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Thai Perceptions of its Border Dispute with  
Cambodia - Implications for South Asia**

by

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# Image-Formation at a Nation's Edge: Thai Perceptions of its Border Dispute with Cambodia - Implications for South Asia<sup>1</sup>

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*Keywords: Border, Boundary, Dispute, Perception, Temple*

## ABSTRACT:

*Frontier friction has been a recurring phenomenon in much of the world, including in South and Southeast Asia. Yet the social construction of antagonistic border perceptions offers lessons about how not to frame a country's views of its neighbors. Though boundary disputes in South Asia are currently much more muted than in the past, this investigation provides a message for South Asia that ultra-patriotism over borders continues to endanger inter-state relations in other parts of Asia and can always rear its head again in South Asia. It is thus essential to examine the case of Thai perceptions towards its border with Cambodia to understand the clash between nationalist and moderate societal groups. The objective is to learn from this case that excessive border patriotism is ultimately harmful to national interests. This study focuses specifically on Thai perceptions toward the Thai-Cambodian border disputes with three questions in mind. First, how have Thai elite actor perceptions evolved toward their present state? Second, what appears to be hindering a more moderate Thai stance with regard to parts of its border conflict with Cambodia? Third, what implications are there from Thai-Cambodian border conflicts, if any, and what patterns can we generalize out of Thai border perceptions which might have implications for South and Southeast Asia? This study, focusing on image formation of boundaries, seeks to answer these questions.*

## INTRODUCTION

Boundary disputes generally derive from socially constructed images of “nations” which, at the periphery, sometimes overlap each other, especially where frontier

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demarcation remains incomplete. In this context, the behavior of the countries' ruling elites, their foreign policy priorities and their approaches to threat recognition are shaped by perceptions inspired by national identity and ideologies embedded in cultural-religious frameworks. Indeed, as Sezer (1992: 228) has stated, "threat perception is a state of mind defined by fear of other or others who are believed to be, at the minimum, predisposed to undermining one's core values such as physical survival and quality of life."<sup>4</sup>

This has been seen time and time again in South Asia, on bilateral and trilateral levels, in which colonial boundary legacies have, in newly independent states, given rise to frontier tensions. For example, the border disputes (including also maritime boundaries) between India and Pakistan over *Rann of Kutch* and *Sir Creek* as well as in Kashmir (Siachen Glacier, Line of Control/LOC)<sup>5</sup> have been framed by the complex triangular relationship with China adding struggles over territorial claims in Aksai Chin, Shaksgam Valley and Arunachal Pradesh along the *McMahon line*.<sup>6</sup> Furthermore, India has minor disputes with Nepal, Sri Lanka, and Bangladesh over their boundaries.<sup>7</sup> Afghanistan's contestation of the so-called *Durand line* as the border between Afghanistan and Pakistan is perceived by Pakistan as a serious threat towards their national unity and integrity.<sup>8</sup> There are

<sup>4</sup> Sezer, Duygu Bazoglu. 1992. 'Threat Perception in Southern Europe: The Case of Turkey', in Laszlo Valki (ed.), *Changing Threat Perceptions and Military Doctrines*. London: Macmillan, p. 228.

<sup>5</sup> For the conflict between Pakistan and India over territories, see among others: Bose, Sumantra R. 2003. *Kashmir: Roots of Conflict, Paths to Peace*. New Delhi: Vistaar Publications; Ganguly, Sumit 2002. *Conflict Unending. India-Pakistan Tensions Since 1947*. New Delhi: Oxford University Press; Mitra, Subrata K. 2001. "War and Peace in South Asia: A Revisionist View of India-Pakistan Relations", *Contemporary South Asia* (2001), 10(3), pp. 361-379; Varshney, Ashutosh. 1991. "India, Pakistan, and Kashmir: Antinomies of Nationalism", *Asian Survey*, Vol. 31, No. 11 (Nov. 1991), pp. 997-1019; Wirsing, Robert G. 2003. *Kashmir in the Shadow of the War. Regional Rivalries in a Nuclear Age*. Armonk: Sharpe; Schofield, Victoria. 2003. *Kashmir in Conflict. India, Pakistan and the Unending War*. London: I. B. Tauris; Ghosh, Partha S. 2002. "From legalism to realism in Kashmir. Internationalising the line of control", in *Heidelberg Papers in South Asian and Comparative Politics*, No. 7, <http://hpsacp.uni-hd.de/>.

<sup>6</sup> For further details on the India-China dimension of these boundary disputes, see among others: Guruswamy, Mohan and Zorawar Daulet Singh. 2009. *India China Relations, the Border Issue and Beyond*. New Delhi: Viva Books; Mehra, Parshotam. 2007. *Essays in frontier history: India, China, and the disputed border*. New Delhi: Oxford Univ. Press; Singh, Swaran. 2003. *China- South Asia: issues, equations, policies*. New Delhi: Lancer's Books; Garver, John W. 2002. *Protracted Contest: Sino-Indian Rivalry in the Twentieth Century*. Washington: University of Washington Press; Maxwell, Neville. 1999. "Sino-Indian Border Dispute Reconsidered", *Economic and Political Weekly*, Vol. 34, No. 15 (Apr. 10-16, 1999), pp. 905-918; Vohra, Sahdev 1993. *The Northern Frontier of India - the border dispute with China*. New Delhi: Intellectual Publ. House; Hoffmann, Steven A. 1990. *India and the China crisis*. Berkeley: Univ. of California Press; Maxwell, Neville. 1971. *India's China war*. London: Cape; Department of State (USA). 1968. *International Boundary Study*, No. 85 - November 15, 1968, China - Pakistan Boundary; Rowland, John. 1967. *A History of Sino-Indian Relations. Hostile Co-Existence*. Princeton, N.J.: D. Van Nostrand, Princeton; Lamb, Alastair. 1964. *The China-India border. The Origins of the Disputed Boundaries*. London: Oxford Univ. Press; Margaret W. Fisher, Leo E. Rose, Robert A. Huttenback. 1963. *Himalayan Battleground: Sino-Indian Rivalry in Ladakh*. Pall Mall Press, London 1963.

<sup>7</sup> Mitra, Subrata K./Wolf, Siegfried O. and Jivanta Schöttli. 2006. *A Political and Economic Dictionary of South Asia*. London: Routledge; Kabir, Ekram. 2005. *Border fencing - a major irritant in Indo-Bangla relations*. Dhaka: News Network.

<sup>8</sup> Yunas, Syed Fida. 2005. *The Durand Line Border Agreement, 1893*. Special issue (second). Peshawar: Area Study Centre (Russia, China & Central Asia), University of Peshawar; Nichols, Robert (ed.). 2006. *Colonial reports on Pakistan's frontier tribal areas*.

also conflicts between Bangladesh and Myanmar, Bhutan and China. (See Appendix 1 for a detailed list of the boundary disputes in South Asia).

Despite the quantity and the high intensity of some frontier conflagrations, there seems to be a gradual change in the perception of boundary conflicts among the elites of the involved states in South Asia and the extended region, especially China. Being one of the major causal factors for the extraordinarily hostile relationship between India and Pakistan, border disputes in South Asia have hampered not only development but also have impeded integration and cooperation in the whole region. Due to an increasing awareness of the socio-economic backlashes implicated by these obstacles, it appears that various sections of the political elites among the disputants have evolved an economically driven perception and interpretation of the unsolved boundary issues. This finds its most significant expression in India-Pakistan relations in terms of the so-called *composite dialogue*<sup>9</sup> (begun in 2004) and the recent India-Pakistan Joint Statement from Sharm-El-Sheikh on 16 July 2009.<sup>10</sup> Both processes can be seen as a manifestation of the political will to track their international relations not from the perspective of national identity shaped by traditional acrimony and threat perceptions but by a belief in the advantages of economic and social intercourse. This is a phenomenon which we find in India-China relations as well. Frontier ambiguity led to the 1962 border war between both countries, which soured the emerging friendship and economic exchanges on a larger scale. However, bilateral negotiations towards settlement of the border conflicts continued, which derived from shared aspirations of potential economic prosperity. This led again to a rapprochement in India-China relations, best expressed in the proverb *Hindi Chini bhai bhai, Hindi Chini bye bye, Hindi-Chini buy buy*.<sup>11</sup>

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Karachi: Oxford Univ. Press; Omrani, Bijan. 2009. "The Durand Line: History and Problems of the Afghan-Pakistan Border", *Asian Affairs*; July 2009, Vol. 40 Issue 2, p. 177-195, p. 19.

<sup>9</sup> The composite dialogue, started by then-Pakistani President General Pervez Musharraf and then-Indian Prime Minister Atal Behari Vajpayee in 2004, is the most significant step towards peace between India and Pakistan. It aimed for the normalization of relations, encompassing a range of peace and security concerns, including Confidence-Building Measures (CBMs), Jammu and Kashmir, Siachen Glacier, Sir Creek, Tulbul Navigation Project/Wullar Barrage, terrorism and drug trafficking, the promotion of friendly exchanges and greater emphasis on economic and commercial cooperation. This dialogue brought the Pakistani approach (which stated that first the Kashmir conflict must be resolved before discussing other bilateral issues) finally to an end. For further details, see Patil, Sameer Suryakant. 2008. *Indo-Pak Composite Dialogue*, IPCS Special Report No 53, June 2008; Huntington, William. (2006): "Indo-Pakistani Talks Advance", *Arms Control Today*, 36 (2006) 5; Manjuath, K.S./Sridhar, Seema and Beryl Anand (2006): *Indo-Pak Composite Dialogue 2004-05. A Profile*. IPCS Special Report 12, February 2006.

<sup>10</sup> This statement from Sharm-El-Sheikh is remarkable in that it emphasizes the need for promotion of regional integration. It seems that both states consider today that the development and elimination of poverty is one of the major contemporary challenges (besides the two most apparent and discussed points, 1) the delinking of action by Pakistan against terrorists [especially the perpetrators of the Mumbai terrorist attacks] from the composite dialogue between both countries; and 2) the inclusion of the Pakistan province of Balochistan in bilateral discussion).

<sup>11</sup> In the first years after independence, India's first Prime Minister Jawaharlal Nehru promoted the idea of an "Asian brotherhood", leading to five principles of peaceful coexistence (*Panchasheela/Panch Shila*). In its relationship with China, this finds expression in the term *Hindi Chini bhai bhai* ("Indians and Chinese are brothers"), coined by the Nehru administration. However, among other incidents (e.g. China's 1950 invasion of Tibet, and its 1959 suppression of the opposition movements, its support for the militant-Maoist [Naxalites] movement in India, and its occupation of territories contested by both countries in Aksai Chin, etc.), this border war of 1962 led to a dramatic deterioration of

In summary, it seems that in most South Asian states, contemporary economic elites have generally succeeded in moderating tense boundary policies. As such, states have shifted away from traditional, reactionary border policy priorities, deriving from dialectically opposed state philosophies like the *Two-Nation-Theory*<sup>12</sup> in the case of India and Pakistan (including Bangladesh/formerly East-Pakistan), which has been followed by old, established pressure groups such as religious fundamentalists, militants/extremists, terrorists as well as conservative circles among the military and civilian spheres. Nevertheless, these veto-players still try to exercise influence to maintain traditional interpretations for solutions to border conflicts.

Aside from South Asia, frontier disagreements as well as disputes among intra-state elite actors regarding border policy have also been frequent in other parts of Asia. Indeed, countries from East Timor to Japan have experienced boundary conflicts with neighbors, demonstrating the continuing complexity of blurred borders in a geographical expanse constituting 60 percent of the global population and 30 percent of the world's land area.<sup>13</sup>

In Southeast Asia, boundary tensions were common among most countries until the end of the Cold War in 1991, when agreements to demarcate borders paved the way for greater harmony and increased trade. Contemporary Southeast Asia contains but one continuing unconcealed imbroglio—festering frontier frictions between Thailand and Cambodia. These tensions derive from perceptions by groups of elite actors in each country. To better understand the frictions and disputes of elites in one of these countries (Thailand), it is thus necessary to examine the image-formation which has influenced Thai border perceptions with Cambodia. Of course not all Thai elites oppose resolving Thai-Cambodian border disputes. In fact, there are a growing number of prominent Thais who seek cooperation. Thus, there has occurred, among Thai actors, a growing confrontation between a moderate and confrontational perception.

This study focuses specifically on Thai perceptions towards the Thai-Cambodian border disputes with three questions in mind. First, how have Thai elite actor perceptions evolved toward their present state? Second, what appears to be hindering a more moderate Thai stance with regard to parts of its border conflict with Cambodia? Third, what implications are there from Thai-Cambodian border conflicts, if any, and what patterns can we generalize out of Thai border perceptions which might have implications for South and Southeast Asia? This study, focusing on image formation of boundaries, seeks to answer these questions.

The social construction of antagonistic border perceptions offers lessons about how not to frame a country's views of its neighbors. Though boundary friction in South Asia is currently much more muted than in the past, this investigation provides a message for South Asia that ultra-patriotism over borders continues to

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bilateral relations – “*Hindi Chini bye bye.*” Finally, given the resurrection of trade today between the two countries, contemporary relations can be described as *Hindi Chini buy buy.*

<sup>12</sup> The *Two-Nation-Theory* was introduced in 1930 by the poet, Muhammad Iqbal. Later, the idea was given political form when the Muslim League in British India, led by Muhammad Ali Jinnah, demanded the establishment of a “Homeland” for Muslims in South Asia in areas where they were a majority. Based on the notion that Muslims and Hindus are ethnically and cultural-religiously distinct, some claimed that both communities constituted separate “nations”. Politically it was argued, that Muslims and Hindus cannot live together in a common state under democratic governance set up by majority rule, because since Hindus have the absolute majority they would dominate the Muslims and perhaps retaliate for perceived wrongs of the past.

<sup>13</sup> United Nations. 2008. *State of World Population Report.*

<http://www.unfpa.org/swp/2008/presskit/docs/en-swap08-report.pdf>.

endanger inter-state relations in other parts of Asia and can always rear its head again in South Asia. It is thus essential to examine the case of Thai perceptions toward its border with Cambodia to understand the clash between nationalist and moderate societal groups. The objective is to learn from this case that excessive border patriotism is ultimately harmful to national interests.

### **I. The Case of Thai Perceptions across the Thai-Cambodian Perimeter**

The border separating Cambodia from Thailand extends roughly 499 miles (803 kms) from the Gulf of Siam (Gulf of Thailand) northward and then eastward to the Emerald Triangle at the Col (pass) de Preah Chambot.<sup>14</sup> With their long contiguous boundary, Thailand and Cambodia have sometimes experienced territorial disputes owing from an incomplete frontier demarcation. The unclear boundary line has mostly resulted from the porous quality of the border, ambiguous mapping, years of conflict in Cambodia, and numerous land-mines along the frontier. Furthermore, cross-border incidents have continued, including smuggling, banditry, and occasional military skirmishes.

Since the mid-1990s, there have been approximately four areas where territorial disputes have encumbered amicable relations between Thailand and Cambodia. In ascending order of sensitivity, these have been as follows (See Appendix 2):

1. Minimal tensions at the border separating the Thai border district of Aranyaprathet from the Cambodian border town of Poipet since the closure of refugee camps in Aranyaprathet in 1999.
2. Slight strife at the point of the Emerald Triangle, which separates Thailand, Cambodia, and Lao PDR.
3. A generally equal amount of friction and concord along the maritime border separating Koh Kud from Koh Kong
4. Soaring hostility at *Khao Phra Viharn* (*Preah Vihear Temple*).<sup>15</sup>

This study of Thai-Cambodia border issues examines each of these issue-areas. It argues that history is witnessing the evolution of Thai perspectives regarding Thai-Cambodian border problems. Moreover, this evolution has been both numerical and substantive: from one view accentuating state-centric patriotism to a plethora of differing standpoints. The study concludes that although today one finds a myriad of Thai stances on Thai-Cambodian boundary issues, it is the changing relevance of different actors in Thai society and hence the shifting relevancies of these actors' viewpoints which matters most in determining the dominant Thai perspective today. As such, given the growing relevance of business associations in Thai politics, one sees in Thailand greater attention to "free" (though not necessarily "fair") trade and economic cooperation with Cambodia which has begun to counterbalance questions of sovereign domain (over rather trifling areas of land) at the border. At the same time, the continuing importance of Thailand's military as a political actor means that boundary-related issues of national security continue to have some priority. In the long run, however,

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<sup>14</sup> Cambodia's boundary lengths: Laos, 541 kilometers (336 miles); Vietnam, 1,228 kilometers (763 miles); Gulf of Thailand coastline, 443 kilometers (275 miles); Thailand, 803 kilometers (499 miles); territorial sea limit, 12 miles.

<sup>15</sup> To avoid confusion, this study uses the Cambodian "Preah Vihear" but notes the Thai usage of *Khao Phra Viharn*. Neither usage is meant to convey bias on the author's part. Please see footnote 46 for further elaboration on the usages of these terms by Cambodians and Thais.

Thai perspectives, guided increasingly by successful collaboration in integrative issue areas, including the exigencies of commerce, may contribute to an amelioration of Thai-Cambodian border tensions. Ultimately, collective nationalistic identities which aspire to coercion can be cognitively reshaped to produce convivial cooperation.

In terms of structure, this study analyzes the current Thai-Cambodian boundary situation as well as the perceptions of relevant Thai actors towards it. Firstly, it examines the history of Thai perspectives through a review of literature, noting the actors, their perceptions and the explanation for these perceptions. Four perspectives in the literature are presented in historical order, evolving from confrontation to economic collaboration as well as a view of “territoriality” in terms of lifeless modernism. Secondly, the study examines border problems in historical detail. Though the frontier is not fully demarcated, the four principal flashpoints have been Aranyaprathet-Poipet, the Emerald Triangle, the sea border, and certain frontier temples (e.g. *Preah Vihear* sanctuary). Thirdly, the study presents the results of extended interviews with respondents from four different groups of actors representing alternate viewpoints. These include Traditional Powers (Privy Council and military); Pro-Thaksin Shinawatra political parties (mostly Palang Prachachon [People’s Power Party]/Puea Thai[For Thais]<sup>16</sup>; the anti-Thaksin political parties (Prachaitipat or the Democrat Party); and Extra-Parliamentary Forces (demonstrators, academics, and journalists). Each was queried over their perceptions regarding the suitable Thai position towards each of the aforementioned cases and plausible arguments for the different stances were offered. Finally, using a social constructivist approach, the study submits policy recommendations at the state, societal, and international levels.

## II. A Review of Thai Perceptions in Literature toward its Boundary with Cambodia

Thai perceptions of Cambodian claims to territorial integrity have traditionally been fraught with a combination of mistrust, condescension, and abhorrence. Still, some recent Thai viewpoints reflect a potential transformation in Bangkok’s traditional attitudes (e.g. Thongchai 1994).

