Violent Accumulation: A Postanarchist Critique of Property, Dispossession, and the State of Exception in Neoliberalizing Cambodia

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Employing a poststructuralist-meets-anarchist stance that advances conceptual insight into the nature of sovereign power, this article examines the dialectics of a triadic system: capital/primitive accumulation, law/violence, and civilization/savagery, which are argued to exist in a mutually reinforcing “trilateral of logics.” This is a radical (re)appraisal of capitalism, its legal processes, and its civilizing effects that together serve to mask the originary and ongoing violences of primitive accumulation and the property system. Such obfuscation suggests that wherever the trilateral of logics is enacted, so too is the state of exception called into being, exposing us all as potential homo sacer (life that does not count). Using the empirical frame of Cambodia’s contemporary neoliberalization, I offer a window on how sovereign power configures itself around the three discursive-institutional constellations (i.e., capitalism, civilization, and law) that form the trilateral of logics. Rather than formulating prescriptive solutions, the intention here is critique and to argue that the preoccupation with strengthening Cambodia’s legal system should not be read as a panacea for contemporary social ills but as an imposition that serves to legitimize the violences of property. Key Words: Cambodia, primitive accumulation, property, sovereignty, violence.

Primitive accumulation plays approximately the same role in political economy as original sin does in theology. Adam bit the apple, and thereupon sin fell on the human race. Its origin is supposed to be explained when it is told as an anecdote about the past. Long, long ago there were two sorts of people; one, the diligent, intelligent and above all frugal elite; the other, lazy rascals, spending their substance, and more, in riotous living. . . . Thus it came to pass that the former sort accumulated wealth, and the later sort finally had nothing to sell except their own skins. And...
from this original sin dates the poverty of the great major-
ity who, despite all their labor, have up to now, nothing
to sell but themselves, and the wealth of the few that
increases constantly, although they have long ceased to
work. Such insipid childishness is everyday preached to us
in the defence of property.

—Karl Marx ([1867] 1976, 873–74, italics added)

History shows that property in land did not arise from
any wish to make the cultivator’s tenure more secure but
resulted from the seizure of communal lands by conquerors
and its distribution to those who served the conqueror . . .
the fruit of their toil is unjustly and violently taken
from the workers, and then the law steps in, and these
very articles which have been taken from the workmen
unjustly and by violence are declared to be the absolute
property of those who have taken them.

—Leo Tolstoy ([1900] 2004, 30, 32)

The words of Marx and Tolstoy eloquently cap-
ture the chief methodologies of primitive ac-
cumulation, hinting at its foundations in law,
civilization, and sovereign rule. A number of “classi-
cal” anarchists including Kropotkin, Godwin, Parsons,
Proudhon, and Reclus similarly recognized this origi-
nary nature of capitalism. Yet rather than a precapital-
ist point of departure, Luxemburg ([1913] 1951), Perel-
man (2000), and, more recently, geographers Harvey
(2003), Glassman (2006), and Hart (2006) contend
that the miasmic processes of primitive accumulation
must be understood as ongoing features of a capital-
ist mode of production, ingrained within its very logic.
Harvey has renamed primitive accumulation “ac-
cumulation by dispossession” to better capture the con-
tinuity of capitalism’s most enduring feature: violence.
In present-day Cambodia such violence is palpable,
as the tenor of accumulation by dispossession is shot
through the various processes of neoliberalization that
the country has implemented under international tute-
lage since the United Nations-sponsored transition of
the early 1990s (Springer 2009b, 2010a). Speculation
has run amok in recent years, where dubious land ti-
tle procurements and forced evictions are emblematic
of the country’s tumultuous neoliberalization and the
violence that has characterized this process. Over the
past fifteen years, private investors have purchased an
astonishing 45 percent of Cambodia’s land area (Global
Witness 2009). The consequence of this speculative in-
dustry is that the number of land conflicts has risen
steadily since the 2001 land law came into effect, a
trend that is supported by nongovernmental organiza-
tion (NGO) monitoring (LICADHO 2009) and the
reporting of the Cambodian courts (Supreme National
Economic Council 2007). This article seeks to advance
conceptual insight into the nature of sovereign power by
employing a postanarchist lens to examine the violent
accumulation Cambodians are increasingly subjected to
as a result of their state’s deepening neoliberalization.
When considered without resorting to terse ideological
dictum, post anarchism effectively facilitates a radical
(re)appraisal of capitalism, its legal processes, and civili-
izing effects, which together serve to mask the originary
and ongoing violence of primitive accumulation and
the property system. Although my arguments are theo-
retically driven, they are not intended to blindly serve
an a priori anarchist doctrine—an oxymoron from the
outset. Rather, they arise from nearly a decade of engag-
ing in volunteer work and grounded empirical research
in Cambodia and by learning firsthand how deadly the
state—in whatever guise—has been for Cambodians.
In short, my postanarchist position is informed by my
experiences in Cambodia, where both the left (com-
munism under Pol Pot) and the right (neoliberalism
under Hun Sen) of the traditional political spectrum
have been abysmal failures.

