Self) and Cambodian (Other).

The problem escalates in severity when Cambodian elites, who normally participate in developing policy, stand on such science-based ‘objectivity’ but lack fundamental education on cultural studies of their own nation. There remains the question regarding the limitation of science. Even though Cambodian elites seriously pursue a “clear definition” of “transparent”, “inclusive”, “representation”, as in the case of the study by Nguon (2015), the attempts rarely take the cultural values of own nation into consideration. After all they are susceptible to an optimistic conclusion that "Cambodia has been making significant progresses...at the forefront of innovative use of communications to increase participation of relevant stakeholders" (Nguon, 2015: 13). Such attempt tends to believe that all the answers of definitions can be introduced from the technical team, simply “because members of this network are some of the country’s most prominent experts” (*ibid*).

Before marginalized/indigenous people realize the need to struggle against development and to foster a sense of self-identification and determination, every significant value of their development is reduced to a rational explanation and predetermined by the representation of a small number of the “experts”. Therefore, none of the participants in policy development can signal a risk of scientific reductionism.

The clue of this focal issue can be traced back in the discussion of Land Law. Trzcinski and Upham (2012: 144) unobtrusively left in the foot note:

The ideological perspective behind this vision of market exchange can be traced to Ronald H. Coase’s October 1960 article in the Journal of Law and Economics, *The Problem of Social Cost*. Coase famously argued that in a market without transaction costs (and other characteristics), clear and legally enforceable property rights would lead to an optimal allocation of economic resources. Coase himself acknowledged that *such markets do not exist, but his ideological followers seem all too often to forget this limitation*.

The issue is that the experts bring science into a normative ideology of ‘other’s’ reality by simply relying on assumption of intellectualism. From the view of economics, all people are understood as pursuing their self-interests of money-seeking and the communities internalises such policy into their own formality. This phenomenon reminds us of the theoretical debate named ‘value judgement dispute’ (*Werturteilsstreit*), of which Max Weber once raised. If we examine the root of an issue fundamentally, it will turn out that the problem of ‘Aid Traps’ is not a nature

of dependence itself; neither the insensibility of the donors, nor the absence of capacity on the part of the Cambodians is to blame for the nation’s stymied development. Rather it lurks metonymically in consciousness of a mode of ‘thinking’ among those who are involved in policymaking.

Discussion

Theoretical Analyse on Limitation of Science Methodology

In linkage with the ‘Paris Agreements’ (1991), the ‘Declaration on the Rehabilitation and Reconstruction of Cambodia’ provisions a framework of development following the establishment of new Cambodia constitution. Article 2 of the Declaration states that ‘the main responsibility for deciding Cambodia’s reconstruction needs and plans should rest with the Cambodian people...No attempt should be made to impose a development strategy on Cambodia from any outside source or deter potential donors from contributing to the reconstruction of Cambodia’. The need for a coordination of ‘International, regional and bilateral assistance to Cambodia’ is, however, concretely denoted in Article 7:

No effective programme of national reconstruction can be initiated without detailed assessments of Cambodia’s human, natural and other economic assets. It will be necessary for a census to be conducted, developmental priorities identified and the availability of resources, internal and external, determined. To this end there will be scope for sending to Cambodia *fact-finding missions* from the United Nations system, international financial institutions and other agencies, with the consent of the future Cambodian Government.

Positively confirming the self-determination and self-responsibility of Cambodian in their own development, the ground rationale of technical assistance by the external donors is recognized as ‘fact-finding missions’. The technical assistance is attractive in that sense, as Godfrey *et al.* (2002: 356) remark:

The quality of the documents prepared for facilitation of resource flows may be higher and the time taken to prepare them shorter, if the task is performed by an international “expert” than if counterparts take primary responsibility. In addition, there may be risks involved in handing over supervision of resource flows entirely to relatively inexperienced and not particularly well paid counterparts.

Thus, there is a huge arena for experts to go beyond their 'technical assistance' for *finding facts* and to 'impose a development strategy'. (In fact, this paper elucidates just such a scenario.) Especially in terms of the history of Cambodia, where huge numbers of educated people were killed during the Pol-Pot regime, it is beyond our imagination how difficult it is for Cambodian to voice their own perspective.

The situation above should be reviewed through a theoretical debate that was evoked more than one hundred years ago.