To begin the review, it is necessary to start with some history. The relations among Southeast Asian kingdoms were traditionally tribute-based and suzerain in nature. Exact borderlines and boundary perspectives were ambiguous. Until perhaps 1238, the majority of the kingdoms of what became Siam were vassals of the Khmer Empire. But as the Khmers declined in political prowess, the Siamese arose and gained a preponderance of power over the Khmer—which eventually became a tribute kingdom of Siam. When French and British colonialists arrived in Southeast Asia, they applied exact border demarcation. This concept, new to Siam, led to a re-alignment of its borders. In 1863, Khmer or Cambodia became a French Protectorate. Following a Siamese-Franco military crisis in 1893, Siam agreed to cede territory north of the Mekong River to France. Siam’s northeast was faraway from Bangkok and became vulnerable to French advances. As such, in 1904 Siam ceded the northwestern area of present-day Cambodia which the map below labels (A), and later that year handed over the coastal areas of (C) and (D). A 1907 Franco-Siamese border agreement, a reworking of the 1904 treaty, further ceded Siem Reap, Battambang, and Sisophon (B). The irredentist Indochina War

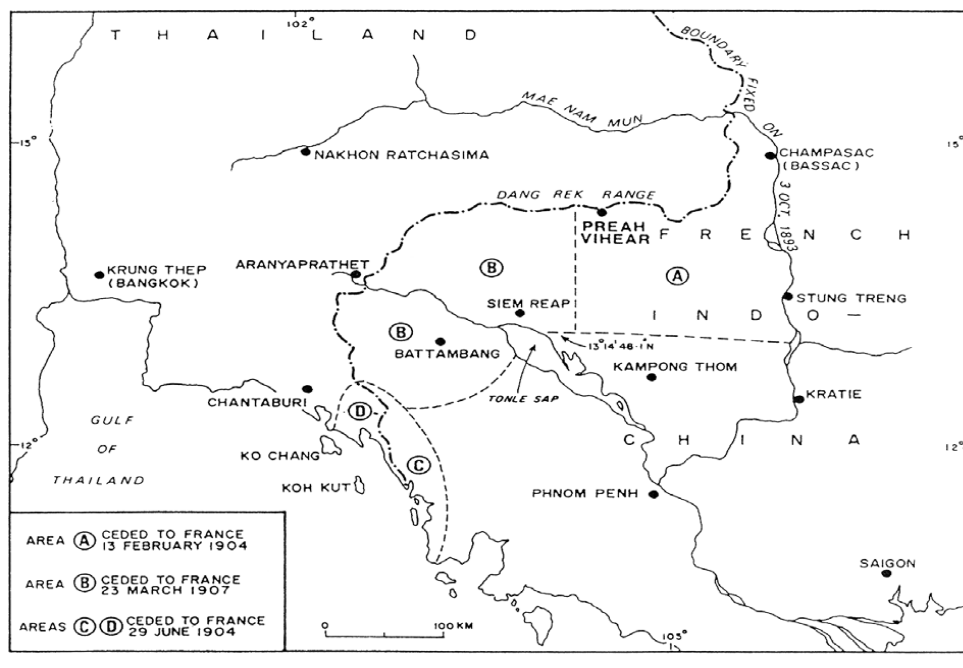
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<sup>16</sup> *Palang Prachachon* (PPP), the party of ex-Prime Minister Thaksin Shinawatra, was dissolved in December 2008. Subsequently most of the members of PPP shifted to the new pro-Thaksin party *Puea Thai*.



of 1940–41, which, through Imperial Japan’s assistance, ended in Thai gains over French Indochina, was, in the Thai view at the time, merely an equitable correction in terms of Thailand’s boundaries with French colonialists (IBS 1966). Cambodians, however, viewed Thailand’s 1941 moves as merely taking advantage of wartime conditions to invade Cambodia and make a deal with the French when the latter were weak. Only with the 1946 Treaty of Washington was Siam forced to return this territory to France—an outcome which Thais might chafe over but which Cambodians might see as simple justice. (St. John 1994: 1). Figure 1 below offers a chronology of the areas Thailand ceded to Paris to form the current Thai-Cambodian boundary—an outcome which Cambodians generally applaud but which the traditional Thai viewpoint says occurred “under duress” (IBS 1966: 5).

**Figure 1: Map illustrating Siam’s chronological ceding of territories to France**



Source: St. John 1994: 65

Chronologically, four perspectives tend to dominate the literature of Thai perceptions toward Thai-Cambodian border relations.<sup>17</sup> The first and earliest Thai perspective, founded upon notions of state-centrism and sovereign survival, was as such both nationalist and irredentist. This perception, emanating from the worldview of the Thai monarchy and its attendant military, tended to place Cambodia in a negative light and it has often pervaded Bangkok’s policy toward Phnom Penh, contributing to a latently sour relationship. It formed the Thai meta-historical discourse regarding the Thai-Cambodian border. Writings such as M. Sivaram’s *Mekong Clash and Far East Crisis* (1941) and, more recently, Manich Jumsai’s *History of Thailand and Cambodia* (1988, 2001) manifests a Thai

<sup>17</sup> The criteria for selecting this literature are threefold. First, the writer must either be Thai or write from the perception of Thailand. Second, the work must intentionally address Thai perceptions on some aspect of the Thai-Cambodian border. Third, all such literature which is available must be utilized. In general, the quantity of literature available on Thai perceptions toward the Thai-Cambodian frontier is low. As for quality, most is quite dated. Very little of the literature is academic, the far majority being polemical, popular reading.

perception emphasizing the survival and preservation of Thailand, in terms of territory, monarchy, and nation. During this mostly pre-Cold War period, the Kingdom of Thailand was threatened with incursions from French colonial *Cambodge* (within *Indochine*) as well as from Cambodia itself (shortly after its independence).

A second perspective on the Thai-Cambodian frontier paralleled the growing Cold War of the 1950 and '60s. The actors at this time were Thailand's military and monarchy, who were concerned with maintaining Thailand's territorial integrity with Cambodia but also winning a Communist insurgency. Furthermore, during this period, a number of Western studies appeared (IBS 1966; Gordon 1966; Liefer 1967). For the Thai side (cf. Khien 1983), Perspective II emphasizes Thai national security concerns along the Thai-Cambodian border in the face of foreign-inspired Communist dangers. During this time, such fears guaranteed the primacy of the military and monarchy, the principal pillars of the country's national security.

During the 1990s, a third perspective appeared on Thai-Cambodian boundary relations as Cambodia arose out of its civil war and Thailand's role in the Mekong basin began to grow. This perspective mirrored the growing number of actors with relevant perceptions: the military, the monarchy, as well as civilian governments dominated by Thai businesspeople. This latter group was more accommodating with Cambodia regarding these issues due to their desire to promote trade. This perception was reflected in new studies such as Suchita Ghosh's *Thailand: Tryst with Modernity* (1997). Furthermore, in 2008, a flurry of books in Thai appeared, published simultaneous to the 2008 crisis over the sanctuary. Some of these emphasized the need for closer cooperation on border issues. At the same time, most stressed Bangkok's desire to stand firm against losing any territory to Phnom Penh. All in all, it seems that in the post-Cold War period of the 1990s and 2000s, there were growing Thai aspirations for greater cooperation with Cambodia. Yet in 2008, amidst the crisis which occurred at *Preah Vihear*, there was more variety in the literature: some promoting a soft approach and others taking a hard-line toward the Cambodian government's border policy.

Beyond these three perspectives, there is yet a fourth lens through which one can approach Thai perspectives toward Thai-Cambodian territorial disputes. This is the viewpoint offered by Thongchai Winichakul in *Siam Mapped: a History of the Geo-Body of a Nation* (1994). It presents a generally unbiased Thai standpoint which sees problems of Thai perceptions towards the frontier as embedded within lifeless (and modernist) notions of territoriality for which people are willing to die. For Thongchai, "the geo-body of a nation is a "man-made territorial definition which creates effects—by classifying, communicating, and enforcement—on people, things, and relationships." Derived from socially-constructed spatial knowledge, it is an effect of modern geographical discourse and is crucial to a nation's identity (Thongchai 1994: 17). An example of such "mapping" can be seen in Appendix 3. Thongchai argues that Siam lost her control over Cambodia to France because a pre-modern conception of polity lost out to Western modernity in mapping. The pre-modern *mandala* system, practiced by Siam and its neighbors, presented a kingdom within a vaguely definable area without any fixed boundaries. The 1863 Franco-Cambodian agreement made Cambodia a protectorate of France but Siam may have seen this protectorate as a tributary in the eastern sense: a "*pratetsarat*" which allowed for multiple sovereignty." Then France, followed by Siam, appealed their claims of sovereignty over Cambodia to the western-dominated international community based upon "international law." Not surprisingly, France won the case (Thongchai 1994: 82-94).

Thongchai emphasizes that Thai perspectives toward territorial disputes correspond to the Thai geo-body's need to differentiate "we-ness" from

“otherness.” The Khmer are of course the foreigner—the “other,” and are seen by most Thais as deserving of the highest suspicion. As such, many Thais have perceived the “Khmer” as “cowardly,” “opportunistic,” and intent on attacking Thailand when she is most vulnerable. Ultimately, Thongchai offers a refreshingly post-modernist historical approach in explaining how Thai perspectives toward “territoriality” and “nation” have probably contributed to continuing border disputes with Cambodia today. Among certain Thai academics, Thongchai’s perception is popular. But the far majority of Thais still view Thai-Cambodian border relations through either a national security or free trade lens.

Ultimately, the aforementioned literature grouped into the perspectives one to three reflect the tenor of the times in which they were written. The first and second views embrace a viewpoint in which the state seemed on the brink of destruction. As such, regarding Thai perceptions toward the frontier emphasized suspicion, fear, and national survival concerns. The third perspective represents a possible move toward seeking accommodation with the Cambodian government on lingering border issues (though in 2008 there was a smattering of anti-Cambodian Thai literature). The fourth and last view provides a less nationalistic and more balanced understanding of how the Thai-Cambodian boundary historically evolved. This view forces people to question not each other, but rather to scrutinize concepts such as “border” or “territoriality” to begin to understand how identities become socially constructed.

### **III. Territorial Problems Today: Four Cases**

Since the end of the Cold War in 1991, Thai-Cambodian border tensions have diminished considerably—though in 2008 frictions again festered. In the mid-1990s, the countries’ two militaries launched a General Border Committee (GBC) to resolve frontier problems. In 2000, the two countries established a joint boundary commission (JBC) to survey and demarcate the frontier. But the continuing lack of clear demarcation provided fodder for occasional cross-border tensions. At least 15 border areas remained in dispute.

By 2001, Thai foreign policy seemed to encourage trade cooperation over historical animosity. This was explicitly reflected in in-coming Prime Minister Thaksin Shinawatra’s “forward engagement” policy, which prioritized Thai business interests in external relations. “Forward engagement” has also shaped Thai governmental perspectives toward Thai-Cambodian border relations, with greater concern for private sector accommodation than territorial confrontation. This policy has continued under the Surayud and Samak administrations. Still, there have been four specific geographical sites—Aranyaprathet-Poipet, the Emerald Triangle, the sea border, and frontier temples—where boundary problems have been especially prevalent. These cases are significant because they have, more than any other Thai-Cambodian border area case, led to a heightening of tensions between the governments of each side. All four cases have represented contested border sites along a largely unmarked frontier. Still, only general boundary relations, the sea border, and *Preah Vihear* actually appear in the literature.

The early literature (Perspectives I and II) failed to address the need for a clear, mutually-agreed upon delineation because they were mired in conflict—either with colonial France or with Communist forces. Perspective III, however, promotes the generation cross-border trade as a potential source of economic growth while Perspective IV recognizes the need for an easing of border tensions for purposes of peace. However, actual negotiations were slow. Given their persistence, this study thus acknowledges these four contested border sites. In the

pages that follow, it elaborates upon each of them in ascending order of urgency. Afterwards, the study interviews relevant Thai decision-makers so as to shed light on their perceptions of each of the flash-points.

*Case I: Aranyaprathet-Poipet*<sup>18</sup>

From the 1970s until the late 1990s, one area of Thai-Cambodian border problems was at Thailand's eastern boundary dividing Aranyaprathet, Thailand from Poipet, Cambodia. The problems at this location primarily owed to two factors: Bangkok's support of the Khmer Rouge during the Vietnamese occupation of Cambodia, and Thailand's limited acceptance of Cambodian refugees into Aranyaprathet. Puangthong Rungswasdisab presents a compelling of Thai foreign policy toward Cambodia from the 1970s to the 1990s entitled "Thailand's Response to the Cambodian Genocide." Thailand was apparently forcing some refugees at the border to enlist as recruits for Pol Pot while some Thai soldiers secretly acted as guerrilla commanders for the Khmer Rouge (Puangthong 2004: 98). As for Thai perspectives, she emphasizes that Thai authorities publicly saw the Cambodian refugees along the border as an "economic burden" although "humanitarian principles" were also important. Still, what the Thais did not say was that they were benefiting from the refugees in terms of a "thriving black market and property boom in Aranyaprathet. Aid workers further helped Aranyaprathet's economy to soar. Moreover, many Thais became involved with these Cambodians in cross-border trading (Puangthong 2004: 99). With the advent of the Chatchai Chuhavan government in 1988, Cold War perspectives were increasingly being replaced by trade-based realism. By 1992, border problems had considerably declined simultaneous to the opening of 27 temporary border checkpoints and the expansion of trade between the two countries (Puangthong 2004: 105). Ultimately, Puangthong offers a multiplicity of perspectives toward Thai-Cambodian border problems by Thai officials. Outwardly, Thailand appeared compassionate to the refugees while worried that they might overburden the Thai economy. Internally, Thai officials utilized the refugees at the border to enhance their economic and political agenda in Cambodia. Since 1992, the needs of business have trumped other considerations with regard to Thai perceptions of Cambodia. Regarding Aranyaprathet-Poipet, ever since refugee camps closed in 1999, border problems have been few, involving only smuggling and crime.

In 2001, the Greater Mekong Subregion (GMS) of the ADB (Asian Development Bank) began pushing for a series of transport and economic corridors throughout mainland Southeast Asia. The southern corridor connects Bangkok to Phnom Penh. The northern tier of this corridor transects Aranyaprathet and Poipet. This development is expected to bring more growth in trade and infrastructure between the two border towns. Rail linkages along this route are rapidly expanding. Paralleling this phenomenon has been the rise of Thai casino tourism in Poipet, given that casino gambling is illegal in Thailand. Today there are currently eight casinos in Poipet, mostly operated by Thais.<sup>19</sup> Such tourism is enhancing the cross-border economy though poverty remains endemic. Finally there has been the construction of an export processing zone in Poipet which has attracted numerous Thai investors. Though the border here was closed temporarily

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<sup>18</sup> See Appendix 2.

<sup>19</sup> Poipet Casinos and Poipet. 2009. *Casino City, Your Guide to Gaming Excitement*, <http://www.casinocity.com/kh/poipet/casinos.html>; "Cambodia Pins Hopes on Foreign Investors for Growth," *Associated Press*, 2004, <http://www.cambodianonline.net/articles200422.htm>.

following the 2003 destruction of the Thai embassy in Phnom Penh,<sup>20</sup> frontier trade, tourism and industrial activities are increasingly on the rise. Thus today, along the Aranyaprathet-Poipet border, there are few problems to speak of. Any frictions only derive from occasional border crimes or reverberations from unrelated Thai-Cambodian antagonisms elsewhere. For example, in October 2008, the *Preah Vihear* hostilities led to somewhat higher security and a slight tourist slump at the Aranyaprathet-Poipet border area.<sup>21</sup> In 2009 tensions dissipated markedly following the Abhisit Vechachiwa government's agreement to finance improvements for a Cambodian highway leading to Aranyaprathet.<sup>22</sup>

### *Case II: The Emerald Triangle*<sup>23</sup>

The “Emerald Triangle” has itself offered a border debacle for Thais and Cambodians. In the late 1990s, bureaucrats and businesspeople from Thailand, Cambodia, and Lao PDR envisioned building an Emerald Triangle Project—including a golf course, entertainment complex, and other related projects which would extend across the area where the three countries' borders meet. Later, in 2003, the three countries met to kick off the Emerald Triangle Cooperation, a strategy to promote tourism and generate economic growth in the tri-border area.

The only obstacles to these projects have been that they are set to commence at the site of former war zones where boundary demarcation had been limited and difficult to accomplish. Moreover, there still needed to be mine clearance across this area. But before de-mining can begin, the three countries must decide exactly where each of their boundaries begins and ends in this forested area.<sup>24</sup> Further, there has been an up-roar from Thai environmentalists who have alleged that the watershed in Thailand's Ubon Ratchathani province would be damaged by the creation of a golf course. By early 2008, it appeared that the Emerald Triangle and its various tourism projects had mostly been placed on hold. The need for de-mining (estimated to cost US\$70 million<sup>25</sup>), the lack of transportation infrastructure, inadequate customs services, the ire of Thai environmentalists, and a poorly-defined border have been among the complaints raised by different sectors of Thai society toward the Emerald Triangle projects.<sup>26</sup> However, after a 5-year

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<sup>20</sup> In January 2003, a Cambodian newspaper alleged (which was later proved to be wrong) that Thai actress Suvanant Kongying had stated that *Angkor Wat* belonged to Thailand. When other Cambodian media picked up the story, Cambodian nationalism was stirred up to the point that on January 29 the Thai embassy was burned and several Thai properties in Cambodia were destroyed. The incident led to a downgrading in relations between the two countries for at least a year. See *The New York Times*, “Cambodia Apologizes to Thailand over Riot,” January 31, 2003.

<sup>21</sup> Suchat Sritama. “Tourists Call Off Trips to Ancient Ruins,” *The Nation*, October 17, 2008, <http://www.nationmultimedia.com>.

<sup>22</sup> Bangkok Post. “Phnom Penh Eases Fears over Oil Concessions,” August 5, 2009, <http://www.bangkokpost.com>.

<sup>23</sup> See Appendix 2.

<sup>24</sup> Gagliardi, Jason. “Detour,” *Time Magazine*, May 13, 2002, <http://www.time.com/time/magazine/article/0,9171,237080,00.html?iid=chix-sphere>.

<sup>25</sup> Yongyut Trisurat. “Strategies for Trans-Boundary Biodiversity Conservation: “A Case of Pha Taem Protected Forests Complex Between Thailand, Cambodia, and Laos,” ITTO/IUCN International Workshop on Increasing the Effectiveness of Transboundary Conservation Areas in Tropical Forests, 17-21 February 2003, Ubon Ratchathani, Thailand.

<sup>26</sup> *The Nation*. “Where Frontiers Fade,” October 18, 2003, <http://www.nationmultimedia.com>.

*The Nation*. “Emerald Triangle: Outcry Over Golf Course,” February 15, 2002, <http://www.nationmultimedia.com>.

delay, in March 2008, the Samak government announced that it intended to go ahead with the Emerald Triangle Cooperation agreement though studies had to first be carried out. It cited frequent changes in Thai governments as a reason for a delay in the project.<sup>27</sup> Over the summer of 2008, as Thai-Cambodian tensions began to rise over *Preah Vihear*, the friction managed to reverberate across to the Emerald Triangle. On October 22, 2008, Thailand's Foreign Ministry sent a letter of protest to the Cambodian Embassy in Bangkok over the Cambodian government's alleged deployment (on September 18) of seven Cambodian soldiers occupy the Trimuk Pavilion (*Sala Trimuk*), near the place where the boundaries of Thailand, Lao PDR, and Cambodia meet. The memorandum continued that since the Emerald Triangle area had yet to be demarcated and was still subject to negotiation by Thailand and Lao PDR, then the Cambodian government must "promptly withdraw its troops."<sup>28</sup> In 2009, the countries were continuing to seek reductions in frontier tensions under the auspices of the Thailand-Cambodia Joint Boundary Commission. In January, Thailand and Cambodia jointly proposed that the three countries take up the subject of the Emerald Triangle at the 2009 ASEAN summit to promote mutual tourism earnings.<sup>29</sup> However, a global economic slowdown, combined with continuing Thai-Cambodian tensions over *Preah Vihear* and domestic political troubles in Thailand, have decelerated progress toward a realization of a Thai-Lao-Cambodian Emerald Triangle project, almost braking it entirely.<sup>30</sup> Still, talks are continuing.