The seemingly inexorable pace of violent evictions
and pestilent land grabbing by high-ranking officials
represents a profound departure from earlier spatiali-
ties in Cambodia. In the country’s precapitalist era,
subsistence agriculture, barter economies, seminomadic
lifestyles, and widespread land availability all ensured
that notions of land “entitlement” were tenuous. The
historical record demonstrates that legal formaliza-
tion of land ownership throughout Southeast Asia
only came alongside capitalism’s profit-oriented outlook
(McCloud 1995). In Cambodia, the land-holding struc-
ture is further complicated by both the Khmer Rouge’s
policies of forced exurbanization and the post-Pol Pot
era when dislocated families sought to return to their
original dwellings and reunite communities that had
been torn apart. Where and when return was impos-
sible, Cambodians settled into preoccupied yet vacant
plots. Within the immediate post-Khmer Rouge polit-
y, there was no expectation placed on land ownership,
as communal living was adopted to reflect pre-Khmer
Rouge organizing principles. Changes to the land tenure
system were introduced in 1989 as part of the govern-
ment’s attempt to make the country more attractive to
foreign capital as the Cold War ended (St. John 1997),
yet public use of state-owned land went unchallenged throughout the 1980s and much of the 1990s. It was not until 2001 that significant land reform was implemented and widespread land conflict became known. New legislation that year emboldened politicians and military personnel to begin appropriating large swathes of arable land. In the ensuing years, disposessions have forced tens of thousands of Cambodians off of state land that continues to be legally privatized or accumulated via “extralegal” means by high-ranking officials. In almost all instances these disposessions have been backed by organized impunity for Cambodia’s modern aristocracy, comprised of the Prime Minister, Hun Sen, and his inner circle of clients (Global Witness 2007). Evictees have virtually no recourse, as their “ownership” claims are not reflected in official documentation or legal entitlement but in traditional understandings relating to occupation, community consensus, and actual use. Although violent evictions in Cambodia are often simultaneously both permitted and forbidden by law, they are always seen as legitimate within the logic of capital, which in contemporary practice, and via historical example, has trumped all other concerns both in Cambodia and on the larger world stage. Consequently, the preoccupation with strengthening the legal system in Cambodia is not a benevolent act for the betterment of Cambodian society. Rather, its primary function is the imposition of a “grid” of property rights (Blomley 2003) that serves to legitimize the violences of property, and thus reinforce a “trilateral of logics.”

What I mean by a trilateral of logics is that the logic of capital is never singular but always exists in a mutually reinforcing triad that also includes the logics of law and civilization. Each component of the trilateral of capitalism, law, and civilization relies on the other two parts and, importantly, their respective “exceptions” (primitive accumulation, violence, and savagery), where none can exist where one is absent. The implication is that the trilateral is really a sextet; only at any given moment, three parts of the system—the exceptions—are represented much in the same manner as the dark matter of physics, meaning that they are “invisible” insofar as they are obscured through “commonsense” understandings. I employ a dialectical approach that sees fusion between supposed opposites (i.e., capitalism—primitive accumulation, law—violence, and civilization—savagery), which clarifies a veiled integral relationship between two antipodes that are normally considered distinct (Hegel 1967). As Agamben (1998) explained, an exception is not limited to determining what is inside from what is outside but rather traces a threshold between the two, where outside and inside, the normative and its other, are twisted into a complex topology of power that enables the validity of the sovereign order. The intersection of the convergent topologies between the trilateral of logics and its exceptions is what Gregory (2007)—following Agamben’s (1998, 7) account of “a hidden point of intersection between juridical institutional and the bio-political models of power”—called a “vanishing point”; that is, the space where sovereign power and biopower coincide and homo sacer, or “life exposed to death,” is produced as the embodiment of bare life. This process is visualized in Figure 1, where the two sides of the diagram are meant to represent a single system. Although the left side, or the “dark matter of the state,” typically goes unnoticed and is made banal through the innumerable discursive and psychological processes that condition people to accept sovereign authority, it is actually coconstitutive of the right side, or the “matter of the state.” My argument encourages the conceptual folding together of this diagram along the line of the “threshold,” so that the various components of sovereign power become recognized as a mutually reinforcing complex.