Heinrich Rickert (1863-1936), one of the leading Neo-Kantians philosophers in German, demarcates the nature of natural science and cultural science. While the methodology of natural science is to observe (recognize) facts for elaborating the 'laws' (*Relationsbegriff*) of nature through 'generalization' (*generalisierend*) in the pursuit of universality (Rickert, 1926: S.51), cultural science treats 'conceptual constitution of singularity' (*individualisierende Begriffsbildung*) (Rickert, 1926: S.54) as a unique, historical individual of life. For Rickert, every reality has a meaning and value-relation through personal constitution of subjective consciousness; therefore, mere causality of facts and the laws of nature built in science cannot be copies of the realities of human society, nor be deduced to the value judgement that cultural science genuinely ought to treat.

Max Weber was personally close to Rickert and learned much from the latter's doctoral dissertation ('*Zur Lehre von der Definition*' (1888) and '*Der Gegenstand der Erkenntnis*' (1892)) around 1900.

Building on Rickert's ideas, Weber, in his "*Objectivity*" in *Social Science and Social Policy* ("Objektivität" *sozialwissenschaftlicher und sozialpolitischer Erkenntnis*, 1904) analyses a limitation of natural scientific methodology in undertaking social policy development. Weber confirms that empirical sciences, such as economics, cannot produce 'value-judgement[s]' because of the assumptions underlying them:

All the analysis of infinite reality which the finite human mind can conduct rests on the tacit assumption that only a finite portion of this reality constitutes the object of scientific investigation and that *only it is "important" in the sense of being "worthy of being known."* (Weber, 1949: 72)

Weber's remark goes keenly against a dominant trend of intellectualism in that age, notably of 'the Social Policy Association' (*Verein für Sozialpolitik*, founded in 1872, to 1936). Weber refutes an extreme ideological belief in science, which prevails among the scholars in the association, allowing scientists to make value judgement as well as their involvement in policymaking.

Gustav von Schmoller (1838-1917) maintained that economics is able to play an ethical role in improving unfair distribution in the society. Schmoller ascribes a poor economic outcome to a psychological deficiency within the people in poverty (especially traditional craft masters), not to a policy of economic liberalism itself. According to Schmoller, poverty comes from their absence of 'ethos' and 'custom' (*sittlichkeit*) under the ill-balanced status of natural impulse and reason (Schmoller 1866: S.416-418). He considered that an improvement in one's quality of life can be realized through upgrading 'traditional custom', which defines an immanent value of each personality; most of the time, the hindrance for improving one's living standard comes from inferiorities of custom/morality (*Sittlich*) standard among the Labourers. After all, 'when the poor brings money with him, quit his work soon and prefer sub-human life...a half animal status, only eating and sleeping', merely 'ends in pursuing self-desire without any self-help development' (Schmoller 1865: S.191). And agricultural labours are ruled by traditional custom which leaves them in 'stupidity, laziness, ignorance and lack of self-respect and esteem' (Schmoller 1865: S.171). Without the development of their 'ethos' and a change in their conventional ideas, any freedom will not increase their welfare and happiness, nor will it lead to an improvement of their economic status.

Weber problematizes such unconsciousness of a belief among the scientists:

[Such scientists] believe that the economic "factor" is the "real"- one, the only "true" one and the one which "in the last instance is everywhere decisive". This phenomenon is by no means unique. Almost all the sciences, from philology to biology have occasionally claimed to be the sources not only of specialized scientific knowledge but of 'worldview' as well. Under the impression of the profound cultural significance of modern economic transformations and especially of the far-reaching ramifications of the 'labour question', the inevitable monistic tendency of every type of thought which is not self-critical naturally follows this path. (Weber, 1949: 69)

Science requires us to be 'objective' by sacrificing the 'subjectivity' of both observant and observer; thus, it can never be '*self-critical*' of the observer's preconditioned subjectivity, i.e., value judgement. The focus here is that the procedure of empirical science cannot tell 'what should be done' (Böse 1939: S.145) for others, since the reality of cultural life is infinitely diversified. Science can spot a light on only a portion of its historical subjectivity of cultural life. In this sense...