### *Case III: The Sea Border*<sup>31</sup>

With regard to the Thai-Cambodian maritime boundary, a 16,156 square mile area (26,000 sq km) in the Gulf of Thailand contains overlapping claims. As such, Bangkok and Phnom Penh have disputed the extent between them of territorial waters (12 miles [22 km]), contiguous zones (24 miles [44 km]), and continental shelf or exclusive economic zone (200 miles [370 km]).

In the 1904 Franco-Siam Treaty, Bangkok ceded Koh Kong to Paris but an actual sea demarcation never occurred. The border was generalized by "drawing a line through the coastal terminus of the Thai-Cambodian frontier [in Thailand's Trat Province] and the highest summit on Koh Kut Island."<sup>32</sup> Much later, Thailand saw this treaty as having been entered into "under duress", and drew its boundary line between Koh Kut and Koh Kong.<sup>33</sup> It was not until the 1960s that Thailand and Cambodia began to lay claim to areas of the sea border as well as Koh Kut, perhaps because of the just-settled World Court decision of 1962 and continuing

<sup>27</sup> ASEANAffairs.com. "Thailand/Emerald Triangle: Thai Govt to Revive Tourism Cooperation Drive." March 30, 2008, [http://www.aseanaffairs.com/thailand\\_emerald\\_triangle\\_thai\\_govt\\_to\\_revive\\_tourism\\_cooperation\\_drive](http://www.aseanaffairs.com/thailand_emerald_triangle_thai_govt_to_revive_tourism_cooperation_drive).

<sup>28</sup> Ministry of Foreign Affairs. *Press Release: Thailand Protests Cambodia*, October 22, 2008, <http://diplomacymonitor.com/stu/dm.nsf/dn/dn7EC1E34956032AAC852574E900426E56>.

<sup>29</sup> Kavi Chongkittavorn. "Thailand and Cambodia: Mending Fences and Revitalizing Cooperation," *The Nation*, January 28, 2009, <http://www.nationmultimedia.com>.

<sup>30</sup> Supalak Ganjanakhundee. "Did the Emerald Triangle Exist, or Was it a Political Dream?," *The Nation*, October 7, 2009, <http://www.nationmultimedia.com>.

<sup>31</sup> See Appendix 2.

<sup>32</sup> St. John, Ronald Bruce. 1998. *The Land Boundaries of Indochina: Cambodia, Laos, and Vietnam*. Durham, England: International Boundaries Research Unit, Mountjoy Research Centre, University of Durham, p. 43.

<sup>33</sup> Piyaporn Wongruang. "The Scrap of Land on Which Our Future Lies," *Bangkok Post*, July 29, 2008, <http://www.bangkokpost.com>.

nationalism in both Cambodia and Thailand. Furthermore, in 1963, Thailand warned Cambodia to stay away from Koh Kut and in 1965 the two countries violent maritime clash a military clash over the island. Koh Kut's sovereignty today remains disputed (though Thailand is de facto in control).

Both countries have put more recent emphasis on settling the ocean floor boundary since vast oil and gas reserves are thought to exist under the ocean floor around the boundary area. Beginning in 1964 international oil companies began to become interested in exploring for oil in the Gulf of Thailand. In 1968, Bangkok issued concessions to explore for offshore oil to six foreign oil companies (including Chevron, Union Oil, British Gas, Idemitsu, and Mitsui Oil). 1972 saw a major discovery of oil by Union Oil in the Gulf.<sup>34</sup>

The increasing number of concessions granted to oil companies by Bangkok coincided with a 1970 Thai claim of a territorial baseline around Koh Kut (see map in Figure 2). In 1972, Cambodia officially announced their baseline and EEZ claim (which veered toward Thailand as much as possible). Then in 1973, Thailand laid claim to a similarly vast EEZ, which extended as far as possible towards Cambodia. Neither side based a claim on equidistance but rather sought to benefit as much as possible from potential oil/gas deposits in the Gulf of Thailand. Regarding the central perpendicular lines marking the extent of each country's EEZ, Cambodia and Thailand each used specific islands as base-points to gain a more favorable territorial position vis-à-vis the other.<sup>35</sup>

The 1975 fall of Lon Nol in Phnom Penh and civil war in Cambodia stopped any potential maritime border talks in their tracks until the 1990s. In 1995, Thailand and Cambodia agreed to establish a joint commission to resolve this dispute. But by 1997 a commission had still not been established, a resolution had yet to be reached, and continuing chaos in Cambodia put negotiations on hold. In 1997, Phnom Penh awarded licenses to Conoco Phillips, Shell Oil, and Idemitsu covering the same exact areas which Thailand had claimed for oil exploration in 1968. By 2000, several blocks of maritime oil fields had been identified and different foreign companies had been granted rights to explore them—with Thailand and Cambodia issuing overlapping concessions in some cases. Block "A" (5) and part of "B" (6) became the "main obstacle centres" of the dispute.<sup>36</sup>

In 2000, Cambodia's Prime Minister Hun Sen proposed that the issue of sovereignty be shelved so that joint development (e.g. joint exploitation) should commence but Thailand rejected the proposal. Interestingly, Cambodia had previously rejected a similar Thai proposal back in 1998. Ultimately, in 2001 Thailand and Cambodia signed an MOU to commence talks over these overlapping maritime claims. The talks led to an initial agreement in principle to share profits from a total of eight blocks of petroleum fields in the overlapping claims area. But these discussions petered out following the torching of the Thai embassy by Cambodian rioters in 2003: there have only been five fruitless meetings. Since then, Bangkok and Phnom Penh have proposed various ideas as to sharing from the benefits of the overlapping maritime area and its potential oil and gas deposits. One company exploring for gas near the disputed zone—Chevron—reportedly struck oil in Block "A" in 2005. But rumors abounded that even more oil and gas

<sup>34</sup> Ratana Poonsombudlert, Chandler, Albert T., Hunt Talmage, E.T. Chandler and Thong-ek. *Thai Petroleum Concessions: Industry and Legislative History*. March 2008, <http://www.ctlo.com/tpc.htm>.

<sup>35</sup> Prescott, Victor and Clive Schofield. 2001. *Undelimited Maritime Boundaries of the Asian Rim in the Pacific Ocean*. Durham, England: Imprint, Maritime Briefing, University of Durham, p. 12-13.

<sup>36</sup> Yuthana Priwan and Nareerat Wiriyapong. "Thai-Cambodian Oil Talks Stall: Border Dispute Blocks Long-Sought Deal," *Bangkok Post*, August 29, 2008, <http://www.bangkokpost.com>.

deposits were exactly in the disputed zone. For Chevron and other energy companies, the discovery of oil added a sense of urgency to the resolution of the Thai-Cambodian maritime boundary dispute.<sup>37</sup> The desperation further owes to the fact that companies holding concessions cannot gain access to the areas in question until the disputes are resolved.

Negotiations continued throughout the Thaksin years (2001-6). Indeed, Bangkok proposed to divide the ODA into three strips running north-south, with the revenue from the central area to be shared equally. The share from the outer areas would be weighted in favor of the country adjacent to that area. But the area to the west is most (the ODA itself) was seen to more likely have oil deposits and that, favoring Thailand, has caused the Cambodian government to reject this. Meanwhile, it has sought to divide the area vertically down the middle and six times horizontally, creating 14 different blocks. Revenues from the blocks would be shared equally. But the Thai government has rejected this. Furthermore, Thailand's 2006 coup and 2008 land border problems with Cambodia have slowed down negotiation of the maritime border considerably.<sup>38</sup>

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<sup>37</sup> Symon, Andrew "Cambodia, Thailand Struggle over Petroleum," *Asian Times Online*, June 13, 2007, [http://www.atimes.com/atimes/Southeast\\_Asia/IF13Ae06.html](http://www.atimes.com/atimes/Southeast_Asia/IF13Ae06.html).

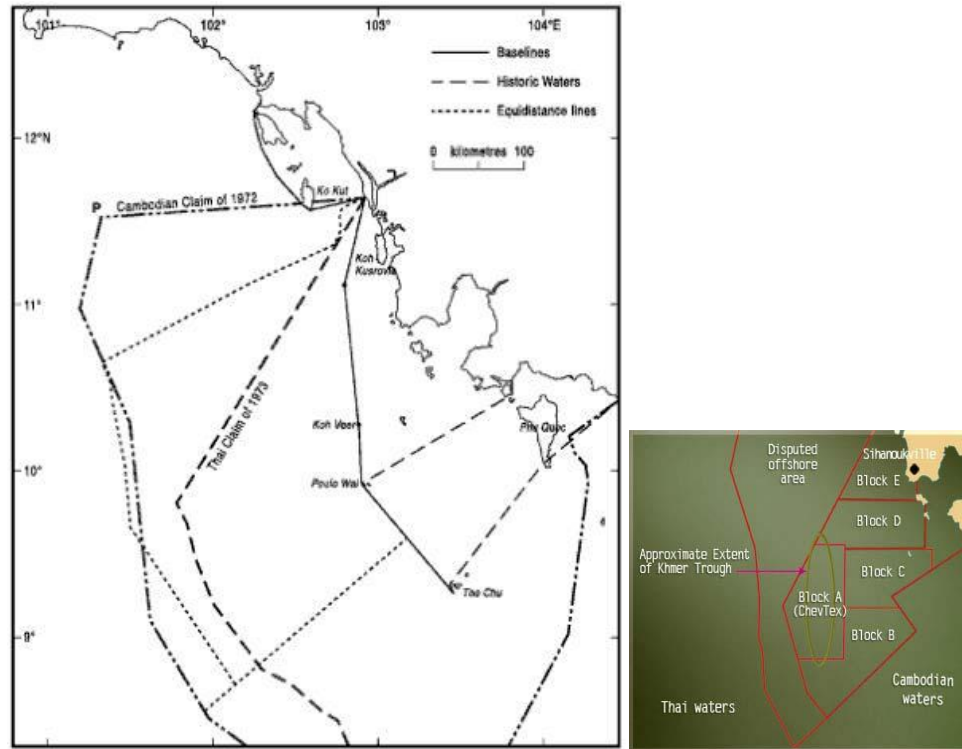
<sup>38</sup> Symon, Andrew. "Cambodia, Thailand Struggle over Petroleum," *Asian Times Online*, June 13, 2007, [http://www.atimes.com/atimes/Southeast\\_Asia/IF13Ae06.html](http://www.atimes.com/atimes/Southeast_Asia/IF13Ae06.html).



**Figure 2:**<sup>39</sup>

*Left:* Map of maritime overlapping boundary claim area (OCA) between Thailand and Cambodia. Included are baseline claims and the equidistance line.

*Right:* The OCA is alleged to be rich in oil/gas deposits. Both Thailand and Cambodia have already allocated offshore blocks for energy exploration. Block A was given to UNOCAL (bought by Chevron) which discovered oil at Block A in 2005.



In May 2008 it was announced that former Thai Prime Minister Thaksin Shinawatra was planning to open a casino on Koh Kong, on the Cambodian side of the maritime frontier and was pushing to make Koh Kong into a special economic zone. This development occurred simultaneous to the establishment of Road 48 (built with Thai Bhat 1 billion) which would link Koh Kong to the Laem Chabang port in Chonburi, Thailand. Both Thaksin and the Cambodian government have denied any trade-offs involving the *Preah Vihear* dispute (see below) and the talks to resolve the overlapping maritime border.<sup>40</sup> Ultimately, two casinos have recently been constructed but it appears that Thaksin's role in Koh Kong is less pronounced than was originally thought: the chief investors in Koh Kong's development are not only Thai but also Korean and Cambodian.<sup>41</sup>

Today a sea marker (No.73) in the Gulf of Thailand indicates the invisible maritime boundary line dividing the two countries's sea territories, separating

<sup>39</sup> Figures derived from Prescott, Victor and Clive Schofield. 2001. *Undelimited Maritime Boundaries of the Asian Rim in the Pacific Ocean*. Durham, England: Imprint, Maritime Briefing, p. 12; <http://www.apacnews.net/spreport/kb391.htm>.

<sup>40</sup> Jakkrit WaewkraiHong and Thanida Tansubhapol. "Thaksin 'Wants to Open Koh Kong Casino,'" *The Nation*, May 15, 2008, <http://www.nationmultimedia.com>.

<sup>41</sup> Nareerat Wiriyapong. "Islanders Gamble on their Future," *Bangkok Post*, September 14, 2008, <http://www.bangkokpost.com>.

Thailand's Koh Kud from Cambodia's Koh Kong. According to Nayan Chanda (2001), oil and gas reserves as well as fishing rights have been threatened by potentially different interpretations of the correct positioning of marker 73.<sup>42</sup> Moreover, Thai officials have suspected that Cambodians have been surreptitiously moving the marker to give them more territory to drill for natural resources.<sup>43</sup>

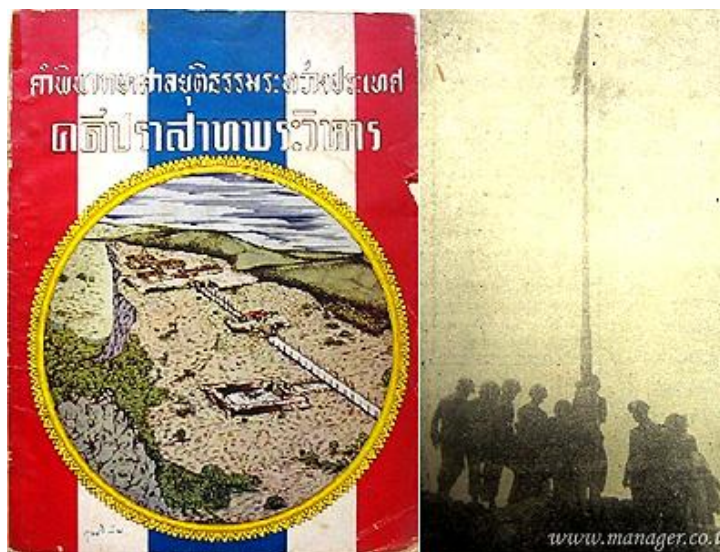
More talks over the maritime boundary were planned for fall 2008 but Thailand's political turbulence placed a delay on them, especially given that three Thai Prime Ministers revolved through office in 2008. Today it seems that resolution of the maritime boundary dispute, potentially beneficial to both Thailand and Cambodia, could take a long time to settle. In 2009, rumors surfaced that Cambodia would award Chevron and other foreign oil companies rights to drill for energy in the disputed maritime area. But in August, Cambodia assured Thailand that it had no plans to grant such concessions, easing Thai fears, and reducing sea border tensions.<sup>44</sup>

*Case IV. The Khao Phra Viharn/Preah Vihear Temple*<sup>45</sup>

**Figure 3**

*Left:* cover of book entitled *The International Court of Justice: Case of Prasat Phra Viharn* (1962).

*Right:* photo of Thai troops bringing down Thai flag over *Preah Vihear* for last time in 1962. This photo was prominently displayed at PAD rallies in 2008.



Source: *Manager* newspaper, <http://manager.co.th/>

The failure of Thailand and Cambodia to thus far demarcate their land frontier has meant that a number of ancient Khmer sanctuaries at the borderline have suffered

<sup>42</sup> Nayan Chanda. "Cambodia and Thailand: So Much Oil, So Hard to Get," *Far Eastern Economic Review* (June 21, 2001), <http://unpan1.un.org/intradoc/groups/public/documents/APCITY/UNPAN001665.pdf>.

<sup>43</sup> Nayan Chanda. "Cambodia and Thailand: So Much Oil, So Hard to Get," *Far Eastern Economic Review* (June 21, 2001), <http://unpan1.un.org/intradoc/groups/public/documents/APCITY/UNPAN001665.pdf>.

<sup>44</sup> Bangkok Post. "Phnom Penh Eases Feas over Oil Concessions," August 5, 2009, <http://www.bangkokpost.com>.

<sup>45</sup> See Appendix 2.

from a lack of clear legal delineation. Since 1962, the most fought-over border temple and sensitive site of Thai-Cambodian border problems has centered upon the complex referred to by Thais as Khao Phra Viharn and by Cambodians as *Preah Vihear*.<sup>46</sup> The temple was ceded by Siam to France under duress in 1904 and 1907. Manich (2001) states that the temple conflict with post-colonial Cambodia originally arose because France (the colonial master of Cambodia) had deviated from commonly-accepted international practices in refusing to recognize the watershed of the Dongrek mountains as the boundary between Thailand and Cambodia (*Preah Vihear* was on the Thai side). As such, Paris had no right to claim territorial jurisdiction over *Preah Vihear*.<sup>47</sup>

In 1962, the issue went to the World Court in The Hague, and that body's decision in favor of Cambodia on June 15, 1962 certainly upset Bangkok's leader Marshall Sarit Thanarat. But he "overcame his grief and complied with the decision (Manich, p.284)." Actually, contrary to what Manich writes, Sarit was ready to refuse the handover of the temple. However, Thailand's King Bhumipol Adulyadej "commanded the government to obey the court's order."<sup>48</sup>

During the 1990s, *Preah Vihear* continued to rear its head in Thai-Cambodian territorial relations. As turmoil in Cambodia began to subside, the temple reopened (1992). This allowed Thailand to exercise "effective sovereignty" over the temple (the crux of Thailand's legal position in the 1962 case; cf. St. John 1994). Meanwhile, during the 1990s, both privately and publicly produced Thai maps continued to show *Preah Vihear* in Thai territory (St. John 1994).

In 2000 Thailand and Cambodia signed an MOU creating a Joint Boundary Commission (JBC). Article 5 of this MOU, mandated for both sides to refrain from undertaking actions that might change the border's environment. In June 2003, relations finally took off with the first-ever joint cabinet meeting between the governments of Cambodia's Hun Sen and Thailand's Thaksin Shinawatra. The joint panel administering the sanctuary was officially established in March 2004. In May, the temple became a permanent border crossing point.

In 2007 Cambodia requested that *Preah Vihear* be listed as a United Nations Educational, Social, and Cultural Organization (UNESCO) World Heritage site. Such a classification would win Phnom Penh funding to develop the sanctuary and area around it in terms of preservation. Thailand supported this listing in principle. However, when Bangkok refused to wholeheartedly support the classification without completing border demarcation around the temple and fully implementing the establishment of a joint management team, Unesco's World Heritage Committee delayed until 2008 a decision to put the shrine on its list.