Accordingly, it is along the threshold that the “visible geographies” of the trilateral of logics coalesce with its “invisible geographies.” The state of exception comes into being in this merger, which is the capacity of sovereign power to act beyond the examples of the rules it has established (i.e., capitalism, civilization, and law) to encompass exceptions to these rules (i.e., primitive accumulation, savagery, and violence). The state of exception invests the state with an absolute authority that transcends the rule of law and all other established rules, precisely because there is no other source of final or absolute authority (Agamben 1998). The state of exception is thus the monopoly of violence both through law and beyond law; that is, it is a fortiorti sovereign power itself (Schmitt [1922] 2006). Through sovereign-legal means, capitalism and its civilizing-cum-valorizing projects (i.e., colonialism, state formation, modernization, development, and now neoliberalization) are elevated to a position that always exceeds law; they are positioned as being beyond reproach. As Gregory (2007, 211) recognized, “colonialism frequently operates under the imprimatur of law, both in the past and the present, and its violent assaults on land, liberty and life are regularly authorized and articulated through legal formalities. The legislative and interpretive fields, the actions of rulers and judges, are thus suffused with violence.” Appreciating Gregory’s argument, and inspired by the anarchic strain
of poststructuralist thought, my argument proceeds as a postanarchist critique of capitalism, law, civilization, and the modern nation-state, which, following Anderson (1991) and Billig (1995), is understood as a smaller scale replica of the colonial state. Although differing in their distribution and diffusion across space, both colonial and national state power express the same violent principles of a privileged few wielding influence over others and imposing a singular identity on antecedent ways of imagining belonging. Just as the colonial state sought and was frequently able to impose a monopoly on violence (state of exception), the struggle to create the nation-state is likewise a struggle for the monopoly of the means of violence (Harris 2004). What is created in both instances—a colonial state or nation-state—is itself a means of violence. In recognizing this congruency, to be “post-colonial” in any meaningful sense then is to also be “post-statist” or anarchic, wherein the authority, hierarchies, and violence on which these twin state projects have been built are rejected tout court.

I begin by tracing the epistemologies and methodologies of my postanarchist position. I then offer a critical appraisal of primitive accumulation, revealing it as the dialectic “other” of capitalism. Next, I seek to illuminate sovereign exceptionalism via a discussion of biopolitics, the ban, and the production of bare life. This is followed by an analysis that sutures together law, property, and violence in revealing their mutual constitution. I then bring the trilateral of logics into unison by examining the related notions of “property as theft” and “development as eviction.” Last, I examine Agamben's claim that the concentration camp is the paradigmatic expression of modernity but ultimately argue for a more hopeful outlook before offering some final thoughts in the conclusion.

Theorizing Postanarchism: Epistemological and Methodological Concerns

Given the atrocities perpetrated under Pol Pot's rule, and in particular the entire population's forced resettlement to the countryside, Cambodia might appear to be a particularly problematic location to make arguments for the nullification of property and law. Yet my arguments are in favor not of a reconfiguration of hierarchy through reinterpretations of the state, law, and property, as was the project of the Khmer Rouge, but to rescind hierarchy entirely, where emancipation means anarchy (Springer 2011a). My direct use of the word anarchy will undoubtedly be viewed as polemic in some quarters, which opens me to a particular type of straw-person argument constructed by those who, whether knowingly or not, stoke the funeral pyre for emancipatory politics by refusing to liberate their own political imagination from the prison (the camp?) of state-based
politics. The typical variation of this position will be to focus on anarchism as the advocacy of violence, a position that I find antithetical to anarchism precisely because all violence involves a form of authority over another individual and is thus a disavowal of freedom, not its promotion. The suffix -archy is from the Greek and denotes a system of rule or government (i.e., monarchy—rule by one, patriarchy—rule by men). Anarchy, then, in its most basic form, is a negation of any and all authority, the rule by none. I adopt a postanarchist stance not in the sense of wanting to move past anarchy but to signify a melding of anarchist and poststructuralist thought, where postanarchism should be read as shorthand for poststructuralist anarchism (May 1994). In this merger, we are able to transcend the essentialisms found in the work of both Marx and the “classical” anarchists and, as regards the latter, their appeals to science as having preeminence over all other epistemologies (Newman 2001). Postanarchism then is a critique not only of the discourses and institutionalization of authority, but also of the institutionalization and authority of particular discourses.

