



# Civil society, political society and politics of disorder in Cambodia



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## ARTICLE INFO

### Article history:

Received 19 May 2016

Received in revised form

23 March 2017

Accepted 25 March 2017

### Keywords:

Cambodia

Civil society

Hegemony

Labor politics

Political society

## ABSTRACT

This paper questions under what conditions the social foundation necessary for the construction and sustenance of civil society are present in post-colonial social formations, and the extent to which there has been a need to develop concessionary politics to maintain a project of rule. It utilizes Partha Chatterjee's usage of Gramsci's political society to understand how Cambodia's ILO-led garment factory monitoring regime secures legitimacy not by the participation of workercitizens in the matters of the state, but by claiming to provide for their well being. I argue that the hegemonic project is fraught by virtue of the fact that consent-seeking forms of regulation, which aim to prevent strikes through trade union membership and tripartitism, have reached their limit and spilled over and into a disaggregated, messier terrain of struggles akin to political society. To develop the argument that workers' politics cannot be expressed in state-civil society relations, I present case studies of two forms of protest. The first form is distinguished by mass faintings, which I characterize as 'visceral protest' against the terms of workers' insertion into industrial capitalism. The second is large-scale, worker-led strikes that signal a 'politics of social disorder' is emerging, characterized by extra-legal, disruptive, and sometimes violent protest. The paper calls for a repoliticization of labor, and research attuned to workers' ambitions that cannot be reduced to a stable location or sphere within state-civil society relations.

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## 1. Introduction

This paper contributes to a growing body of literature on precarious labor and state-labor relations through a study of workers' mobilizations in Cambodia's textile and garment sector. According to export-led economic growth models, formal employment in sectors like textile and garment manufacturing is upheld as an inherent good. A labor contract between employers and employees that regulates working conditions can be the boundary between political inclusion and exclusion (Barchiesi, 2011). Yet for the majority in Cambodia, formal employment and trade union membership is not the way out of poverty, rather, it is the manner in which workers' are included in a labor regime that precludes a decent wage and becoming active members of the body politic. Indeed, workers protests sparked by poverty wages have fostered mobilizations among factory workers that, with their autonomy from dominant institutions of state and civil society, challenge the political order deemed necessary for capital accumulation, complicating efforts to integrate subaltern classes into economic development projects pursued by leading social groups. While both

state and civil society actors attempt to appropriate these struggles as part of hegemonic projects, the political space opened by workers cannot be reduced to a stable location or sphere within either (Doucette, 2013). How, we therefore need to ask, do workers react when civil society channels of mediation fail to realize core livelihood needs?

A Gramscian perspective is a useful framework for analyzing tensions between subaltern workers and civil society. Civil society is regarded as the terrain upon which social classes compete for social and political leadership, or hegemony, over other social classes (Thomas, 2009). State hegemonic projects are conceived as a network of social relations for the production of consent through civil society, with hegemony 'guaranteed' 'in the last instance' by capture of the legal monopoly of violence, conceptualized by Gramsci as political society which operates primarily through the exercise of coercive force. For Gramsci, state and state power is both centralized and diffuse (Ekers & Loftus, 2008), with the integral state comprising political society and civil society. No hegemony is ever complete, and due to its partial and precarious nature hierarchies fundamental to hegemonic imperatives in capitalist social relations can never be eliminated (Davies, 2011).

To unpack such fraught hegemonies, a central problematic the paper addresses is 'order' in the global economy. In this regard,

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Jessop and Sum (2006) draw attention to capital's need not only to disembody economic relations from their old social integument but also to re-embed them into new supportive social relations. It is in this realm that states are particularly important. States provide an important facilitative role for capital, but they also must take on a regulatory role to assuage the excesses of neoliberal globalization to maintain social cohesion and political legitimacy. Engaging global production networks provide important means for national economies to be (favorably) inserted into the emerging regional and global economy, but that very insertion can fragment national economies and societies and create alternative foci of political legitimacy (Jessop & Sum, 2006). It is for this and other reasons that the reach of the state is so extensive. This understanding of order has implications not only for regulation of precarious labor, but also how we understand the state as a contingent social relation, rather than mere receptor of or reactor to capital's imperatives (Ince & de la Torre, 2016), that can be transformed by patterning social relations differently. To address this 'middle range' problematic, we must question under what conditions the social foundation necessary for the construction and sustenance of civil society are present in late developing, post-colonial social formations, considering the extent to which there has been a need to develop concessionary politics to legitimate a project of rule.