Still, in January 2008, divisions in Thai elite perspectives toward *Preah Vihear* revealed themselves. Such disagreements perhaps reflect the September 19, 2006 military overthrow of the PM Thaksin Shinawatra and his government. In that case, one may fully understand the 2007 refusal of the Thai government to

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<sup>46</sup> The dispute is thus semantic as well as legal and historical. Cambodians write and pronounce the term ព្រៃកាព្យ័រ ( *Preah Vihear* in English) to refer to the temple. For Thais, though all pronounce the temple's name in Thai language as ภูเขาพระวิหาร ( *Khao Phra Viharn*), and it is always written this way in Thai language, there are divisions among Thais with regard to the spelling in English. For example, the Thai state uses the following English temple name: *Khao Phra Viharn National Park*. Yet the Thai daily newspapers *Bangkok Post* and *The Nation*, perhaps because they have a non-Thai readership (and the international term for the temple is *Preah Vihear*) and thus seek to be less biased, use this latter spelling in English when referring to the temple.

<sup>47</sup> M.R. Manich Jumsai. 2001. *History of Thailand and Cambodia*. Bangkok: Chalermnit, pp. 269-81.

<sup>48</sup> Time Magazine. "Holder of the Kingdom, Strength of the Land," May 27, 1966, <http://www.time.com/time/magazine/article/0,9171,835641-3,00.html>.

accept UNESCO's listing of *Preah Vihear*. Be that as it may, in early 2008, the Defence Ministry "alleged that Phnom Penh had 'made up' history to claim the ancient Hindu temple of *Preah Vihear* and get it listed as a United Nations World Heritage site." Moreover, "Cambodia was "creating 'false evidence' in order to claim the historic site for its unilateral benefit."<sup>49</sup>

However, the Defense Ministry quickly retracted its charges, especially with the coming to office of the Samak Sundaravey administration in late January, 2008. In March Samak himself visited Cambodia to discuss the temple, among other issues.

The Thai government's official position became increasingly clear as the new government in Bangkok settled down in office. According to a foreign ministry official in March, "what concerns Thailand is that Cambodia's proposal also include the protection zones ("zonage") surrounding the temple, which extend into the said overlapping claimed areas. To address this issue, both sides are now discussing the possibility of joint management of the zones in overlapping claim areas...."<sup>50</sup>

According to Thailand's Foreign Ministry, while Thailand respects the World Court's decision on judging *Preah Vihear* to be part of Cambodia, the ICJ "did not decide on the exact location of the boundary line between Thailand and Cambodia in the area." As such, "Thailand still adheres to a different boundary line and a different map than that of Cambodia, resulting in overlapping territorial claims over the areas around the Temple of *Preah Vihear*."<sup>51</sup>

Underneath the official verbosity, Thai bureaucrats at the Foreign Ministry still cringe about the 1962 World Court decision. "Something tricky happened," said ministry spokesman Tharit Charungvat, in reference to the original French map. "If you used the watershed to divide the border, *Preah Vihear* should be on Thai territory, but the court ruled that since we never expressed our objection, the map flaw was immaterial."<sup>52</sup>

As the Thai government began to finalize its position on the border sanctuary, the chief legal expert on the temple, Virachai Plasai, director-general for Treaties and Legal Affairs, was suddenly kicked upstairs to an inactive post. Some saw this as punishment for poor performance. In May, as both sides appeared to be moving toward agreement, ahead of the UNESCO meeting in July 2008, the only point of contention appeared to be the overlapping area of 4.6 square kilometres around the temple - claimed by both sides - which Cambodia has included in its proposal. Still, Thailand opposed the proposal since both sides had not yet reached a proper solution. Ultimately, three proposals were tabled:

First, Cambodia would list the temple as a world heritage site without changing the status quo of the boundary. Second, the temple would be listed prior to a complete border settlement. Third, a joint regime would administer the site.<sup>53</sup>

Meanwhile in May, certain Thai and Cambodian newspapers as well as elements within the Democrat Party alleged that there were links between progress

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<sup>49</sup> The Nation. "Relations Sour Over *Preah Vihear* Claim," January 25, 2008, <http://www.nationmultimedia.com>.

<sup>50</sup> Chainarong Keratitwong (Ministry of Foreign Affairs), "Letters to the Editor: Thailand and Cambodia will Solve Boundary Issue," *The Nation*, March 12, 2008, <http://www.nationmultimedia.com>.

<sup>51</sup> Ministry of Foreign Affairs, Thailand. 2008. "Understanding the Temple of Preah Vihear Issue," [translated from Thai], [www.mfa.go.th/internet/information/19648.pdf](http://www.mfa.go.th/internet/information/19648.pdf).

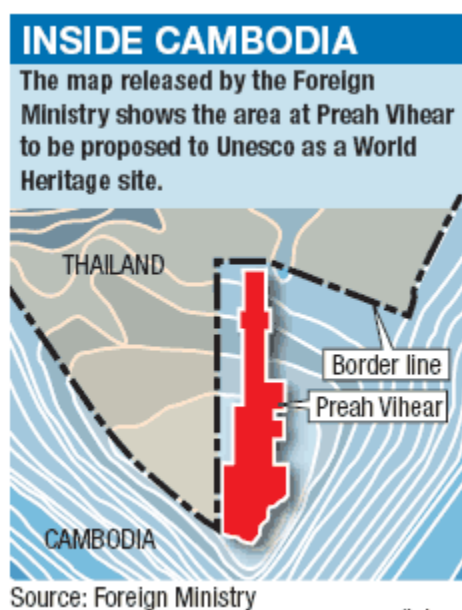
<sup>52</sup> Jansson, Peter. "Temple in Dispute," *Bangkok Post*, June 17, 2008, <http://www.bangkokpost.com>.

<sup>53</sup> The Nation. "Border Dispute: Heritage Proposal Site Deadlocked." May 13, 2008. <http://www.nationmultimedia.com>.

on *Preah Vihear* and maritime gas/oil concessions for former PM Thaksin Shinawatra.<sup>54</sup>

Ultimately on May 22, Cambodia and Thailand (represented by Thai FM Noppadon Pattama) agreed on Cambodia's listing of *Preah Vihear* Temple as a World Heritage Site.<sup>55</sup> Phnom Penh agreed that the listing would be for the temple minus the small 4.6 square kilometer disputed area west of the complex, the status of which would be decided in future. For a visual interpretation of this border controversy, see map (Figure 4) below. The area to the west (left) is the 4.6 square kilometers of territory disputed by both sides.

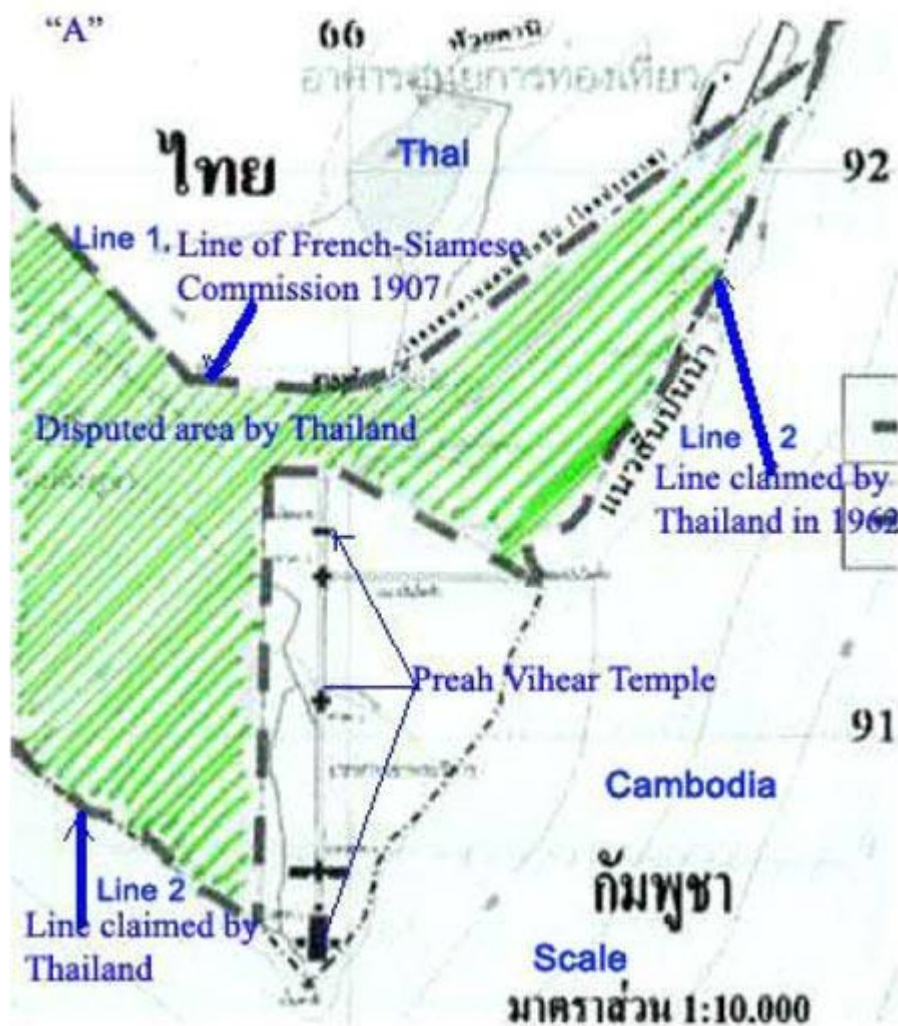
**Figure 4: Maps of Thai-Cambodian border near Khao *Preah Vihear*, showing the 4.6 square kilometers of disputed territory. The first was presented by Thailand's Foreign Ministry<sup>56</sup>**



<sup>54</sup> The Nation. "Noppadon Rejects Claims of Concessions on Temple, *The Nation*, May 16, 2008, <http://www.nationmultimedia.com>.

<sup>55</sup> Joint Communique between Thailand and Cambodia. 2008, <http://www.nationmultimedia.com/pdf/jointcommunique.pdf>.

<sup>56</sup> For map 1 (from the Thai Foreign Ministry), see Bangkok Post. "Noppadon Releases Map, Claims Success." June 19, 2008, <http://www.bangkokpost.com>. For map 2, see So, Kenneth. "Preah Vihear: A Khmer Heritage," July 25, 2005, *Cambodian Information Centre*, [http://images.google.de/imgres?imgurl=http://www.cambodia.org/Preah\\_Vihear/images/thai\\_document\\_map\\_preah\\_vih.jpg&imgrefurl=http://www.cambodia.org/blogs/editorials/2008/07/preah-vihear-khmer-heritage.html&usq=x09a6yRJyUspQ-Bf4Ovmce9FOTk=&h=532&w=450&sz=52&hl=en&start=7&sig2=cHiqqbLcadr7Bh4DZTMJDg&tbnid=ZdGcC1sAAc2iFM:&tbnh=132&tbnw=112&prev=/images%3Fq%3Dmap%2Bpreah%2Bvihear%26gbv%3D2%26hl%3Den%26sa%3DG&ei=BWTPSuHmJoqkmwOIy6T-Ag](http://images.google.de/imgres?imgurl=http://www.cambodia.org/Preah_Vihear/images/thai_document_map_preah_vih.jpg&imgrefurl=http://www.cambodia.org/blogs/editorials/2008/07/preah-vihear-khmer-heritage.html&usq=x09a6yRJyUspQ-Bf4Ovmce9FOTk=&h=532&w=450&sz=52&hl=en&start=7&sig2=cHiqqbLcadr7Bh4DZTMJDg&tbnid=ZdGcC1sAAc2iFM:&tbnh=132&tbnw=112&prev=/images%3Fq%3Dmap%2Bpreah%2Bvihear%26gbv%3D2%26hl%3Den%26sa%3DG&ei=BWTPSuHmJoqkmwOIy6T-Ag).



Unfortunately for the Samak government, by May, Thai nationalism had erupted and was becoming hard to manage. The Democrat Party officially registered its opposition to allowing *Preah Vihear* to be registered by UNESCO which might include some Thai territory. Some residents of Srisaket province in Thailand protested that Cambodian vendors near the sanctuary were illegally occupying Thai territory. In June Cambodia sent a new map to the Samak government to show the boundary. However the Thai military still argued that Cambodia was encroaching on at least 4.6 kilometers of Thai territory. Still, despite much public opposition and ire in the army, Thailand's National Security Council approved the new map on June 16. The Thai Foreign Minister claimed that the disputed 4.6 kilometers of territory would not be compromised. Still, the Democrat Party promised to include as a reason for an up-coming government censure vote that the Samak administration had compromised national security. Meanwhile, the People's Alliance for Democracy (PAD) anti-Samak/Thaksin protestors also voiced their opposition to the Thai government's acceptance of the map.<sup>57</sup>

By mid-June, 2008, four elite actor positions on *Preah Vihear* had been clarified: the Government opposed by the King's Privy Council; the Military (and Bureaucrats); the Democrats; and nationalist elements of civil society (e.g. the Alliance for Democracy—PAD). There were also non-aligned academics.

<sup>57</sup> Bangkok Post. "Government Approves Secret Cambodia Temple Deal." June 17, 2008, <http://www.bangkokpost.com>.

Following Miles' Law, where each stood depended upon where each sat: the Samak administration and pro-peace academics prioritizing state-to-state cooperation while the other groups prioritized territorial integrity and national security. The Democrats were a special case: had they been in office, they most probably would have prioritized cooperation. But since they were adrift in the parliamentary opposition, they supported the view giving them the most political advantage—in this case nationalistic confrontation.

On June 18, the Samak cabinet formally approved Foreign Minister Noppadon's earlier signing of Cambodia's request to make *Preah Vihear* a World Heritage Site. But on June 27, Thailand's Administrative Court issued an injunction against this decision, accusing the cabinet of violating Article 190 of the Constitution. Article 190 states that all international treaties must be approved by the Lower House of Parliament. Thereupon, the government agreed to halt its support for Cambodia's bid to list *Preah Vihear* Temple as a Unesco World Heritage site. But on July 7, the UNESCO World Heritage Committee decided to accept Cambodia's unilateral nomination of *Preah Vihear* as a World Heritage Site. The Committee directed Cambodia and UNESCO to convene an international coordinating committee to safeguard the development of the site. This committee, would have seven additional state members including Thailand. Still, Bangkok feared the other state members might "gang up" on her where Thai and Cambodian interests clashed.<sup>58</sup> Meanwhile, Thailand continued to reserve the right to appeal the World Court's 1962 decision on *Preah Vihear*. More specifically, Bangkok again laid claim to the 4.6 square kilometers of land adjacent to *Preah Vihear*.

Then, on July 15, three Thai civilians, members of Thailand's ultranationalist Dharmayatra group, crossed into the area of *Preah Vihear*, and planted a Thai flag. They were immediately arrested by Cambodian troops. 40 [numbers in words] Thai troops subsequently entered the area to retrieve these civilians but Cambodia detained 17 Thai troops overnight. These, along with the three Thai civilians were quickly released. But Thai troops begin to reside at Sikha Kiri Svara Pagoda (*Preah Vihear* Pagoda) in the 4.6 square kilometer area. On July 17, Thai and Cambodian armies rushed hundreds of troops to the 4.6 square kilometer area of disputed territory which is centered upon Sikha Kiri Svara Pagoda. The two sides raised their weapons at each other with the Cambodians finally backing down.

Facing domestic pressure over his stance, Thai PM Samak suddenly began to take a more nationalist position. In a July 18 letter to Cambodian PM Hun Sen, Samak insisted that Thai troops were on Thai soil and could reside at Keo Sikha Kiri Svara Pagoda as it was on the Thai soil. He continued that "the establishment of the Cambodian community, including construction of a temple and houses, and the presence of the Cambodian military personnel in the area constitute a continued violation of Thai sovereignty and territorial integrity."<sup>59</sup> The Thai Foreign Ministry meanwhile stated that Thailand had issued four previous written protests to Cambodia regarding the establishment of a Cambodian community within Thailand straddling *Preah Vihear* in 2004, 2005, 2007, and 2008 respectively.<sup>60</sup>

A July 20<sup>th</sup> meeting between senior Cambodian and Thai military officials (through the General Border Committee) failed to resolve the military stand-off. Cambodia then asked for assistance from the United Nations Security Council. But the body rejected the request, preferring that the sides try bilateral negotiations.

<sup>58</sup> Tulsathit Taptim. "Preah Vihear: Has Thailand Been Duped?" *The Nation*, July 18, 2008, <http://www.nationmultimedia.com>.

<sup>59</sup> Supalak Ganjanakhundee. "Thai Troops are in Thai Territory: Thai PM," *The Nation*, July 19, 2008, <http://www.nationmultimedia.com>.

<sup>60</sup> Ministry of Foreign Affairs. "Situation along the Thai-Cambodian Border in the Area Immediately Adjacent to the Temple of *Preah Vihear*." Ministry of Foreign Affairs, Kingdom of Thailand, July 18, 2008, <http://www.mfa.go.th/web/2642.php?id=25758>.

Following the July 25 elections in Cambodia, new Thai Foreign Minister Dej Bunnag held negotiations with the Cambodian Foreign Minister. The result of the talks was a mutual decision to move toward a redeployment of Thai and Cambodian troops from the area. This meeting seemed to signal a lessening of tensions.

However, in early August, Cambodia and Thailand sparred over another temple straddling the Thai-Cambodia border—*Ta Muen Thom*. Thailand stated that this temple was located in Surin province and stationed troops at the complex in preparation for a potential future Thai listing of it as UNESCO World Heritage Site. Adjacent to *Ta Muen Thom* are two other disputed temples *Ta Muen Toch* and *Ta Muen*. According to Bangkok, Thai troops have been stationed at Ta Muen Thom at least since 1998 (this author saw them there on a visit to the sanctuary during that year). But Cambodia also claimed sovereignty over the sanctuary. Moreover, this was only the tip of the iceberg. There are perhaps between 10 and 100 ruins of Khmer temples along the vaguely-marked Thai-Cambodian border. One of these, *Sadokkokthom* temple (which Thailand situates in *Sa Kaeo* temple but which Cambodia has also specifically claimed) could be the center of another cross-border crisis.<sup>61</sup> Beyond that, there is *Prasat Bai Baek*, which Thailand locates in Buriram province, only a few hundred meters from the Thai-Cambodian border.

Despite the continuing tension, by late August, both the Thai and Cambodian governments were increasingly showing signs of seeking an end to potential hostilities. A second Foreign Ministers' discussion and JBC meeting on August 18-19 resulted in an interim agreement which began a process of reducing friction. More meetings were planned. Simultaneously, the number of troops in the disputed area of *Preah Vihear* (at least 400 Thai and 800 Cambodian soldiers) was gradually being reduced. But Thailand has maintained its security presence at Ta Muen Thom (and reportedly at *Sadokkokthom*), avowing sovereignty over these sanctuaries.

Moreover, on September 10, amidst reports that Cambodia had dispatched 150 troops to *Ta Kwai* temple (which Cambodia calls *Ta Krabey*), Thai soldiers entered the ruins. *Ta Kwai* is located about 12 kilometres east of the previously-mentioned *Ta Muen Thom*, in southern Surin province, along an ambiguous boundary with Cambodia. After a few days of negotiations, both sides agreed to withdraw troops but continued to maintain positions near the area.<sup>62</sup> On September 14, Phnom Penh warned Bangkok publicly that the latter was "testing her patience" in occupying this third Cambodian temple. Indeed, Cambodia threatened to take the dispute to an unnamed third international party. Bangkok responded that Phnom Penh's allegations were baseless and that Thai troops had always been based near the ruin.<sup>63</sup> In mid-October, some Thai and Cambodian soldiers briefly engaged in combat in the vicinity of *Preah Vihear*. The incident left six soldiers injured—four

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<sup>61</sup> *Sadokkokthom*, constructed in the 15th century, was registered by the Thai Fine Arts Department registered it as a heritage item in 1935. The department is currently renovating the temple. Wichian Bun-udom, chairman of Khok Sung subdistrict (in Sa Kaeo province) culture council, said Khok Sung residents hold a religious ritual at the temple each year, and he has never seen any Cambodian visiting the temple. See Bangkok Post. "Show Us Your Proof, Say Tour Guides.," *Bangkok Post*, August 18, 2008, <http://www.bangkokpost.com>.