In light of this positioning of postanarchism, I want to emphasize that my approach is intended as a theoretical dialogue, and although signposted by empirical concerns, my intention is for this article to be read as a diagnostic rupturing of common sense. On this I take my cue from Foucault (1983, 206), who suggested “the function of any diagnosis concerning the nature of the present . . . must always be made in accordance with these kinds of virtual fracture which open up the space of freedom understood as a space of . . . possible transformation.” Consequently, I make no apologies for this diagnostic approach, as it fosters a potential space for emancipatory thinking and action. This article is therefore not intended as a comprehensive overview of the historical geographies of Cambodia’s property regime, nor does it serve as fine-grained empirical account of the neoliberalization of the Cambodian state, which I have unpacked in detail elsewhere (see Springer 2009a, 2009b, 2010a, 2010b). Likewise, this article does not offer a proposal as to the “final product” of a postanarchist (re)vision of social organization in Cambodia. The banality of sovereign violence explored here positions all end-state politics (neoliberal, Marxist, or otherwise) as indefensible, where spatio-temporality itself collapses such utopian fantasies into dystopian realities. I thus refuse the notion of an end-state precisely because, in a social world that never sits still, identity politics are ultimately insurmountable. I instead want to suggest that the Marxian drive to revolution should be reformulated as perpetual vigilance toward and sustained critique of commonsense logics so that deference to “authority,” and the hierarchies that sustain such submission, might be eroded. In this sense, following Call (2002), I see postanarchism as having no definitive end-state, where resistance should instead be considered a permanent “means without end” (Agamben 2000a). So although I am cognizant of Marx’s ([1888] 1994, 101) criticism that “the philosophers have only interpreted the world, in various ways; the point is to change it,” precisely because “changing the world presupposes changing the representation of the world, and a representation of the world can only be obtained when one has sufficiently interpreted it” (Heidegger 1971, 35), the focus of my argument is explanation, not implementation. We should not underestimate the power of transformative discourse. Knowledge never merely represents but instead serves some purpose, intervening in the constitution of the world it seeks to describe (Butler 1997). Therefore, although this article is effectively silent on how a (post)anarchic alternative society might be constructed, this does not undermine the essence of its critique, as it allows us to further decipher the symbolic impressions of capitalism, law, civilization, and the state and thereby dispute their shared rationality.

Methodologically, I draw from a program of eighty-four in-depth interviews conducted in Cambodia from November 2006 to August 2007. The central research question focused on understanding perceptions and experiences of violence in “postconflict” Cambodian society, yet rather than following imposed criteria, interviews were conducted as a reflexive and flexible process of mutual feedback and support. Although I worked with an interpreter throughout this ten-month period, my ability to speak Khmer helped to foster rapport with participants. In many instances, I had already established strong relationships with participants stemming from previous periods of research in the country. Selection criteria for the inclusion of quotes was guided by the sentiments of the participants themselves, but I pay particular attention to those individuals connected to the production of civilization/savagery, law/violence, and capitalism/primitive accumulation, which in the Cambodian context necessarily means those individuals tied to the processes of “development,” either as advocates or as subjects of its cause. In all instances participants chose the interview time and location. Interviews represented here were conducted in Phnom Penh with key members of civil society, including an NGO director; the leader of the opposition party, Sam Rainsy; a representative for Group 78, a community
under threat of eviction; and a Cambodian staff member of the Asian Development Bank. I have also included sentiments from evictees of Spean Ches Village, Sihanoukville, who, on 20 April 2007, were victimized by a particularly violent eviction as a group of some 150 Royal Cambodian Armed Forces personnel and military police armed with guns, electric batons, shields, tear gas, and a bulldozer forcibly removed 105 families.

**Blood, Fire, and Zombification: Primitive Accumulation as Capitalism’s Dialectic “Other”**

In recounting capitalism’s origins, Marx recognized that the capitalist societies of Western Europe had grown out of the economic structure of feudal society, wherein the dissolution of the latter emancipated the elements of the former. Yet far from the idealized picture painted by the originators of classical political economy on the essential “rightness” of capitalism, Marx revealed how the immediate producers and workers could only sell their labor after ceasing to be slaves or serfs and escaping from the regime of the guilds and their restrictive labor regulations:

> These newly free men became sellers of themselves only after they had been robbed of their own means of production, and all the guarantees of existence afforded by the old feudal arrangements. And this history of their expropriation, is written in the annals of humanity in letters of blood and fire. (Marx [1867] 1976, 875)