Partha Chatterjee (2004, 2011) offers a useful approach to understand state-civil society relations. He argues that even the most undemocratic of modern regimes must claim its legitimacy not from divine right or dynastic succession or the right of conquest, but from the will of the people, however expressed. Electoral-authoritarians, military dictatorships and one-party regimes all rule, or so they must say, "on behalf of the people". Most citizens, however, are only tenuously rights-bearing citizens in the sense imagined by the constitution. But it is not as though they are outside the reach of the state or even excluded from the domain of politics. Rather, Chatterjee (2004) asserts that the needs of populations within the territorial jurisdiction of the state have to be addressed and their ambitions are controlled by various governmental agencies. These activities bring these populations into a certain *political* relationship with the state, yet in a manner that does not always conform to the constitutional depiction of the relation between the state and members of civil society. As addressed in more detail below, for Chatterjee (2011), writing on India, political space has become effectively split between (a) a narrow domain of civil society where citizens interact with the state through the mutual recognition of legally enforceable rights, and (b) a wider domain of *political society* where governmental agencies deal not with citizens and their democratic-ethical significance, but with 'populations' to whom the state delivers specific benefits or services—in the Cambodia case in the form of neo-patrimonial relations. Sanyal (2007), offering a complimentary perspective, asserts that a conceptualization of post-colonial capitalism in these terms brings into visibility a new political imaginary which foregrounds the politics of exclusion rather than the politics of transition (to an industrialized, liberal democratic norm) that has dominated thinking about the Third World.

The paper, then, addresses an unresolved question generated by the globalization of production—the capacity of civil society organizations to act as institutional expression of workers' interests. The paper is organized as follows: in the next section 1 utilize Chatterjee's theory of political society to understand how Cambodia's factory monitoring regime secures legitimacy not by the participation of worker-citizens in the matters of the state, but by claiming to provide for workers' well-being. By design, numerous core concerns are not addressed in Cambodia's monitoring regime, rather via trade union membership and institutional tripartite bodies. I then proceed to sketch select theories on trade unions and

civil society to understand efforts to garner workers' consent. I argue that this hegemonic project is fraught by virtue of the fact that consent-seeking forms of regulation, which aim to prevent strikes, have reached their limit and spilled over and into a dis-aggregated, messier terrain of political struggles akin to Chatterjee's theory of political society. To develop the argument that workers' politics cannot be expressed in state-civil society relations, I present case studies of two forms of protest. The first form appeared in 2011, distinguished by the as-yet unexplained mass faintings that have taken in place in the thousands, characterized as 'visceral protests' against the terms of workers' insertion into industrial capitalism. The second case is large-scale, at times nationwide worker-led strikes that signal a 'politics of social disorder' is emerging, marked by extra-legal, disruptive, and sometimes violent protest. I then conclude in the final section by returning to the main strands of the argument.

The research for this paper utilizes the extended case method. Through participant observation with a Phnom Penh-based trade union confederation that began in 2006, the author has taken part in the day-to-day working of the union, while observing numerous factory-level and nation wide strikes. Fieldwork for this particular paper took place between September 2013 and January 2015, comprising three two-three month stays in Phnom Penh with field visits to industrial zones and workers' housing in Phnom Penh vicinity and Bavet. Alongside participant observation, in depth interviews were conducted with stakeholders from the Cambodian government, Garment Manufacturers Association of Cambodia representatives, ILO staff and NGO staff. The author, in cooperation with a Phnom Penh-based research organization, also carried out a detailed livelihood survey among 250 workers from garments, construction and street vending, the findings of which are not specifically addressed yet inform contentions made herein.

## 2. Labor rights monitoring, governmentality and depoliticizing labor

Cambodia's apparel manufacturing sector speaks to global debates on political ordering of state-society relations in a manner conducive to capitalist development (c.f. Jessop & Sum, 2006; Springer, 2009). Cambodia is host to a high profile International Labour Organization (ILO)-led project enabled by an unlikely cooperative arrangement among an authoritarian and paternalistic state, trade unions, East Asian manufacturers and global garment brands and buyers. Remarkably, unionization rates in its garment sector have hovered at 60% for over a decade, unusually high in an era when trade unions' membership numbers and strength have steadily declined in other parts of the world. Despite the proliferation of unions and the branding of Cambodia as an 'ethical' manufacturing enclave, workers real wages declined between 2001 and 2013 (See Fig. 2, below). Meanwhile, workers' mobilizations have become increasingly militant, divorced from union leaders, and met the violent-coercive hand of the state. Despite low wage, excessive working hours and increasing frequency of violence, Cambodia is still regularly upheld as a labor rights success story and an example for other industrializing countries to follow (Rossi, 2015; Tyson, 2014).

Political space is a central consideration in perceptions of Cambodia's garment sector labor rights success. DiCaprio (2013) contends that the ILO's Better Factories Cambodia project introduced political space in Cambodia's labor governance structure in two ways—by creating institutions that would give effect to the labor law, and by empowering workers to use them (DiCaprio, 2013). DiCaprio defines political space by three mechanisms: a systematic labor rights monitoring regime at the factory level, the capacity of workers to engage in collective bargaining through

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