<sup>62</sup> MCOT News. 2008. "Thai, Cambodian Army Stand-off at Another Disputed Temple Ruin," *Thai Ministry of Communications and Technology*, <http://enews.mcot.net/view.php?id=6250>.

<sup>63</sup> Bangkok Post. "Cambodia Grips that Thailand is 'Testing Patience,'" September 15, 2008, <http://www.bangkokpost.com>.



Thai and two Cambodian.<sup>64</sup> Afterwards the Cambodian Prime Minister issued an ultimatum for Thai soldiers to withdraw from the area while the Thai government beefed up its forces in along the 4.6 square kilometer disputed zone. The two countries agreed upon on joint patrols in the area and stepped up talks to resolve the dispute.<sup>65</sup> However, the ultra-nationalist Thai PAD used the border incident to trumpet its calls for the pro-Thaksin Somchai Wongsawat government to resign office while Thailand's military insisted it would take a more virulent stand toward Cambodia.

On October 30, after months of waiting, the Thai parliament finally gave Thai negotiating teams the green light to initiate talks with Cambodia to settle the border dispute and demarcate the land boundary. Parliamentary approval was required by the 2007 Constitution's "Article 190 prior to any negotiation with foreign countries that would involve changes in the territory."<sup>66</sup>

In December 2008, the sudden demise of Thailand's ruling People's Power party and the rise of the Democrats under new Prime Minister Abhisit Vechachiva raised the hopes of Thai nationalists that the new Thai government would share PAD perspectives of the border dispute. But new Foreign Minister Kasit Piromya dashed these dreams, stating that "a return to Thai ownership of the *Preah Vihear* Temple was not an option [though] Thailand would maintain cooperation with Cambodia over the historic and controversial Hindu temple."<sup>67</sup> However, the apparent transformation in the Democrats' policy toward *Preah Vihear* from nationalist opposition at the crisis' outset in June 2008 to favoring cooperation with Cambodia upon Abhisit's rise to the prime minister-ship at the end of 2008 should not have surprised anyone. Parties in opposition tend to try and capitalize on issues of the moment at the ruling coalition's expense so the former can replace the latter in office. Moreover, who were the Democrats anyway? Beyond being Thailand's longest-lasting political party (established in 1946), the party is greatly influenced by long-established business interests mostly in the country's south as well as in Bangkok.<sup>68</sup> Such interests, as with any businesspeople, would tend to lean toward commercial cooperation with other countries. Examining the Democrat Party through this lens, it is not difficult to see then why they underwent an sea-change in their perspective toward *Preah Vihear*.

It seemed now that Thai nationalist protestors possessed no parliamentary ally. Yet Thai nationalism experienced a slight resurgence in April, following yet another Thai-Cambodian border clash at the temple, in which soldiers were killed on each side. In May, the Abhisit government warned UNESCO representatives not to visit *Preah Vihear* without Thailand's permission. Further, Abhisit stated that Thailand would seek a review of UNESCO's inscription as a World Heritage site. Yet over the summer, eventually tensions cooled tremendously. Thai Deputy PM Suthep Thuagsuban met with Cambodian Prime Minister in Cambodia several times, helped to inaugurate the construction of a road from the border to Siem Reap, Cambodia.<sup>69</sup> Suthep also expedited a plan to ease the temple crisis,

<sup>64</sup> Sopheng Cheang. "Deadly Fighting Erupts at Thai-Cambodian Border," ABC News, October 15, 2008, <http://www.abcnews.go.com/International/wireStory?id=6036488>.

<sup>65</sup> Sopheng Cheang. "Thailand-Cambodia Agree to Joint Border Patrols," ABC News, October 16, 2008, <http://www.abcnews.go.com/International/wireStory?id=6045807>.

<sup>66</sup> Supalak Ganjanakhundee. "Onus on Negotiating Teams to Settle the Border Row," *The Nation*, October 30, 2008, <http://www.nationmultimedia.com>.

<sup>67</sup> Supalak Ganjanakhundee. "Kasit Rules Out Thai Ownership," *The Nation*, December 26, 2008, <http://www.nationmultimedia.com>.

<sup>68</sup> The Nation. "Democrat Party," Special Edition, December 2007, <http://www.nationmultimedia.com/admin/specials/ourvote2007/party/index.php?partyId=6>.

<sup>69</sup> Bangkok Post. "Tensions Put Aside as New Road Opens," July 5, 2009, <http://www.bangkokpost.com>.

ironically following a proposal suggested by a former Foreign Minister of the pro-Thaksin Samak government. Amidst this thaw in glacial border relations, the Joint Border Commission (JBC) met for only the second time in 2009, initiating procedures for boundary demarcation. Military chief from both Thailand and Cambodia declared that hostilities would henceforth cease. Cambodia then halved its number of forces near *Preah Vihear*. But under Article 190 of the Thai Constitution, the JBC could not approve a similar military reduction without the approval of parliament. However, the Thai government did declare that the entrance to the *Preah Vihear* temple complex in Thailand would soon be re-opened.

Thai supporters of moderation and cooperation towards Cambodia regarding *Preah Vihear* in 2009 include Thai businesspeople, many security-related bureaucrats, and most of the Democrat party. The chairmen of the Ubon Ratchathani and Sisaket chambers of commerce had long pleaded for an end to the crisis:

Confusion over the abstract boundary caused unnecessary conflicts over *Preah Vihear* between both sides...Local people in the area don't care about the boundary. We just want to live in peace and do business.<sup>70</sup>

In October 2009, the Abhisit government appeared to have done an about-face from its stance on *Preah Vihear* when it was in the opposition. Remember, in June 2008 he had supported PAD claims that the Samak government had surrendered territory to Cambodia.<sup>71</sup> Now as Prime Minister in 2009, Abhisit stated that "Thailand has not lost any territory in the disputed border area."<sup>72</sup> It appeared now that political expediency was defining his perspectives, depending on whether he was in government or on the opposition benches.

As for the opponents of conciliation, the PAD, nationalist elements of civil society, rightist military officials, royalists, and many in the pro-Thaksin Puea Thai party continue to all be included in this group. On September 19, 2009, a group of PAD militants attempted to storm the 4.6 kilometer disputed area, demanding that all Cambodians immediately depart. The militants even engaged in violent clashes with Thai villagers in the area as the former tried to make their advance. In the end, some PAD leaders broke through near the border area where they were allowed by Thai army officials to read a statement. The declaration stated that *Preah Vihear* and the areas around it were "within Thailand's territory in reference to the border demarcation in 1904."<sup>73</sup> PM Abhisit and PM Hun Sen (of Cambodia) have since traded more accusations against each other though Abhisit insists he is looking for a peace resolution.

Meanwhile, Thailand's military has most recently appeared to show a moderate stance towards this dispute. In late September, Army Chief Anupong Paochinda declared that Thailand would use only dialogue to end the conflict while

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<sup>70</sup> Supalak Ganjanakhundee. "Abhisit's Preah Vihear Response Left Confused Legacy," *The Nation*, December 11, 2008, <http://www.nationmultimedia.com>.

<sup>71</sup> Supalak Ganjanakhundee. "Abhisit's Preah Vihear Response Left Confused Legacy," *The Nation*, December 11, 2008, <http://www.nationmultimedia.com>.

<sup>72</sup> Bangkok Post. "PM: No Sovereignty Loss," September 13, 2009, <http://www.bangkokpost.com>.

<sup>73</sup> Bangkok Post. "PAD Makes Demands on Preah Vihear," *Bangkok Post*, September 20, 2009, <http://www.bangkokpost.com>.

any Cambodians trespassing into Thailand would be treated in accordance to human rights standards.<sup>74</sup>

However, in an interesting twist, the pro-Thaksin Puea Thai party (now in the parliamentary opposition) has apparently sought to hinder Abhisit in his quest for a lessening of border friction. Indeed, PT has delayed parliamentary sessions which are necessary in order to obtain parliamentary ratification of the JBC border talks. Clearly, now that it is leading the opposition in the Lower House, PT is taking more a nationalist position toward *Preah Vihear* than it did when it led the government. This takes us back to Miles Law: where one stands depends on where one sits. As with the Democrat Party in its changed perspective once it replaced the pro-Thaksin PT as the dominant party in the ruling coalition, so too has PT, now in the opposition, partially altered its perspective in order to capitalize on the ruling coalition's perceived failures in dealing with Cambodia.

On September 29, 2009, Thailand's National Anti-Corruption Commission indicted ex-Prime Minister Samak Sundaravej and his then-foreign minister, Noppadon Pattama, of malfeasance regarding their cabinet's 2008 decision to endorse Cambodia's decision to unilaterally inscribe *Preah Vihear* temple as a World Heritage site since the government failed to seek parliament's permission (per Article 190 of the 2007 constitution).<sup>75</sup> Thereupon, in the final days of December, the Central Administrative Court annulled the [Samak Sundaravej](#) Cabinet's June 17, 2008 decision to endorse Cambodia's unilateral application to name *Preah Vihear* Temple as a UN World Heritage Site given that there was no prior parliamentary approval based on Article 190.<sup>76</sup>

Ultimately, the 2008-9 Thai-Cambodian revival of tensions over *Preah Vihear* has created a domino effect, extending to other temples along the only occasionally marked boundary separating Thailand from Cambodia. Though negotiations to properly delineate the border have commenced, they have been difficult. Both ASEAN and the United Nations have almost been drawn into the crisis. Currently, frontier friction remains high.

#### IV. Elites' Perspectives on the Four Cases

To scrutinize the perceptions of Thai actors towards Thai-Cambodian frontier problems, interviews were conducted with individuals representing four groups of players, each deemed to be relevant in influencing Thai foreign policy because of their proximity to the center of Thai political power. The goal was to gauge these actors' perceptions and explanations for these views. Another important goal was to see how closely the standpoints reflected those in the literature. The four groups included Traditional Powers (Privy Council and military); Pro-Thaksin political parties (mostly Palang Prachachon/Puea Thai); anti-Thaksin political parties (Prachaitipat or the Democrat Party); and Extra-Parliamentary Forces (demonstrators [People's Alliance for Democracy], academics, and journalists). It is worth noting that with regard to the political parties examined (particularly the Democrats), their views have not always remained unchanged. Where a political party has participated in the ruling coalition it has tended toward a certain

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<sup>74</sup> The Nation. "Joint Border Panel to Solve Border Dispute: Anupong", September 29, 2009, <http://www.nationmultimedia.com>.

<sup>75</sup> The anti-graft agency referred the case to the Office of the Attorney-General before it could be transferred to the Supreme Court's Criminal Division for Political Office Holders for further legal action. Samak's death in November meant that Noppadon would be prosecuted alone. See "Samak, Noppadon Found Guilty over Preah Vihear." *The Nation*, September 30, <http://www.nationmultimedia.com>.

<sup>76</sup> The Nation. "Unconstitutional," December 31, 2009, <http://www.nationmultimedia.com>.

perspective whereas when it is in the opposition it has tended toward the opposite—perhaps to score political points. In this section, I offer the results of the interviews, proceeding from the center of state power to civil society, and generally shifting from hardliners to moderates to a non-cohesive group of views. Moreover, the study divides this section into sub-sections based upon the four cases (in the same order as the previous section) and then tells how each of the interviewees responded to each of these cases. The only pressing border issues appeared to be *Preah Vihear* and other border temples as well as the sea boundary.

*Case I: Aranyaprathet-Poipet*

*Traditional Powers (Privy Council and military)*

This group was wary of Thais crossing into Poipet from Aranyaprathet beginning in October 2008 supporting tighter security measures in Aranyaprathet. This was due to the tense nature of Thai-Cambodian relations at *Preah Vihear* during that time. Exemplifying this security-oriented tendency, one Thai state official at Aranyaprathet warned Thai nationals not to cross into Cambodia through the border checkpoint unless it was vital for them to do so.<sup>77</sup>

*Pro-Thaksin political parties (mostly Palang Prachachon/Puea Thai)*

The predominant view has been one of welcoming the expansion of trade and joint projects in the Aranyaprathet-Poipet area. Indeed the TRT/PPP governments of Thaksin, Samak and Somchai have worked with the Cambodian government to further develop a Special Cross-border Economic Zone in order to create a manufacturing-based, international twin city.<sup>78</sup> However, since the onset of the *Preah Vihear* crisis, such plans have slowed down, though the border remains open and trade continues to freely flow. Still, the current government has not expressed any desire to downgrade relations along the border at Aranyaprathet-Poipet.<sup>79</sup>

*Anti-Thaksin political parties (Prachaitipat or the Democrat Party)*

The Democrats have voiced no specific opinion about Thai-Cambodian relations in the area of Aranyaprathet-Poipet. The party, in agreement with the government, has supported trade expansion along the Greater Mekong Subregion (GMS) Economic Corridor, and the transportation linkages which run through this bi-city area are an important leg of the southern GMS Economic Corridor.<sup>80</sup>

*Extra-Parliamentary Forces (demonstrators, academics, and journalists)*

As for hardline extra-parliamentary views, Sondhi Limthongkul of People's Alliance for Democracy stated that part of the solution to the problem of Thai-

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<sup>77</sup> Suchat Sritama. "Tourists Call Off Trips to Ancient Ruins," *The Nation*, October 17, 2008, <http://www.nationmultimedia.com>.

<sup>78</sup> Phuket News. "Thai and Cambodia Consult an Opening Borderland," July 11, 2006, <http://phuketindex.com/phuket-news/2006-07/phuket-news-11-01.htm>.

<sup>79</sup> Bangkok Post. "Border Trade, Tourism Slump", October 23, 2008, <http://www.bangkokpost.com>.

<sup>80</sup> Democrat Party Website, <http://www.democrat.or.th/>.

Cambodian border tensions would be to inform “Thai people doing business along the border [that they] must be ... prepared for border closures (including the checkpoint at Aranyaprathet-Poipet), in case the [*Preah Vihear*] conflict escalates.”<sup>81</sup> With regard to pragmatic-progressive extra-parliamentary views, Akarapong Khamkoon would find the continuing peace at Aranyaprathet-Poipet to be an example of what he calls “border as a destination or border as modification.” This given that the twin city area is continuing to be transformed into a nexus of “peaceful conciliation.”<sup>82</sup>

### *Case II: The Emerald Triangle*

#### *Traditional Powers (Privy Council and military)*

In interviews and other sources, respondents representing Traditional Powers have not specifically spoken about the Thai-Cambodian situation at the Emerald Triangle. One source, an anonymous high-ranking general, did emphasize the need for the Thai government to remain “vigilant” along its entire borderline with Cambodia, especially given that these borders are not thoroughly demarcated.<sup>83</sup>

#### *Pro-Thaksin political parties (mostly the Palang Prachachon/Puea Thai)*

In late March, 2008, Thai Tourism and Sports Minister Weerasak Kohsurat said that the Samak government was looking forward to closer cooperation for the expansion of trade and investment in the tri-border area. He added that “there were no problems regarding relations between the three neighboring countries.”<sup>84</sup> In October, with tensions high over *Preah Vihear*, the same PPP government (this time led by Somchai Wongsawat) noted its “concern” about Cambodian troop movements near the Emerald Triangle.<sup>85</sup> Thus the government continues to promote trade in the area but is becoming more cautious.

#### *Anti-Thaksin political parties (Prachaitip or the Democrat Party)*

In interviews and other sources, representatives of the Democrat Party have not voiced an opinion with specific reference to the Emerald Triangle. They have, however, emphasized the need for a quicker and clearer demarcation of the Thai-Cambodian border.<sup>86</sup>

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<sup>81</sup> Quoted in *Prachathai*. “Sondhi Limthongkul’s Solution to the Preah Vihear Dispute,” August 2, 2008, <http://prachatai.com/english/news.php?id=732>.

<sup>82</sup> Personal interview with Akharapong Khamkoon of Thammasat University, August 18, 2008.

<sup>83</sup> Personal interview with an anonymous retired senior Army general, August 4, 2008.

<sup>84</sup> ASEANAffairs.com. “Thailand/Emerald Triangle: Thai Govt to Revive Tourism Cooperation Drive.” March 30, 2008, [http://www.aseanaffairs.com/thailand\\_emerald\\_triangle\\_thai\\_govt\\_to\\_revive\\_tourism\\_cooperation\\_drive](http://www.aseanaffairs.com/thailand_emerald_triangle_thai_govt_to_revive_tourism_cooperation_drive).

<sup>85</sup> Ministry of Foreign Affairs, Thailand. *Press Release: Thailand Protests Cambodia* (October 22, 2008). <http://diplomacymonitor.com/stu/dm.nsf/dn/dn7EC1E34956032AAC852574E900426E56>.

<sup>86</sup> Personal interview with M.R. Sukhumphand Paribatra, October 10, 2008.

*Extra-Parliamentary Forces (demonstrators, academics, and journalists)*

Hard-line respondents from this group include M.L.<sup>87</sup> Walwipa Charoonroj, a historian at Thammasat University. She argues that given the experiences of Thai-Cambodian relations at *Preah Vihear*, the Thai government should be very cautious about making deals with Cambodia in other border areas.<sup>88</sup> Representing pragmatic/progressive elements of extra-parliamentary forces, Charnvit Kasetsiri states that “Let’s have a free-flow border. Let’s have people-to-people relations, especially people along the border, including Ubon-Srisaket-Surin-Khorat down to Srakeo, Chantaburi, Trat, to their counter parts in Khet *Preah Vihear*, Khet Udar Meanchay, Khet Bontey Meanchay, Koh Kong, etc.”<sup>89</sup> He exemplifies those who support the building of closer bridges between Thailand and Cambodia in the area of the Emerald Triangle.<sup>90</sup>

*Case III: The Sea Border*

*Traditional Powers (Privy Council and military)*

With regard to Thailand’s perceptions regarding the maritime dispute, there have been differences of opinion among traditional power-holders. For example, Admiral Prateep Chuen-arom, representing a more hawkish wing of the military (which constitutes the majority opinion), has stated that “If Thailand carelessly handles the issue of the *Preah Vihear* temple, the country might lose other parts of its territory, including disputed waters in the Gulf of Thailand.”<sup>91</sup> He continued that the Cambodian government had granted permission to companies from France, the United States, China and England to explore for gas and petroleum along the disputed maritime area.<sup>92</sup> These countries, he added, were ready to “extend their support to Cambodia if border conflicts between Phnom Penh and Bangkok rage on or escalate into a crisis.” Prateep “urged the government to come up with strategies to foster ties with these powerful countries under the framework of sovereignty and economic development.”<sup>93</sup>

Meanwhile, Thanom Charoenlaph, a former director-general of the Hydrographic Department and a senior adviser to the Thailand Institute of Marine Affairs Development, more pragmatically proposed that the two countries set up “a joint development area committee to solve the problem. The committee would be akin to the Malaysia-Thai joint development area, which has been active in gas exploration...”<sup>94</sup> Thanom’s advice is closer to that of Thai academics, businesspeople, and politicians close to the ruling People’s Power Party.