Although feudalistic systems were profuse outside of Europe at the time when capitalism began to adopt its colonial bent, in Cambodia the monarchy was not easily constructed as an enemy from which capitalism could offer liberation. Cambodia’s monarchical tradition was founded on the principles of the Devaraja, the cult of the divine god-king (Chandler 2000a), meaning that the monarch was revered as celestial, and any maintenance of authority in land or otherwise was seen as inheritance of this divinity (Ricklefs 1967). Therefore, capitalism’s discourse of “emancipation” was much more difficult to instill, as there was no archvillain to pit the invented necessity of capitalism against. In the context of Cambodia, the use of violence as such would necessarily have to be much more overt if the capitalist crusade was to be won.

Colonialism was, of course, only an early chapter in the continuing story of capitalism’s geographical diffusion, but to Marx ([1867] 1976, 916) it was nonetheless a process that was unmistakably built on “brute force,” a condition that ominously foreshadows its contemporary incarnation as neoliberalism. Luxemburg ([1913] 1951, 365) demonstrated the rationality behind such brutality, arguing that the accumulation of capital “depends in all respects on non-capitalist strata and social organizations existing side by side with [capitalism]” and that this character has an expansionary logic insofar as capitalism eventually requires the means of production and the labor power of the entire globe for unfettered accumulation. The rise of colonialism under capitalism, in her view, was inevitable due to the overwhelming majority of resources and labor power still existing within “the orbit of pre-capitalist production—this being the historical milieu of accumulation,” which, according to capitalism’s own logic, required it to “go all out to obtain ascendancy over these territories and social organizations” (Luxemburg [1913] 1951, 365). Furthermore, she viewed particular places and their economies as always combining capitalist and noncapitalist modes of production. Accordingly, Luxemburg ([1913] 1951, 365) argued that capitalism is able to seek out new strata for conquest; those places with higher degrees of noncapitalist production will see higher degrees of violence as accumulation proceeds, precisely because “primitive conditions allow of a greater drive and of far more ruthless measures than could be tolerated under purely capitalist social conditions.” Thus, Vickery’s (1986) suggestion that the colonialism of French Indochina was somehow less cruel because the Cambodian monarch had appealed to France to establish a protectorate in 1863, thereby saving the country from dissolution at the hands of aggressive neighbors, is a disreputable erasure of the violence that went into French colonial rule and in particular its construction of a cadastral property system. As an example of imperial violence and early primitive accumulation in Cambodia, we can look to 17 June 1884, when France changed the terms of the protectorate, forcing King Norodom to accept administrative, judicial, and commercial reform and to hand over direct control of the Khmer kingdom, whereby Article IX of this convention indicates that “the land of the Kingdom, up to that day the exclusive property of the Crown, will cease to be inalienable. The French and Cambodian authorities will proceed to establish private property in Cambodia” (quoted in Thion 1992, 29). Yet this new property system did not entirely transform traditional land-holding practice, as Cambodians continued to clear forested land for cultivation regardless of title, and occupation for actual
use became roughly the equivalent of Western notions of “ownership” (Russell 1997), suggesting that an articulation of modes of production had occurred.

Post-Marxian scholars like Rey (1973) adopted this notion of articulation of modes of production and took the dependency theory of Frank (1969) to task for considering the whole world capitalist from the moment Europe embarked on its colonial path. Articulation put a whole new spin on the academy’s (in)ability to explain the “underdevelopment” of the global south (Wolpe 1980). Harvey (2003) contended that the disadvantage of this postdependency approach is that it views accumulation as being somehow “outside” of capitalism as a closed system, yet he still found relevance in Luxemburg’s theorization of capital stabilizing itself through its externalities, and drew a parallel to Hegel’s (1967) inner dialect of capitalism. In poststructuralist terms, “we might say that capitalism always creates its own ‘other,’” Harvey (2003, 141–42) mused, where “capitalism can either make use of some pre-existing outside (non-capitalist social formations or some sector within capitalism . . . that has not yet been proletarianized) or it can actively manufacture it.” Such understanding reveals the extent to which the historical geographies of capitalism were shaped by the “organic relation” between expanded reproduction and violent processes of dispossession; and from this, said Harvey (2003), dialectics allow us to further appreciate that market liberalization will not result in a state of harmony wherein everyone is better off. Instead, it will produce ever greater levels of social inequality, as has been demonstrated over the last thirty years under neoliberalism (Harvey 2005).