‘...especially in the discussion of legislation, there will inevitably be found social policy, i.e., the statement of ideals, in addition to social science, i.e., the analysis of facts. But we do not by any means intend to present such discussions as "science" and we will guard as best we can against allowing these two to be confused with each other’. (Weber, 1949: 60)

Weber examines the limitations of science when it attempts to approach social policy. A simplified economic theory may be able to produce an illustration of synthetic constructs and it can help our understanding “ideas” of historical phenomena. ‘It offers us an ideal picture of events’, such as ‘the principles of an exchange economy’ or ‘free competition’ and an actor’s ‘rational conduct’ to facilitate our understanding of the reality. It can be an internally consistent system and Weber names it ‘Ideal type’, being constructed through ‘the thinking accentuation of certain elements of reality’.

‘An ideal type is formed by the one-sided accentuation of one or more points of view and by the synthesis of a great many diffuse, discrete, more or less present and occasionally absent concrete individual phenomena, which are arranged according to those one-sidedly emphasized viewpoints into a unified thought construct’. (Weber 1949: 90)

Such an ideal type helps us to interpret the reality in our exploration to some extent and offers a ‘guidance to the construction of hypotheses’, but never provides a holistic description of the reality, nor ‘normative validity’. Ideal type is ‘an analytic instrument for the mastery of empirical data’ (Weber, 1949: 106) to interpret reality and ‘cannot be found empirically anywhere in reality. It is a utopia’, the same as the ‘vision of market exchange’ (Weber, 1949: 90) that preconditions many experts, as seen in the case of Cambodia green governance.

Science ‘first arose in connection with practical considerations’, but ‘a formulation of the logical distinction between "empirical knowledge," i.e., knowledge of what "is," and "normative knowledge," i.e., of what "should be"' (Weber, 1949: 51) has not been conducted. Without this distinction, ‘invariant natural laws’ govern economic life with ‘the inevitably emergent’. With the awakening of the historical sense, a combination of ‘ethical evolutionism’ and ‘historical relativism’ becomes the predominant attitude in social policy. Such ethical attempt of normative validation...

however, is not a task which science can undertake; it is rather the task of the acting, willing person: He weighs and chooses from among the values involved according to his own conscience and his personal view of the world. Science can make him realize that all action and naturally, according to the circumstances, inaction imply in their consequences the espousal of certain values-and herewith-what is today so willingly overlooked-the rejection of certain others. The act of choice itself is his own responsibility. (Weber, 1949: 53)

Thus, Weber attaches a great importance on the interaction and integration of multiple perspectives, which attempts to pursue one’s own singularity of historical subjectivity as ‘his own responsibility’. Weber compacts this point simply as: ‘from specific normative standards of value can and must be the objects of dispute in a discussion of a problem of social policy because the problem lies in the domain of general cultural values’ (Weber 1949: 56). In developing social policy, therefore;

Every meaningful value-judgment about someone else's aspirations must be a criticism from the standpoint of one's own worldview; it must be a struggle against another's ideals from the standpoint of one's own. If in a particular concrete case, the ultimate value-axioms which underlie practical activity are not only to be designated and scientifically analysed but are also to be shown in their relationship to other value axioms, "positive" criticism by means of a systematic exposition of the latter is unavoidable (Weber, 1949: 59).

Weber’s exploration enables us to discern ‘analytical thinking’ and ‘self-critical’ reflection of our thinking activity. The former is of science, which aims to simplify several facts from a limited perspective into induction through objectification, while the latter is reflective as ‘a criticism from the standpoint of one's own worldview’.

This implication opens a discussion of our general conscious activity. In orienting ‘object’, logically we cannot eschew standing on a certain perspective in analysing, calculating, including so-called ‘critical thinking’. In other words, when we exert our critical thinking or analytical thinking, we inevitably stand on certain stand-points or worldviews to evaluate or calculate objects, based on a certain standard as a preconditioned value-judgement.

In our ‘reflection’, we direct our doubting eyes toward our own stand-point, then our consciousness faces self-denial. It is a process of critical thinking

against the critical thinking; reflection is just such a contradictive activity of thinking. For such reflection, a certain pluralism, what Weber calls 'War of Gods' (*Kampf der Götter*), is inexorably requested in a form of mutual argumentation as a creation for 'a struggle against another's ideals from the standpoint of one's own'.

Weber himself, however, in his late remarks in '*Science as a Vocation (Wissenschaft als Beruf [1919])*', admits that a permeation of Aristocratic Nihilism in modern society (Hollinger, 1996:13-18) is impregnable and 'science has entered a phase of specialization previously unknown and that this will forever remain the case'. He finally does not envision a future integration of science and practice (Weber, 1948 [1919]: 134-135).