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<sup>87</sup> M.L. = Mom Luang, a royal title which indicates a relationship to Thailand’s royal family.

<sup>88</sup> Personal interview with M.L. Walwipa Charoonroj of Thammasat University, August 15, 2008.

<sup>89</sup> All of the mentioned names are provinces of Thailand.

<sup>90</sup> E-mail interview with Charnvit Kasetsiri, Thammasat University, August 24, 2008.

<sup>91</sup> Anucha Charoenpo. “Government Faces Tough Task Over Sea Border: Seminar Told of Cambodian Deals,” *Bangkok Post*, August 3, 2008.

<sup>92</sup> Actually both Thailand and Cambodia have granted rights for several companies to explore for energy, including Chevron, UNOCAL (bought by Chevron in 2005), BG (British Gas), Australia’s BHP Billiton, China’s CCNOC, and Japan’s Idemitsu, Inpex and Moeco.

<sup>93</sup> Anucha Charoenpo. “Government Faces Tough Task Over Sea Border: Seminar Told of Cambodian Deals,” *Bangkok Post*, August 3, 2008.

<sup>94</sup> Anucha Charoenpo. “Government Faces Tough Task Over Sea Border: Seminar Told of Cambodian Deals.” *Bangkok Post*, August 3, 2008.

Ultimately, resolution of the maritime boundary dispute, potentially beneficial to both Thailand and Cambodia, could take a long time to settle. Furthermore, Krairit Nilkuha, the director –general of Thailand’s Department of Mineral Fuels, is optimistic that negotiations over the maritime dispute can be disputed soon. He sees production from the maritime petroleum fields beginning within 10 years.<sup>95</sup>

*Pro-Thaksin political parties (mostly the Palang Prachachon/Puea Thai)*

With regard to the maritime boundary disagreement, the view of pro-government politicians has been to promote “forward engagement,” a foreign policy initiative meant to foster closer business ties and thus closer bilateral relations. Viraphand Vacharathit, the Thai Ambassador to Cambodia for the People Power Party (PPP) government during 2007-8, stated that prospects for Thai-Cambodian maritime boundary talks for coming to a resolution were bright, especially since Thailand and Cambodia could utilize the benefit-sharing model of the Thai-Malaysian Joint Development Area (JDA), which had been established since 1990.<sup>96</sup>

*Anti-Thaksin political parties (Prachaitipat or the Democrat Party)*

The view of the Democrats, in the words of Democrat deputy leader and former Deputy Foreign Minister M.R.<sup>97</sup> Sukhumphand Paribatra, is that “Thailand and Cambodia must agree on a maritime boundary.” He adds that “The *Preah Vihear* crisis has [meanwhile] made it more difficult to share and exploit oil profits from the sea.” He continues:

There is still a question of the division of income from the undersea resources within the disputed sea area. In lieu of a signed agreement, there has been a formula to simply divide the resources either 50/50, 90/10, or 10/90. Though it might seem equitable to distribute in a 50/50 manner, the reserves exist nearer to the Thai side of the disputed maritime area. So there should be a more appropriate distribution. Of course there was speculation that a conflict of interest existed between Noppadon’s agreement with the Cambodian government and Thaksin’s interests in the maritime areas, there has been no proof. There is much less certainty about this.<sup>98</sup>

*Extra-Parliamentary Forces (demonstrators, academics, and journalists)*

With regard to extra-parliamentary forces, the People’s Alliance for Democracy (PAD) as well as a minority of academics tended to be the most hardline and reactionary. For example, a PAD leader told this author the following:

As for the maritime boundary dispute, [former Prime Minister] Thaksin Shinawatra was willing to compromise national interests here as well as on

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<sup>95</sup> Yuthana Praiwan, Nareerat Wiriyapong. Thai-Cambodian Oil Talks Stall: Border Dispute Blocks Long-Sought Deal,” *Bangkok Post*, August 29, 2008, <http://www.bangkokpost.com>.

<sup>96</sup> Yuthana Praiwan, Nareerat Wiriyapong. “Thai-Cambodian Oil Talks Stall: Border Dispute Blocks Long-Sought Deal.” *Bangkok Post*, August 29, 2008, <http://www.bangkokpost.com>.

<sup>97</sup> M.R. = Mom Ratchawong, a royal title which indicates a relationship to Thailand’s royal family.

<sup>98</sup> Personal interview with M.R. Sukhumphand Paribatra, October 10, 2008.

*Khao Preah Vihear* in order to gain access to natural gas and other business interests in the maritime boundary area. Ultimately, when we look at Thai-Cambodian boundary problems, they involve four factors: politics, civilization, personal interest, and nationalism.<sup>99</sup>

Another PAD leader Sondhi Limthongkul, opined the following:

We would order the Defense Ministry to build a naval base at Koh Kut, deploy two battleships there, together with patrol ships, build a runway for F-16 aircraft, abolish the committee which oversees demarcation of overlapping sea areas, and officially declare our own marine map.<sup>100</sup>

Meanwhile, historian M.L. Walwipa Charoonroj of Thammasat University was interviewed to glean her perspective. She stated the following:

As for the disputed maritime border, Thailand cannot give in to Cambodian moves to extend their boundary. Thaksin gave in on *Khao Preah Vihear* in return for interests in border maritime areas. How then do we resolve the Thai-Cambodian border problems? There are four ways:

- 1) Cancel any moves which might give land or territory to Cambodia.
- 2) Use diplomacy and work hard in security affairs.
- 3) If possible, the militaries of Thailand and Cambodia should work together to resolve border problems.
- 4) A new, capable Foreign Minister should try hard to reveal everything about potential conflicts of interest.<sup>101</sup>

Still, most Thai academics promote serious bilateral cooperation to resolve frontier friction. Charnvit Kasetsiri, another historian from Thammasat University, represents this view. Regarding the current sea border dispute, Charnvit stated that “it will be problematic because of oil and gas, i.e. money.” When asked whether there was a possible conflict of interest between Thaksin’s economic interests along the sea border and potential concessions by the current Thai government at *Preah Vihear*, Charnvit answered, “I guess so but the matter is very complicated and it might be the other way round, or even up-side down. Some investigation should be done on this.” He did not believe that Thailand had given any “concessions” at *Preah Vihear*.<sup>102</sup>

Another progressive academic view towards the sea border is that of Akharapong Khamkoon, yet another historian from Thammasat University. He says the following:

Aside from the land border, the sea boundary is not clear. Thailand and Cambodia need a third party to help resolve this issue. Malaysia-Singapore

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<sup>99</sup> Personal interview with Phipop Thongchai, President of the Campaign for Popular Democracy and a leader of the People’s Alliance for Popular Democracy, August 4, 2008.

<sup>100</sup> Quoted in *Prachatai*. “Sondhi Limthongkul’s Solution to the *Preah Vihear* Dispute,” August 2, 2008, <http://prachatai.com/english/news.php?id=732>.

<sup>101</sup> Personal interview with M.L. Walwipa Charoonroj of Thammasat University, August 15, 2008.

<sup>102</sup> E-mail interview with Charnvit Kasetsiri, Thammasat University, August 24, 2008.



could be a precedent. In that situation, a lighthouse was the key. In the Thai-Cambodian ocean border dispute, everything depends on what the Joint Border Commission decides. If not, there is ASEAN.<sup>103</sup>

As for people in the media, many followed the temper of the times. Otherwise, their position often depended on whether their medium was more closely affiliated with or against the ruling coalition. A certain number supported diplomacy to resolve differences. Such a solution was endorsed by Thepchai Yong, noted journalist and currently head of Thai Public Broadcasting Service (TPBS). Moreover, in an interview, he stated the following:

The perception of a conflict of interest between Thaksin's building of a casino on Koh Kong and the situation in *Khao Preah Vihear* clearly increases doubt for the credibility of the PPP-led government. Unfortunately, some Thai media have helped to stir up nationalist sentiment regarding the border situation with Cambodia.<sup>104</sup>

Thai businesspeople tended to agree with pragmatic elements of Thailand's extra-parliamentary forces that cooperation through diplomacy was the best solution to Thailand's sea border disputes.

*Case IV: The Thai-Cambodian Land Boundary: Khao Phra Viharn (Preah Vihear) and Other Border Temples*

*Traditional Power Holders (Privy Council and military):*

Traditional forces appear to be somewhat divided between ultra-nationalists and restrained pragmatists on the issue of *Preah Vihear*. One retired senior military source stated the following: "*Khao Preah Vihear* has belonged to Cambodia since the World Court decision in 1962. But there is 4.6 square kilometers of nearby territory which belongs to Thailand. The temple continues to be a big problem but the military supports continued negotiations."<sup>105</sup> The source continued, however, that any negotiations would be held from a position of strength and that Thailand would never compromise her sovereignty rights.

Kraisak Chunhavan, son of former Prime Minister General Chatchai Chunhavan stated the following: that "nationalism has been the easiest issue to unite the country especially since 1932. Such nationalism led to the expansion of Thai borders by force. Soldiers were supposed to sacrifice themselves in the name of nationalism." Given that "the military sees itself as the defender of Thai nationalism," it has been supportive of a hard-line nationalist policy toward Cambodia, for example in the issue of *Preah Vihear*.<sup>106</sup> In Kraisak's view, the Thai Foreign Ministry has been rather harsh in its policy towards Phnom Penh, reflecting an ultra-nationalist perspective. Many of these officials have told him that Cambodians "should not be spoiled."<sup>107</sup> Despite the fact that traditional power

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<sup>103</sup> Personal interview with Akharapong Khamkoon of Thammasat University, August 18, 2008.

<sup>104</sup> Personal interview with Thepchai Yong, (head of Thai PBS), July 31, 2008.

<sup>105</sup> Personal interview with an anonymous retired senior Army general, August 4, 2008.

<sup>106</sup> Personal interview with former Senator Kraisak Chunhavan, August 4, 2008.

<sup>107</sup> Personal Interview with former Senator Kraisak Choonhavan, August 4, 2008.

holders today include both ultra-nationalists and restrained pragmatists, an overall attitude of confrontation has tended to reign supreme within this elite group.

With regard to this traditionalist inclination to be reactionary, Thai military expert Panitan Wattahayagorn stated that, for Thailand's establishment, particularly the military, there have been three cardinal rules regarding *Preah Vihear*:

1. Get the temple back.
2. If it is impossible to get the temple, do all that is possible to put Thailand in an advantageous position regarding the temple (e.g. take back adjacent territory)
3. Whatever happens, do not retreat

Panitan continued that military perceptions have been guided by the need to preserve Thai national security as much as possible.<sup>108</sup>

*Pro-Thaksin political parties (mostly Palang Prachachon/Puea Thai):*

These pro-Thaksin politicians adopted a perception of ardent cooperation with the Cambodian government to resolve disputes regarding Thai-Cambodian frontier temples. Regarding *Preah Vihear* temple, the PPP ruling coalition in 2008 sought to come to an agreement with Cambodia which would prove to be a win-win situation for both Thailand and Cambodia. On July 18, 2008, Thai Foreign Minister Noppadon Pattama stated that Thailand had not lost a single square centimeter of territory, given that the new map created by Cambodia for proposing *Preah Vihear* to UNESCO as a World Heritage site claimed nothing beyond what had already been granted to Cambodia in 1962.

Cambodia honoured an agreement reached in Paris last month to propose only the temple and did not include the overlapping area claimed by both sides, Noppadon told a press conference yesterday. Lt-General Daen Meechu-at, chief of the Supreme Command's Royal Thai Survey Department stated that a ground survey conducted from June 9-11, 2008, using a satellite based Global Positioning System indicated the new map did not claim any part of Thai territory. The nearest point, the left corner of the temple, is 3 metres away from Thai territory, while the farthest point is 30 metres away, he said. "The questioned naga stairs is 10 metres away from the Thai boundary," he said, "I confirm there is no part of Cambodia's claim on Thai soil."<sup>109</sup>

Both the Samak Sundaravej and Somchai Wongsawat governments have pushed for greater diplomatic efforts to bilaterally resolve the frontier temples issue. At the same time, beginning in October the violent clashes with Cambodia near *Preah Vihear* as well as the related PAD-encouraged Thai nationalism compelled each government to adopt a more confrontational attitude toward the Hun Sen government. When the Democrat-led coalition under PM Abhisit government assumed office in late December 2008, the latter eventually sought greater

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<sup>108</sup> Personal interview with Panitan Wattanayagorn, August 2, 2008.

<sup>109</sup> Piyanart Srivalo, Supalak Ganjanakhundee, "Cambodia Not Claiming Any Thai Land: Noppadon," *The Nation*, June 19, 2008. <http://www.nationmultimedia.com>.

cooperation with Cambodia. As such, PPP, now re-named *Puea Thai* (PT), shifted course on its *Preah Vihear* perspective. As such, PT accused the Abhisit government of ineptness in handling relations with Cambodia over the issue, by both conceding too much on Cambodian demands or objecting to Cambodia's unilateral listing of the *Preah Vihear* temple as a World Heritage site which had damaged relations with Cambodia.<sup>110</sup> Political expediency, in terms of PT's new role as leader of the parliamentary opposition, was perhaps behind PT's changed stance.

*Anti-Thaksin Political Parties (Prachatipat or the Democrat Party):*

This group has tended to blame the ruling coalition (when a pro-Thaksin party has led the government) for continuing Thai-Cambodian border difficulties. The point for Prachatipat is that PPP is to blame. The implication is that the Democrats would do a better job leading the ruling coalition. Indeed, Prachatipat attacked the government throughout the summer of 2008 given the latter's apparently less than adequate abilities to protect Thai sovereignty. In one parliamentary session, Democrat Party Leader Abhisit Vechachiwa accused the administration of compromising the country's sovereignty with its "active support" for Phnom Penh's bid to secure World Heritage status for *Preah Vihear*. He said no Thai government had ever officially accepted the 1962 decision by the International Court of Justice (ICJ), and maintained that the country had the right to revive its claim to the 10th century Hindu temple if and when new evidence surfaces. The Democrat Party leader said that with the exception of the Samak government, no Thai government had ever regarded the ICJ ruling as the determination of the national border between the two sides. The opposition leader showed a joint communiqué, revealing Samak's "active support" for Cambodia's bid for World Heritage status for the historic temple. Former deputy foreign minister Sukhumband Paribatra said that the joint communiqué signed by Foreign Minister Noppadon Pattama and Cambodia's Deputy Prime Minister Sok An could be deemed an international treaty, which required a Parliament reading in accordance with article 190 of the Constitution. "Of course, the interpretation is debatable but as long as it is unclear, why don't we put it through the Parliament first? Why does the government make it in secret and in a hurry?" he asked. Abhisit said it was a big mistake on the part of the Samak government to stray from the positions of previous governments that called for the two countries to put in a joint application. He also criticised Noppadon for misleading the public by proclaiming himself a hero, reportedly for succeeding in getting Cambodia to delete the 4.6-square-kilometre disputed area from its map submitted to UNESCO.<sup>111</sup> Ultimately the Democrats led a vote of non-confidence (which failed) against Foreign Minister Noppadon Pattama and even filed impeachment charges against him. According to DP party executive Kasit Piromya, Thai-Cambodian border relations have been abysmal under the current PPP administration.

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<sup>110</sup> Ex-Foreign Minister Noppadon Pattama went so far as to label Abhisit a "hypocrite" if, as Prime Minister, the latter sought reconciliation after earlier, as Opposition Leader, promising to seek the return of *Preah Vihear* to Thailand. See The Nation, "Noppadon to Abhisit: Get Temple Back," December 27, 2008, <http://www.nationmultimedia.com>; Supalak Ganjanakhundee. "Politics, Confusion Stall Temple Solution," *The Nation*, September 2, 2009, <http://www.nationmultimedia.com>; Bangkok Post. "Abhisit Fails the Test, Says Puea Thai," July 6, 2009, <http://www.bangkokpost.com>.

<sup>111</sup> The Nation. "Abhisit Slams Samak for Conceding Sovereignty." June 25, 2008, <http://www.nationmultimedia.com>.

It is too secretive a government, especially with regard to *Khao Preah Vihear*. From the first the Democrats said that PPP must report to the parliament about *Khao Preah Vihear*. There needs to be clarity. There needs to be a joint Thai-Cambodian application of *Khao Preah Vihear's* inscription, not Cambodia's nomination alone. Half of the issue is in the disputed area. With regard to this issue, Samak's government needs to put the horse before the cart, not the cart before the horse.<sup>112</sup>

Finally, M.R. Sukhumphand Paribatra, former Deputy Foreign Minister and current DP party executive stated that the MOU which Noppadon Pattama signed with the Cambodian government should have first been submitted to the Parliament for approval under Article 190 of the 2007 Constitution. He continues:

The agreement [Noppadon] reached was based on speculation and ambiguity. The Cambodians were allowed to draw up the map at will. A lot of people of people were afraid that this might be a repeat of the *Khao Preah Vihear* case. Since 1962 Thailand did not say anything about the case so maybe there shouldn't be a basis for the claim. In the future, we may forfeit the territory if we don't say anything. Noppadon chose to move too quickly and there was no transparency. With no transparency, it is easy to think that Noppadon had a hidden agenda. The status of the area around the ruins of *Preah Vihear* would be designated as a national park by UNESCO. This would include the disputed 4.6 square kilometers of adjacent territory. So if one day the Thai government wanted to give a building permit on part of that area, it would be unable to. Thus Thais have a genuine fear of conceding sovereignty.<sup>113</sup>

In October 2008, as both countries stepped up negotiations and *Preah Vihear* increasingly dropped from the media's attention, the Democrats appeared to support more diplomacy to resolve tensions relating to the disputed territory and temples. For example, the Democrats reflected that despite Noppadon's faults, Article 190 of the 2007 Constitution was an impediment to diplomacy and voiced uncertainty about conflicts of interest in terms of *Preah Vihear* and the maritime border.<sup>114</sup>

In September 2009, now leading a ruling coalition, the Democrats under new PM Abhisit Vechachiwa and Foreign Minister Kasit Piromya found themselves seeking to live up to the anti-Cambodian nationalist rhetoric they had earlier preached (in conjunction with the PAD), while at the same time desirous of improving ties with the Cambodian government. As such, both Abhisit and Kasit changed their polemics completely. For instance, now Abhisit was saying that Thailand had not lost any territory to Cambodia.<sup>115</sup> The changed perspective could most likely be rationalized in terms of political interest given that the Democrats' role as leading the political opposition had shifted to leading the ruling coalition.

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<sup>112</sup> Personal interview with Kasit Piromya, Democrat Party executive, August 18, 2008.

<sup>113</sup> Personal interview with M.R. Sukhumphand Paribatra, October 10, 2008.

<sup>114</sup> Personal interview with M.R. Sukhumphand Paribatra, October 10, 2008.

<sup>115</sup> Bangkok Post. "PM: No Sovereignty Loss." September 13, 2009, <http://www.bangkokpost.com>.