The primary components of accumulation by dispossession identified by Harvey (2003) are unmistakably evident in present-day Cambodia: the violent expulsion of peasants through land privatization, the conversion of common property rights into exclusive property rights, the suppression of alternative and indigenous forms of production and consumption, the commodification of labor, the appropriation of natural resources, the monetization of exchange and taxation, the continuation of slavery through the sex industry, and the proliferation of usury. Accordingly, if the dialectics of capital saw it prey on its “other” under colonial and national state-making projects, then the Cambodian example makes it very clear that what we are witnessing today in the aftermath of two world wars and the subsequent unraveling of Keynesian economics can be read as simply another chapter in capitalism’s enduring malevolence, written once more in the very same “letters of blood and fire.” Analogous to the idea that neoliberalism represents the frontline in class power’s reconstitution (Harvey 2005), De Angelis (2004) viewed neoliberalism as a form of “new enclosures” designed to appropriate and dissolve the social commons. Thus, the logic of primitive accumulation feeding off of non-capitalist strata remains intact, but even more so, the “other” of capital is actively produced as accumulation by dispossession.

Although neoliberal rhetoric would have us believe that its reinvigorated project is not unlike the resurrection of Christ, offering salvation for all members of society, the empirical realities of Cambodia make no mistake that neoliberalization is a vindictive and soulless corpse (see Springer 2009b, 2010a). Neoliberalization represents a zombification of capital (Peck 2010), characterized by an insatiable appetite for the most rudimentary characteristic of capitalism: violent accumulation. In feeding off its externalities, largely by drawing the global south deeper into its dialectical logic, this new regime of accumulation by dispossession is occurring in contexts, like Cambodia, where the feudal stage had been usurped by colonialism. Yet the historico-geographical legacies of colonialism might explain why we are so clearly able to recognize primitive accumulation and its violent processes in transitional contexts for what they are, because as Marx ([1867] 1976, 916) noted, “[f]orce is the midwife of every old society which is pregnant with a new one. It is itself an economic power.” Awareness for dispossession under colonialism might also explain why many indigenous groups have so resoundingly rejected the “emancipatory” rhetorics of neoliberalism and are actively organizing against its violent delivery (Postero 2005).

**Illuminating the Dark Matter of Sovereignty: Biopolitics, the Ban, and the Production of Bare Life**

The extent to which anarchist thought informs biopolitics is revealing. When Foucault ([1979] 2008) began contemplating the application of political power on all aspects of human life, including the power over death, although never cited, it seems clear that French anarchist Pierre-Joseph Proudhon’s ([1851] 2007, 294) philosophy on governance served as inspiration:

To be governed is to be at every operation, at every transaction, noted, registered, enrolled, taxed, stamped, measured, numbered, assessed, licensed, authorized, admonished, forbidden, reformed, corrected, punished. It is,
under the pretext of public utility, and in the name of the
general interest, to be placed under contribution, trained,
ransomed, exploited, monopolized, extorted, squeezed,
assailed, robbed; then, at the slightest resistance, the
first word of complaint, to be repressed, fined, despised,
harassed, tracked, abused, clubbed, disarmed, choked, im-
prisoned, judged, condemned, shot, deported, sacrificed,
sold, betrayed; and, to crown all, mocked, ridiculed, outr-
aged, dishonored. That is government; that is its justice;
that is its morality.

From this appraisal, one might say that biopolitics was
always and everywhere the stuff of the modern state
in both its national and colonial forms. Inasmuch as
Proudhon’s insights reveal the coincidence of sovereign
power and biopower, they also signal the state of ex-
ception, or the state’s dark matter. As it is theorized
in physics, dark matter is not incidental, accounting for
the vast majority of the mass in the observable universe.
Represented in modern states by primitive accumula-
tion, violence, and the discursive production of savagery
(see Figure 1), dark matter is not inconsequential to
sovereignty either. Within the rationalities, strategies,
technologies, and techniques of governance (Barry, Os-
borne, and Rose 1996), dark matter accounts for much
more of the mass of the state than its visible com-
ponents. That the majority of the state’s functioning ap-
pears invisible can be understood as the very locus of its
power, which Foucault hinted at when he defined gov-
ernment as the “conduct of conduct,” or government-
tality (Lemke 2001). It is the condition of being con-
stantly surveilled by the state’s “technologies of power”
that ensures capitulation to government, not because of
the sovereign’s threat of death as in traditional modes of
power but, as Foucault (1988) recognized, because the
processes of subject formation ensure that individuals
memorize particular “truth” claims (i.e., the “rightness”
of law, civilization, and capitalism—the visible spec-
trum of sovereignty) and convert them into rules of
conduct. Applying this principle to the violent expul-
sions on which property is premised, Blomley (2000, 90)
argued that violence no longer needs to be meted out for
the property regime to be operative, as “the violences
of regulation are increasingly internalized in modern society . . . the policing of the self becomes a reflex-
itive act.” Government constitutes itself in this reflexive
processing of truth, emphasizing that “society must be
defended” against its internal enemies (Foucault [1976]
2003) via the regulation of the body (Foucault 1990)
and by way of political technologies such as procedures,
institutions, and legal forms (Lemke 2001), which fos-
ter particular political rationalities, thereby enabling
people to be governed as subjects (Foucault 1988).