Weber's pessimistic remarks are reconsidered by Habermas in his 'Idea of University' (1987). Habermas punctuates a need of public 'argumentation' (1987:21-22) and communication among scholars to integrates respective views of sciences.

This paper confirms that today's global situation progresses to, against Weber's consideration, a realm of dominant unconsciousness that bestows 'science' to an ideal realization, as if specialized science can 'hit from his own specialized point of view'. However, we cannot find any heuristic clues from Weber of an institutional approach to cultivate one scientist to be a 'cultured person' (*Kultur Mensch*), who can 'determine our conduct and give meaning and significance to our life' (Weber 1949: 54-55). This challenge seems to remain a task for the people who attempt to bridge academics and practice. The reality in the world requires that we stand on practical objectivity which contains such historical subjectivities with own worldviews.

Co-Management as an Ideal Type

Through reviewing environment/NRM governance in Cambodia, the main cause of fragmentation is considered to be an extreme science-based approach taken by different 'ideal values'. It derives from less reflective consideration in developing policies, culminating in missing the subjectivity, i.e. the local/cultural context of Cambodia.

Fennella *et al.* (2008) provides a picture of adaptive co-management by contrasting '*calculative thinking*' and '*reflective thinking*', which both coincide with to some extent Weber's distinction of the 'empirical knowledge' of science and the 'normative knowledge' of cultural science.

According to Fennel, the core concept of co-management requires us to invoke a mode of 'reflection' among different stakeholders, governments, even NGOs, international communities and the people in community. 'By thinking reflectively, we open the possibility of

appreciating importance of tradition, ecology, and culture beyond the immediate short-term cost-benefit calculation inherent in utilitarian thought". Furthermore, "[a]s participants discuss these fundamental ethical questions through meditative or reflective thinking, adaptive co-management becomes an agent of governance which is good, right, and authentic as well as an arena in which uncertainty can be embraced" (Fennella, 2008: 73).

Co-management is envisaged to be thus, "changing paradigm" of "development" (WWF, 2011) through various stakeholders' participation from policymakers and indigenous people who hold fundamentally different sense of values. Such adaptive co-management may bring not only effective NRM, but also a strong adaptation of the policy to Cambodia.

The implementation of adaptive co-management requires concrete methodology in practice, especially in terms of education, which allows for a changing paradigm of people's consciousness or their mode of 'thinking'. Mainly, two challenges stand before implementing the above education. First, it requires time and effort to develop the local thinking of the people which can relativize the value system of global society. In this regard, the scholars from humanities and cultural science like anthropologist would play a critical role in bringing the cultural/ indigenous perspective into policy development. The recent study of Work (2017) shows a crucial implication to the potential policy participation from the academics/ reseachers through co-production of knowledge with local communities.

Second, as this study discussed, the recommendation is not limited in the capacity-building of Cambodian people, but also generally in the prevailing mindset of international communities. Currently, there is no institutional system and educational program for most of UN workers/ experts to be well aware of the role of a trans-disciplinary approach, especially by incorporating humanities and cultural science before commencing policy-making.

There should be a new international system to evaluate the donor's projects from a view of humanities and cultural science combined with an educational approach for them to foster 'reflective thinking' of all agencies involved in the development. Such policy dialogue is indispensable in order to establish a well-defined co-management system. As Karl Jaspers once remarked '*Humanitas*' is cultivation (*Buildung*), to 'stand in the all other's shoes and think together' (*das mitdenken auf dem Standpunkt eines jeden anderen*) (Jaspers [1946] 1980: S.51) and that which enables us to respect Other (*Ehrfurcht*).

Conclusion

This paper problematizes the fragmentation of policy governance in Cambodia and attempts to explain this phenomenon by drawing on the Max Weber's discussion on the limited function of science. The study points out that the ideology of the scientism/ intellectualism, as the cause of fragmentation and disruption of the community.

This exploration sheds light on the significance of pursuing the advanced integrated approach and the establishment of the education system to encourage reflective thinking that respects the donor-recipient's worldview and conceptions of values.

The new international system should be developed to monitor and evaluate the manner of policy development and technical assistance offered by international donors to avoid excessive monocentric developmentism. Integrated disciplines and multi-dimensional review of both practices and academics should be the framework by which development is judged.

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Ethics

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