*Extra-Parliamentary Forces (demonstrators, academics, and journalists):*

This group's position is not cohesive given that these forces are divided between ultra-nationalists and pragmatic progressives on the issue of *Preah Vihear*. Various views are expressed below. The PAD has taken a nationalistic line toward the Khmer sanctuary. They have consistently criticized the Samak government for abiding by Cambodia's listing of *Preah Vihear* as a UNESCO World Heritage site. As such, the PAD has characterized PM Samak's first Foreign Minister Noppodon Pattama and Samak himself as traitors out to sell the nation. PAD leaders led thousands of followers to Thailand's Temple of the Emerald Buddha (the most important royal temple in the country). There they prayed to the image to restore *Preah Vihear* to Thailand.<sup>116</sup> One PAD leader, in an interview with this author, stated:

*Khao Preah Vihear* is a victim of France. France designed an unfair map that Thailand was forced to sign. *Khao Preah Vihear* has become a spiritual center for both Thailand and Cambodia. Naturally Thais are nationalist about it and they should be. Yes, it is difficult to resolve the *Khao Preah Vihear* issue. But we support soldiers fighting to protect Thai territory. And yes, it is Thai territory. When we look at Thai-Cambodian boundary problems, they involve four factors: politics, civilization, personal interest, and nationalism.<sup>117</sup>

The issue of *Preah Vihear*, the adjacent territory, and other frontier temples has caused sizeable differences within Thailand's academic community. Some conservative, more royalist-oriented academics have taken a more reactionary line to Thai-Cambodian border disputes. Historian M.L. Walwipa Charoonroj of Thammasat University is one such person. In an interview with her, she stated the following:

In March 2008, Noppadon Pattama said that the Thai people should cooperate and have Cambodia get a UNESCO inscription over *Khao Preah Vihear*. We can't believe Noppadon. It is not true what the Samak government said about *Khao Preah Vihear*. The Ministry of Defense initially just wanted opponents to shut up. Some Europeans mapping mainland Southeast Asia in the past have indeed included *Khao Preah Vihear* on the Thai side of the frontier. And, if you talk to people living in the area of *Khao Preah Vihear*, they will tell you that *Khao Preah Vihear* is Thailand's lost land. The UNESCO inscription by Cambodia is assisting in this. If former Foreign Minister Noppadon Pattama is not a traitor or corrupt (for agreeing to the UNESCO inscription), what is he? As for villagers living nearby *Khao Preah Vihear*, they are worried that the opening up of *Khao Preah Vihear* will mean that cheaper rice will be dumped into Thailand from Cambodia here. Clearly [the pro-Thaksin] PPP and Hun Sen's CPP have a conflict of interest—a deal regarding *Khao Preah Vihear*. The deal over *Khao Preah Vihear* would have simply helped PPP. PPP tried to fool everyone. National security should be the most important goal. Cambodia's UNESCO listing of *Khao Preah Vihear* does not assist Thailand's national security. By the way, the World Court

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<sup>116</sup> MCOT. "PAD Protestors March to Temple of the Emerald Buddha," Thai News Agency, August 2, 2008, <http://enews.mcot.net/view.php?id=5547&t=2>.

<sup>117</sup> Personal interview with Phipop Thongchai, President of the Campaign for Popular Democracy and a leader of the People's Alliance for Popular Democracy, August 4, 2008.

failed to rule on the exact Thai-Cambodia boundary back in 1962. How then do we resolve the Thai-Cambodian border problems? There are four ways:

- 1) Cancel any moves which might give land to Cambodia.
- 2) Use diplomacy and work hard in security affairs.
- 3) If possible, the militaries of Thailand and Cambodia should work together to resolve border problems.
- 4) A new, capable Foreign Minister should try hard to reveal everything about potential conflicts of interest.<sup>118</sup>

Other Thai academics appear much more eager for cooperation with Cambodia than Walwipa. Exemplifying these are the views of historians Charnvit Kasertsiri and Akharapong Khamkoon, both of Thammasat University.

According to Charnvit, the crisis at *Preah Vihear* will remain problematic for a long time to come and eventually diplomacy will find a solution. He adds that “many I guess, ten, maybe” temples along the Thai-Cambodian border could potentially be in dispute.

Charnvit did not think that former Foreign Minister Noppodon Pattama was a “traitor” for signing the May 2008 memorandum. “My guess is that he is not sensitive enough to understand this almost century-old Thai military-bureaucratic ultra-nationalism and irredentism which is now mixed and used with royal nationalism.” To resolve the Thai-Cambodian border crisis, Charnvit suggested that the overlapping *Preah Vihear* area be declared a ‘Peace-Land’ to be developed for common people. “Let’s have a free-flow border. Let’s have people-to-people relations, especially people along the border, Ubon-Srisaket-Surin-Khorat down to Srakeo, Chantaburi, Trat to their counter parts in *Khet Preah Vihear*-*Khet Udar Meanchay*, *Khet Bontey Meanchay*, *Koh Kong*, etc., not leaving the matter just Government-to-Government or just Bangkok to Phnom Penh. As for what percentage of Thai people might be seeking a negotiated peaceful conciliation as opposed to nationalistic confrontation, Charnvit’s guess was that the percentage of pro-peace Thais was “very low... We, present-day Thai (not Siamese), have been planted with this ultra-nationalistic emotion since the late 1930s, repeated and reproduced in the 1960s and again, right now, this minute. It is very difficult for this to be undone. Many of us, academics, journalists, military and bureaucratic personnel, are deep inside this black hole. But I don’t think the business people or the younger generations should be included. They must have different way of seeing the *Preah Vihear* case.”<sup>119</sup> Echoing Charnvit, Akharapong stated the following:

Along the 800 kms of the Thai-Cambodian border there are three relationships that we analyze: border as barrier, border as destination, border as modification. These bring forth competing meanings of the border. If the Thai government considers the border as a barrier, then there is a problem. But a border as a destination or modification presents no problem. Unfortunately, preserving the border is meant to defend national security and national reputation.

In my opinion, Thailand and Cambodia need a peaceful conciliation. Cambodia made a mistake in signing the MOU with Noppadon. Originally when the MOU was signed, Cambodia was given the right by Thailand to

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<sup>118</sup> Personal interview with M.L. Walwipa Charoonroj of Thammasat University, August 15, 2008.

<sup>119</sup> E-mail interview with Charnvit Kasetsiri, Thammasat University, August 24, 2008.

inscribe the exact land at the *Khao Preah Vihear*. But the MOU implicitly gave away the right of Cambodia to control the disputed 4.6 sq kms near *Preah Vihear*. When Thailand's administrative court placed an injunction on the MOU, it freed Cambodia from this obligation. Walwipa and other Thai ultranationalists say: "We cannot lose any land to Cambodia because our ancestors shed blood for it." They are misguided. Meanwhile, the PAD twisted Noppadon's signature on its head. Cambodia uses the border temple issues as political manipulation, domestic politics.

Certainly the 4.6 sq kms is a tool of Thailand's traditional forces to destroy Thaksin. How do we resolve these problems? First, the disputed 4.6 sq kms should be a "peace-land" governed by both countries. There should be a management process without demarcation. This is the perfect opportunity for Thai people to understand Thai culture vis-à-vis Cambodian culture. Thailand can use *Preah Vihear* as a tool to make peaceful conciliation.<sup>120</sup>

Naruemon Thabchumpon, offers yet another academic viewpoint. She stresses the plight of Srisaket entrepreneurs in the *Preah Vihear* border dispute:

With regard to *Khao Preah Vihear*, the military has lost much face in its struggle in apparently siding with the PPP government on the UNESCO inscribing of the temple. There is probably a conflict of interest regarding *Koh Kong*. But the People's Alliance for Democracy (PAD) created a kind of ultra-nationalism over these ambiguous border issues. The PAD sought to use *Khao Preah Vihear* to bring down PPP MP Samak Sundaravej. Moreover, local entrepreneurs in Srisaket are left with a big problem have a problem if *Khao Preah Vihear* remains closed. They will lose much money. Besides that, nationalism is dangerous.<sup>121</sup>

Aside from academics, Thailand's media has been divided over Thai-Cambodian frontier problems. Thai television and radio stations, dominated by the state and government viewpoints, have tended to be rather reactionary. But some independent media have also shown a nationalist disposition. This has included the newspapers *Daily News* and *Puchagan*. Some periodicals such as *Thai Post*, *Bangkok Post*, and *The Nation*, have, however, been more even-handed. Thepchai Yong, noted journalist and currently head of *Thai Public Broadcasting Service* (TPBS) offers a pragmatic view:

*Khao Preah Vihear* was not an issue at all in the past, so it "caught" to some extent the media by surprise. The temple issue became part of the anti-Thaksin cause as the "bigger issue" – Thaksin's conflict of interest with Cambodia. The government handled the issue so badly (too rushed and hasty). Both Thailand and Cambodia need to get diplomacy rolling, especially to reduce tensions vis-à-vis the media.<sup>122</sup>

Meanwhile, noted Thai media rights advocate Supinya Klangnarong stated the following:

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<sup>120</sup> Personal interview with Akharapong Khamkoon of Thammasat University, August 18, 2008.

<sup>121</sup> Personal interview with Naruemon Thabchumpon, Professor of Political Science, Chulalongkorn University, August 1, 2008.

<sup>122</sup> Personal interview with Thepchai Yong, (head of Thai PBS), July 31, 2008.

*Khao Preah Vihear* has been a case where the People's Alliance for Democracy (PAD) has been able to mobilize society. The temple was only an "instrument", not the cause. Thailand's media is transmitting nationalist sentiments around PV – media are eager to reproduce stereotypes, not to analyze the case. The electronic media (TV) tends to transmit the government's view, while the print media tend to "support" the PAD's view. One reason why the PAD is able to exploit the PV issue – the government lacks the ability to explain the issue to the public; the PAD actually is more successful than the PAD to get its voice out. In the case of *Preah Vihear*, suddenly people got interested in *Preah Vihear* and 'wanted PV back' – a paradigmatic case of agenda-setting and mobilizing nationalist sentiment. However, following [unrelated domestic violence], Thailand's media is now trying to "calm down" the situation. If PAD and the media would not "rekindle" the issue, the public would lose any interest in the *Preah Vihear* temple. Since other events overshadow the PV issue (i.e., Thaksin's return to England), the issue is already slowing down. The bottom line is that *Preah Vihear* is only relevant as a "trigger issue" to get society mobilized against the government.<sup>123</sup>

As for the perception of Thai businesses towards border problems involving frontier temples and adjacent territory, the general consensus has been to work towards a cooperative arrangement. Narongchai Akrasanee, executive chairman of the Export-Import Bank of Thailand, stated that the bank supported the Thai private sector in investing abroad, particularly Cambodia. "We should separate the dispute about *Preah Vihear* Temple from business. Cooperation between Thailand and Cambodia could generate a huge benefit for both sides," he said. Somsak Rinruengsin, chairman of the Thai business Council of Cambodia, said Thai businessmen were still operating in Cambodia as usual. "Private enterprises believe that the conflict should not be brutal. All transactions are still on track. I believe that Thai companies will not withdraw investment as most are in heavy industry and have spent huge investment capital," said Somsak. Many large Thai companies have invested in Cambodia, including PTT, ThaiBev, Mitr Pol, CP, SCG and Imperial Group. "Somsak said about 100 Thai SMEs such as restaurants and retailers were still operating normally in Cambodia." According to Somsak, most Cambodians still have a positive attitude towards Thailand and Thai products.<sup>124</sup> In October 2008, amidst a 30% drop in business along the border, the head of Srisaket Province's Chamber of Commerce urged an end to the border crisis in order to "restore the regional economy."<sup>125</sup>

#### *The Perspectives Overall:*

To sum up, when it comes to perceptions of Thai-Cambodian border problems, interviewees tended to either have generalist feelings toward Cambodia or when it comes to cases, dwelled on either the sea border or frontier temples. Moreover, there seem to be two distinct Thai perceptions regarding Thai-Cambodian both sea

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<sup>123</sup> Personal interview conducted by Aurel Croissant with former Secretary General of the Thai Campaign for Popular Media Reform Supinya Klangnarong, August 14, 2008.

<sup>124</sup> Petchanet Pratuangkrai. "Thai Firms Say Crisis Will Pass," *The Nation*, July 29, 2008, <http://www.nationmultimedia.com>.

<sup>125</sup> Bangkok Post. "Border Trade, Tourism Slump," October 23, 2008, <http://www.bangkokpost.com>.



and land border issues.<sup>126</sup> First, as seen in discussions with respondents representing the military, Privy Council, PAD, or conservative academics, promotes a traditionalist, hardline security stand towards the frontier. The other, comprised of the ruling coalition (be it led by the PPP/PT or the Democrats), civilian bureaucrats, businesspeople, and progressive academics, endorses international cooperation, greater diplomacy, and mutual understanding to resolve the boundary conflict. The view of Thailand's leading parties (when they are in the parliamentary opposition) is somewhere between these two extremes. When the Democrats were the parliamentary opposition, they were aligned with Thai nationalists. But once they led a coalition, their perceptions shifted towards bilateral cooperation. As for the PPP/PT, it too sought greater cooperation with Cambodia when it led a ruling coalition. In the parliamentary opposition, freed from the responsibilities of guaranteeing foreign relations, it has criticized the Abhisit government, shifting over to a stance similar to that of Thai nationalists. In essence, regarding the perspectives of the two political parties, each has seemed to depend on political calculation, driven by what happens to be most popular (and perhaps anti-PPP) at the moment.

What are some plausible arguments for the perceptions of each actor group? Perhaps one could say that the general stance of each depends on the societal or functional role each one fills. In other words, where each stands depends on where they sit (Miles' Law).<sup>127</sup> The Privy Council and military are responsible for national and monarchical security. As such, their standpoint tends to be hard-line. On the other hand, political parties in a ruling coalition (as well as the private sector in civil society) have tended to promote economic collaboration. Many (but not all) foreign Ministry officials also support cooperation through diplomacy given that such tasks are part and parcel of Foreign Ministry responsibilities. Parties in the parliamentary opposition tend to support whichever side gives them the greatest leverage vis-à-vis the ruling coalition. Opposition parties, however, emerge as fluid players in terms of Miles' Law. That is, once they ascend to office, these parties may well adopt new perspectives given their changed status. Such a transformation can be seen in the changing position of the Democrat Party from 2008 to 2009. Meanwhile, the disparity in views among academics owes to the fact that different academic groups gravitate more closely to different ideological stances.

The *Preah Vihear* crisis has ultimately rekindled a latent Thai nationalism which reflects anger, distrust, and disdain for Cambodia. While this perspective exists among many in the Thai military as well as reactionary elements of Thai society, there is an increasingly business-oriented perspective (exhibited by the Samak/Somchai ruling coalition) which has sought to place trade above old enmities. In the age of globalization, this movement toward trade appears to be ascending toward a majority perspective which could well push Thailand towards moderation in its relations with Cambodia.

## V. Discussion and Recommendations for Thai Perceptions

In the final analysis, it appears today that nationalism is alive and well today when it comes to Thai perceptions of its territorial disputes with Cambodia. As Kraissak Choonhavan states, "nationalism has been the easiest issue to unite the country

<sup>126</sup> At the time of writing, the pro-Thaksin United front for Democracy Against Dictatorship (UDD) "red shirts" had not formally voiced an opinion regarding Thai-Cambodian border issues.

<sup>127</sup> Miles, Rufus E., Jr. "The Origin and Meaning of Miles' Law," *Public Administration Review*, 38 (5), 1978, pp. 399-403.

especially since 1932. Such nationalism led to the expansion of Thai borders by force. Soldiers were supposed to sacrifice themselves in the name of nationalism.” The latent intensity of nationalism has thus facilitated the eruption of frontier frictions.<sup>128</sup>

With regard to the Thai-Cambodian border, such tensions revolve around three issues in descending order of importance: 1) *Preah Vihear* and other temples which straddle the land frontier; 2) the Thai-Cambodian sea border; and 3) boundary disputes near the Emerald Triangle. Tensions at the Emerald Triangle are unlikely to grow given the high-level friction over the temples. Previous border problems at Aranyaprathet-Poipet seem to have faded away with end of the civil war in Cambodia, the closing of refugee camps in Aranyaprathet, and the growth of cross-border trade in the area. Though one might think that boundary strains would have long ago subsided (given the importance of growing commercial intercourse), such tensions grew again, perhaps reflecting domestic instability in both countries. For Thailand, people who disagreed with the PPP government (PAD, Democrats, elements of the Privy Council and military) negatively emphasized Noppadon Pattama’s agreements with Cambodia’s Hun Sen government, as the latter sought UNESCO’s inscription of Preah Vihear. This negative perception of Noppadon (perhaps as a tool of Thaksin Shinawatra) further extended to Cambodia, exacerbating anti-Cambodian nationalism.

But how do Thai standpoints, as reflected in interviews, compare to Thai perspectives, as reflected in the literature? The answer to this question depends on which respondent group one addresses. For example, those respondents representing the military, Privy Council, and right-wing extra-parliamentary forces (the PAD, and conservative academics) exhibited the most traditionalist and realist points-of-views of all respondents. As such, their standpoints reflected the more reactionary views in the literature. Meanwhile, respondents representing governing political parties (be they pro-Thaksin or anti-Thaksin) and businesspeople tended to present a view which encouraged cooperation with Cambodia—reflecting later trends towards accommodationist free trade. On the other hand, the parliamentary opposition’s view (regardless of party) tended to reflect the temper of the times. This view was initially more hardline, later on more cooperative towards Cambodia. Such standpoints—hardline or cooperative—could be found in the literature. Finally, many progressive extra-parliamentary forces (e.g. forward-thinking academics) sought greater use of diplomacy and promotion of peace between Thais and Cambodians, perhaps agreeing with the postmodernist literature of Thongchai (1994). Taken together, the literature and interviews offer three findings.

First, the four actor groups have distinct interests which shape their perspectives (see table 1 below).

**Table 1: Relevant Actors, their Interests, and the Character of their Perspective**

Relevant Actor	Interest	Character of Perspective
Traditional Powers (Privy Council and Military)	Preservation of National Security	Confrontation
Pro-Thaksin political parties (People’s Power Party/Puea Thai Party)	<u>LEADING A RULING COALITION</u> Preservation of Warm	<u>LEADING A RULING COALITION</u> Cooperation

<sup>128</sup> Personal interview with former Senator Kraissak Chunhaven, August 4, 2008.

	Relations to Promote Trade and Joint Projects <u>IN PARLIAMENTARY OPPOSITION</u> Political Advantage in opposition to the Ruling Coalition	<u>IN PARLIAMENTARY OPPOSITION</u> Depends on the Moment
Anti-Thaksin political parties (Democrat Party)	<u>LEADING A RULING COALITION</u> Preservation of Warm Relations to Promote Trade and Joint Projects <u>IN PARLIAMENTARY OPPOSITION</u> Political Advantage in opposition to the Ruling Coalition	<u>LEADING A RULING COALITION</u> Cooperation <u>IN PARLIAMENTARY OPPOSITION</u> Depends on the Moment
Extra-Parliamentary Forces (demonstrators[PAD], academics, journalists, businesspeople)	PAD & conservative academics/journalists= national security	Confrontation
	Businesspeople & progressive academics = Warm ties to promote trade or better understanding	Cooperation

Source: Authors' own compilation.