Processes of neoliberal subjectivation and its associ-
ated disciplinary rationalities, strategies, technologies,
and techniques are well underway in neoliberalizing
Cambodia, wherein subjects internalize and continually
“perform” the ideology of the state through a myriad of
discursive formations (see Springer 2010b). Under such
conditions of intensifying “auto-correction” to the log-
ics of capitalism, civilization, and law, the dark matter
of the Cambodian state becomes ever more “misrecog-
nized” (Bourdieu 2001). Put differently, properly made
state subjects are either unwilling or unable to recog-
nize primitive accumulation, savagery, and violence as
inherent components of the state’s composition. Such
misrecognition is precisely why Adam Smith’s version
of capitalism does not recognize ongoing primitive accu-
mulation and instead banishes accumulation by dispos-
session to the annals of time immemorial as “previous
accumulation” (Perelman 2000). The revival of clas-
sical economics further suggests that biopolitical sub-
ject formation has only intensified under neoliberalism
(Ferguson and Gupta 2002), allowing what was once
a fringe utopian idea to materialize as a divergent yet
related series of neoliberalizations (Peck 2008) as more
states, including Cambodia, come to embrace neolib-
eral modalities. But when considered through the lens
of Agamben, Smith’s abandonment of primitive accu-
mulation to the past is arresting. The relation of the ban
is a relation of exception, and as Agamben (1998, 21)
maintained, “[s]he who has been banned is not, in fact,
simply set outside the law and made indifferent to it
but rather abandoned by it, that is, exposed and threat-
ened on the threshold in which life and law, outside
and inside, become indistinguishable. It is literally not
possible to say whether the one who has been banned
is outside or inside the juridical order.” Accordingly,
in the same way that savagery and violence designate a
threshold between their respective dialectical others of
civilization and law within the trilateral of logics, so too
does primitive accumulation represent both an excep-
tion from the juridico-capitalist order and the command
and insignia of the sovereign.

By exposing sovereign power’s trilateral of logics
through an illumination of its perverse rationality, that
is, its dark matter, we call the state back into the
light where its grotesque contortions are revealed as
Leviathan. The full implications of this sentiment were
made evident to me by the evictees of Spean Ches
Village, Sihanoukville, who saw their homes burned,
their possessions stolen, their people shot, their animals
slaughtered, and their children terrorized when police and military personnel stormed their village, forcing them from their land (CHRAC 2009). A constant and notably unprompted refrain from participants was an analogy between life under the contemporary state and life under the Khmer Rouge:

The police are corrupt; they get money so they don’t care about us. They take our motorbikes, they take everything, like our chickens, dogs, our generators, everything. They are like robbers! They burn our clothing, burn our homes, and steal everything. These people are worse than the Khmer Rouge. They make my life more difficult than during the Pol Pot time. (Interview, Farmer/Fisher, female, age 48, 20 June 2007, Sihanoukville)

Life is very difficult here, more difficult than during the Pol Pot time. In the Pol Pot time they kill us but at least we have food to eat. Now they try to kill us and we have no food either. With Pol Pot we have land and can grow food, now we have no land so we cannot even feed ourselves. (Interview, Farmer/Fisher, male, age 44, 20 June 2007, Sihanoukville)

Now my life is much worse than the Pol Pot time, because these people are so cruel, they act like we are not even human. They destroy our houses and steal everything from us. During Pol Pot, no, we just don’t have enough to eat but they did not hit us and burn our homes. (Interview, Farmer/Fisher, female, age 38, 21 June 2007, Sihanoukville)