Second, perspectives are not static. For example, the perception of the parliamentary opposition, initially hard-line during July 2008, became more pragmatic by October. Finally, some groups' views are not monolithic. Elements within extra-bureaucratic forces (academia) and the military have been shown to disagree in their perceptions toward Thai-Cambodian border issues.

The 2008 Thai-Cambodian border crisis has clearly aggravated Thai nationalistic perceptions when it comes to territorial disputes with Cambodia. This has been proved most clearly in the current *Preah Vihear* (KPV) imbroglio. Indeed it seems that KPV has created a snowball effect when it comes to other potential sticky issues along the frontier—other border temples, the sea boundary, and perhaps a final delineation of the Emerald Triangle. Perhaps a combination of time and mostly well-established boundaries between Siam and French Cambodia will endure long enough to allow for the two nations to amicably live side by side.

Still, Thailand's perspective towards the border depends on which group one is addressing—there are a myriad of views. Thailand's current polarized domestic political arena has drawn in the subject of Thai-Cambodian boundary relations. Some extra-bureaucratic forces (the People's Alliance for Democracy or PAD) have placed a negative twist on the PPP-led government losing Thai border territory to Cambodia. However, pragmatic civilian business/politician elites are increasingly trumping the influence of nationalist Thai actors, be they military or the PAD. Thus the Democrat party, initially critical of FM Noppadon's agreement with the Cambodian government (perhaps to target the Ruling Coalition), has become much more pragmatic. This trend bodes well for a quieting down of once tense boundary disputes. Greater economic and political cooperation along the

border should meanwhile contribute towards more cordial Thai perceptions of Cambodia's role along the Thai-Cambodian frontier.

But history is witnessing a sea change in the numerical and substantive Thai perspectives on this border. This has paralleled a changing relevance of different actors in Thai society and hence the shifting relevancies of these actors' viewpoints which matters most in determining the dominant Thai perspective today. As such, given the growing relevance of business associations in Thai politics, one sees in Thailand greater attention to trade and economic cooperation with Cambodia which has begun to challenge the traditional national security construct. All in all, Thai perspectives, guided increasingly by the exigencies of commerce, may contribute to an amelioration of Thai-Cambodian border tensions.

Recommendations to resolve Thai-Cambodian boundary problems depend on both countries achieving the resolve to tackle necessary changes in policy. Such resolve depends on recognition that feelings of territorial nationalism are an essential part of the problem. It would help to understand "Cambodia" and "Thailand" as collective meanings. Such meanings can institutionalize our cognitive identities as well as shape and reshape them in both antagonistic and cooperative ways. It is also important to realize that identity construction is a fluid process which constantly ebbs and flows, and maintains dependence upon social interaction over time. Certain processes such as social learning and mimicry can potentially transform the nature of state relations.<sup>129</sup> This can occur at either the level of the locality, state, international organization, or through non-governmental organizations (NGOs). Thus it is possible to cognitively reshape zero-sum nationalistic animosities into positive-sum convivial cooperation. Such a rehabilitation of cognitive "takes" on the "border" from acrimony to concord is necessary to mitigate ill feelings based on the territorial self versus the other. To socially reconstruct notions of nationalism, pro-active functionalism might work to reduce tensions. A functionalist or neo-functionalist approach promotes deeper mutual integration in the sectors of task performance, including goods, capital, and labor. Successful collaboration in one technical area (by states or other political units) encourages the growth of collaboration into other areas. The growing knots of positive technical or economic integration would eventually keep states from disengaging from each other.<sup>130</sup> In the case of Thai-Cambodian border problems, joint integrative institutions need to be set up at the level of the locale, NGO, state or international organization. Bilateral mediations can occur at all levels.

Still, for Thailand, it may be wise to wait for current domestic instability to subside before substantive diplomatic efforts to reduce border tensions can be effectively completed. Yet despite the country's internal chaos, negotiations need to continue over each of the disputed areas. Meanwhile, at the state-to-state level it is essential for both countries to collaborate seriously under the Joint Boundary Commission in order to demarcate a clearly-defined border. An accord delineating the Thai-Cambodian boundary would set the way for the greater spillover of bilateral cooperation across several areas. With regard to resolving border problems relating to frontier temples, the sea and the Emerald Triangle, the answer lies in building integrative joint administration of disputed areas. Joint administration would demonstrate a high degree of diplomatic maturity to both the international community and neighbors in the region. It would also prove to each side that although Thai-Cambodian history has been strewn with bombshells, there

<sup>129</sup> See Wendt Alexander. 1992. "Anarchy is What States Make of It: The Social Construction of Power Politics," *International Organization*, 46, 2, pp. 391-425.

<sup>130</sup> For a discussion of functionalism, see Mitrany, David. 1948. "The Functional Approach to World Organization," *International Affairs*, 24, 3, July, pp. 350-63. For a discussion of neo-functionalist, see Haas, Ernst, "Turbulent Fields and the Theory of Regional Integration," *International Organization* 30, 2, spring 1976, p. 179.

is still room for neighborliness. Joint administration would moreover encourage greater commerce and joint investment between the two countries, especially along those border regions where disputes exist (e.g. the proposed golf course straddling the Emerald Triangle). It would furthermore facilitate the creation of a joint demining regime for use in boundary regions, using international experts approved by both countries. Joint administration would also allow for joint operations by Thai and Cambodian border police in order to reduce border crime. It would meanwhile allow for restorations of disputed frontier temples on the Thai-Cambodian land border (including *Ta Moan Thom* and *Ta Kwai*). With regard to *Preah Vihear*, since the World Court has already granted control over the temple-complex, the adjacent 4.6 square kilometer disputed region should be jointly administered by both Thailand and Cambodia (following the withdrawal of Thai troops). As for the overlapping ocean boundary, joint administration should be implemented as well. Such a strategy would facilitate greater environmental conservation, potential joint tourism projects, and management of natural resources in the area. Indeed, with regard to the exploration and exploitation of oil or gas in the disputed maritime area, mitigation of tensions could arise through utilizing joint extraction and profit-sharing. Such a solution would be similar to the Thai-Malaysian Joint Development Area established in 1979. In all of these aforementioned joint regimes, the purpose is for successful collaboration in one area to motivate realization by authorities to promote collaboration into other areas.

Beyond the state-to-state level, other methods of cooperation can be encouraged. Indeed, at the local administrative or NGO levels, there could be greater joint efforts towards environmental conservation, health, or education of local people. This could spillover into joint local conservation of and ceremonies honoring frontier temples. District and provincial chambers of commerce on each side of the border could meanwhile hold regular meetings to promote local commerce. Successful collaboration on these fronts could spillover to greater cooperation between the Thai and Cambodian national chambers of commerce. Successful commercialization would go far in making relevant actors see that continued border hostilities are counterproductive. At a regional level, one way to move towards convivial cooperation is for Thailand and Cambodia to join with Lao PDR in perhaps deeper integration towards an Emerald Triangle Economic Zone. The lucrative benefits of a win-win solution such as this would far outweigh the disadvantages of continuing to struggle over which side—Thailand or Cambodia—deserves certain territories. At the global level, Thailand and Cambodia could mutually nest themselves within larger international regimes (e.g. joint rather than unilateral UNESCO inscription of all temples approaching the Thai-Cambodian border; greater collaboration in eradicating malaria in frontier areas under the aegis of the World Health Organization).

Through a mutual re-shaping of cognitive processes, traditional collective identities fostering coercion can, over time, become convivial cooperation. Nationalism in Thailand's military and other sectors would gradually lose its appeal. Collaboration in boundary management, perhaps leading to joint profits in trade, should thus contribute to greater pacification of Thai-Cambodian relations as well as stability and co-prosperity for the border peoples in both countries.

## CONCLUSION

This study began with three questions. First, how have Thai elite actor perceptions evolved toward their present state? Second, what appears to be hindering a more moderate Thai stance toward parts of its border conflict with Cambodia? Third, what implications are there from Thai-Cambodian border conflicts, if any, and

what patterns can we generalize out of Thai border perceptions which might have implications for South and Southeast Asia? In answer to the first question, where once nationalist and reactionary military-royalists dominated elite perceptions of Thailand's border with Cambodia, it appears now that moderate Thai elite actors have attempted to move their country toward a more pragmatic and concordant foreign policy based on the exigencies of increased trade, investment, and joint-tourism ventures with Cambodia—though at a snail's pace. As for the second question, it has been the inertia of nationalism amidst continuing extreme political polarization in Thailand which has continued to prevent moderates from trumping reactionaries on border issues such as *Preah Vihear* temple. Such polarization reflects the fact that “it is the socio-political environment that shapes the perception of the elite and their understanding of their countries' priorities and compulsions (Pattanaik, 2004:8).” As such, Thai border policy toward Cambodia has remained muddled and confused.

With regard to the third question, there are various implications which one can identify and generalize in a comparative perspective, not only addressed to South and Southeast Asia but also beyond. First, if the idea of the geo-cultural unity of Southeast Asia (more concretely mainland Southeast Asia, based upon linguistic and religious similarities) is accepted in principle, it would be much easier to formulate effective and combined strategies to deal with contemporary conflicts (independent of colonial or non-colonial determinants) as well as with clashes of the future. Second, one could contend that the Thai-Cambodian problem is not necessarily a lack of clear boundary demarcation, but diametrically opposed notions of “us” versus “them.” Thus, any boundary altercation between these two countries derives from a history of image enmity. As a result, pervasive nationalism necessarily remains a hindrance to less aggravated levels of neighborliness. This phenomenon of historical hatreds preceding boundary disputes can also be found in South Asia (as mentioned above in India-Pakistan relations). Third, the Thai-Cambodian border dispute—and accompanying acrimonious perceptions—illustrates the fact that geo-cultural unity has yet to be achieved in Southeast Asia (at least between Thailand and Cambodia) despite the aspirations of ASEAN (Association of Southeast Asian Nations) for some form of harmonious ASEAN “way.”<sup>131</sup> Similarly, the SAARC (South Asian Association for Regional Cooperation) suffers from bilateral disputes, mutual mistrust and hostility among its members despite its objective to enhance a spirit of friendship, trust and understanding.<sup>132</sup>

To sum up, one can state that the formulation of border policy in South and Southeast Asia “has been highly elitist”. “The reason for the monopoly of elite veto-players on the” countries' approaches towards the solution to boundary disputes is due to the fact that such decisions shape the contemporary and future image of the state on the international level. Therefore, guided to a large extent by emotions and sentiments these elite players have cultivated in both regions an uncompromising, non-negotiable attitude. This has led to serious consequences on the national integrity and sovereignty of the young states. In the South Asian context, there is a remarkable tendency that traditional identity formation (e.g. based on the *Two-Nation-Theory*) is no longer perceived as the primary principle

<sup>131</sup> Though Thai-Cambodian border frictions are currently the most visible, boundary disputes (often exacerbated by the cross-border movement of ethnic groups) continue to exist between Thailand and its other neighbors: Burma/Myanmar (overlapping maritime claims and claims along the mountainous border); Lao PDR (Mekong River boundary); Malaysia (*Bukit Jeli* and overlapping maritime claims); and Vietnam (overlapping maritime claims). See International Boundary Consultants, “International Boundary Monitor Index,” [http://www.boundaries.com/ibm\\_idx.htm](http://www.boundaries.com/ibm_idx.htm).

<sup>132</sup> See Charter of the SAARC: <http://www.saarc-sec.org/main.php?id=10&t=3.2>.

for any country's foreign policy formulations, especially in the case of Pakistan. This is due to an evolving belief that the incorporation of economic interests into the nation's decision-making process would strengthen bilateral relations to salvage the intra-state as well as inter-state political crisis over the border issues. This understanding leads not only to a sustainable restructuring and rethinking of long-established threat perceptions and subsequently-derived political stands, but also to remove border issues from the center stage in bilateral relations. To implement this need for an engagement in social, economic and political cooperation, one can generalize the following: 1) There must be a fundamental shift in elite perceptions regarding priorities in border policy, especially in terms of the construction of identity using mainly exclusive, cultural and primordial codes ("we" versus "the other") towards the formulations of socio-economic and political goals of the nation as the new benchmark of public policies. 2) A consensus among elites must emerge that it is essential to create a much-enhanced level of harmony in bilateral relations before specific border issues can even be addressed. In other words, national identity constructions and elite behavior of one state can no longer remain a fundamental threat to the identity of other states, denying the validity of the other's sovereignty and territorial integrity. 3) A step-by-step-approach must commence in which the less-contentious border issues are addressed first to create a positive environment (using both formal and informal [e.g. Track II diplomacy] exchange) to later enable resolution of the most contentious issues. In the final analysis, where blurred boundaries meet image enmity at a nation's edge, conflicts can ensue which tend to economically, socially, and politically devastate not only the countries involved but also the extended region which surrounds them. Where moderate, forward-thinking elite actors eventually come to direct border policies, promoting commerce, diplomacy and social exchanges, this will create corridors of potential or greater cooperation.

## Appendices:

### Appendix 1: Boundary Conflicts in the Extended South Asia Region

Disputants	Name of Disputed Area	Level of Border Hostility in Disputed Area, 2009 (High, Medium, Low)
Pakistan, Afghanistan	Durand-Line (including Balochistan, FATA (Federally Administered Tribal Areas)/North West Frontier Province)	High
India, Pakistan	Line of Control / Kashmir	High/Medium
India, Pakistan	Siachen (including Saltoro Ridge)/Kashmir	High/Medium
India, Pakistan	Sir Creek	Medium
India, Pakistan	Rann of Kutch	Medium
India, Pakistan, China	Shaksgam Valley/Kashmir	Low
India, China	Aksai Chin/ Xinjiang (including Demchok)/Kashmir	Low
India, China	Arunachal Pradesh (Assam region/Tawang)	Medium/Low
India, Nepal	Kalapani region (Darchula district)	Medium/Low
India, Nepal	Susta Region (Nawalparasi)	Low

India, Sri Lanka	Kachatheevu Island	Medium
India, Bangladesh	Bay of Bengal - Maritime border (including 12 Mile-Zone; 200 + 300 Mile-Exclusive Economic Zone)	Medium
India, Bangladesh	Bay of Bengal - Maritime Boundary: South Talpatti/New Moore/Purbasha Island	Medium
India, Bangladesh	Lathitilla-Dumabari (Assam sector)	Low
India, Bangladesh	Muhuri river/Beloni (Tripura sector)	Low
India, Bangladesh	Enclaves/Chits (including Pyrdiwah and Berubari)	Medium
Bangladesh, Myanmar/Burma	Naf River islands (Arakan State-Teknaf Cox's Bazar District)	High
Bangladesh, Myanmar/Burma	Maritime Boundary (12 + 200 Mile-Zones)	Medium
Bhutan, China	Kula Kangri (northwest Bhutan)	Low

Note: Authors own compilation.



**Appendix 2: Map of Thailand/Cambodia with the four disputed border areas highlighted**

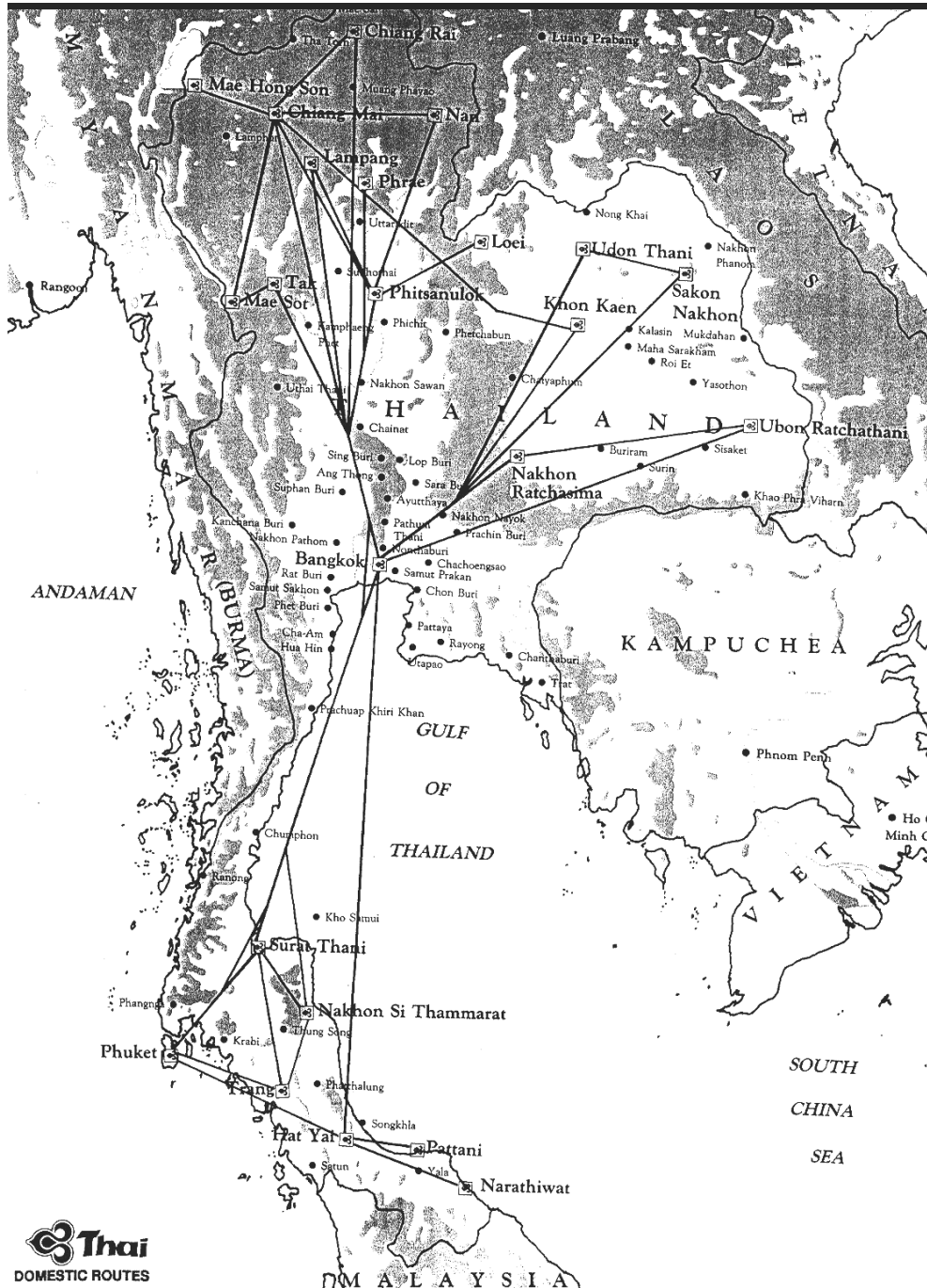


Source: Based upon [www.photoseek.com/Thailand](http://www.photoseek.com/Thailand); authors own modifications.

### Appendix 3: Thai Airways Routes Map—1994

Preah Vihear or Khao Phra Viharn can clearly be seen on the Thai side of the Thai-Cambodian border.

Though not an official Thai map, this chart does demonstrate a view prevalent in Thai society.



Source: St. John, Ronald Bruce. "Preah Vihear and the Cambodia-Thailand Borderland," IBRU Boundary and Security Bulletin January 1994, p. 67.

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