The common thread is the vanishing point between biopower and sovereign power, as life under both regimes ensures particular Cambodians are reduced to bare life or homines sacri, a people who can be killed, but not sacrificed, as their lives and thus so too their deaths do not count (Agamben 1998). The difference is that whereas Pol Pot’s policies targeted affluent and educated Cambodians who were singled out as “enemies of the revolution” (Kiernan 1996), Hun Sen’s regime targets the poor who have little recourse to resist eviction, whether through legal means or otherwise. As these quotations suggest, for many Cambodians who make up the majority rural poor, their daily lives did not change in a radical sense under Pol Pot, as they have always lived with very little security. Exposure to bare life under the Khmer Rouge came via malnutrition, medical neglect, and the paranoia that was instilled through a looming threat that at any moment they could be identified as a dissenter and sent to Security Prison 21 (S-21), Pol Pot’s notorious interrogation and torture facility (Chandler 2000b). In contrast, primitive accumulation is the sine qua non of the neoliberalizing Cambodian state’s dark matter, and it is through dispossession that the production of bare life occurs in contemporary Cambodia.

Accumulation by Dispossession as the State of Exception: The Integrality of Law, Property, and Violence

The notion that the bulk of Cambodia’s current problems rest on a lack of rule of law is a well-traversed line of argument in the literature (see Ercheson 2005; Un 2009). On the global stage, this argument was popularized by De Soto (2000), who argued that the greatest “failure” of the global south is the lack of rule of law to uphold private property and provide a framework for enterprise. De Soto’s brand of common sense has won him accolades from the global capitalist intelligentsia, yet he and his followers are unsurprisingly oblivious to the explicit and implicit violations of law and property and instead take neoliberalism as a panacea for all societal ills. Cambodian civil society organizations have recapitulated this line of thinking (see LICADHO 2007; ADHO 2010), and interviews confirmed its prevalence, revealing the depth to which it influences public perceptions of Cambodia’s contemporary political economy:

Lack of enforcement of the law [is Cambodia’s biggest problem]. People can get away with their dishonest activity, their criminal act. I mean there are no sanctions . . . it’s like if the kid committed any wrongdoing and you don’t condemn that, it encourage[s] him to go more . . . from [land]grabbing another place, to [land]grabbing another place. So I think because of the lack of enforcement of the law, that’s why land disputes happen. (Interview, Anonym ous Cambodian, Program Officer, Asian Development Bank, 3 August 2007, Phnom Penh)

The violence that happens in Cambodia . . . is because the implementation of law is limited and corrupt at times. If we are not scared by law enforcement, then we do not care about what we do right? . . . it is normal in society if the law enforcement is weak, then violence will happen. (Interview, Sok Sam Oeun, Executive Director, Cambodian Defenders Project Director, 27 June 2007, Phnom Penh)

People resort to violence because there is no, or a very poor alternative to violence. If there is no rule of law, no court, no justice, you have to take justice into your own hands. . . . In Canada, you have the police [who] would arrest any suspect immediately, but here it’s a kind of vigilante justice. So [the reason why violence is a problem] is a lack
of rule of law. (Interview, Sam Rainsy, Official Opposition Leader, Sam Rainsy Party, 19 July 2007, Phnom Penh)

These views, which see a failure to implement the rule of law as the primary obstacle to greater democracy and peace in Cambodia, fail to recognize the connection between violence and law and in particular how the institutionalization of violence through law is the foundation of the property system (Blomley 2000, 2003).

Precisely because a property regime functions to legitimize a founding act of violence, primitive accumulation as it were, then so too must property be conceived as violence. The presumed line between validation and expression is always blurry, and any apparently preexisting phenomenon (i.e., property) is necessarily an artifact of its performative constitution (i.e., primitive accumulation; Butler 1997). In other words, property is impossible without accumulation by dispossession, and both are impossible without organized violence. Accordingly, Blomley (2003) recognized law as the glue that binds this bloody trinity of property, accumulation by dispossession, and violence together and argues that violent geographies must be recognized at all three levels of legal formation: origin, legitimation, and enforcement. Writing a century earlier, Tolstoy ([1900] 2004) arrived at much the same conclusion, suggesting that the essence of legislation does not rest in the idea of the collective will of the people or rights but in the fact that those who wield organized violence can compel others to obey them.

Yet law successfully deflects attention away from its violent character and, as a consequence, “the particular ‘force’ of law exists in this capacity of law to maintain itself in relation to an exteriority” (Agamben 1998, 18). To Agamben the structure of sovereignty and the legal framework that defines it are constructed through a relation of exception, wherein the essence of state authority is not the monopoly to sanction but the monopoly to decide, which demonstrates that the state does not require law to create law. What is principally at issue here is the production of the very space in which a juridico-institutional order can acquire legitimacy. The space created and defined by the state of exception is not limited to identifying that which is inside and outside its domain but instead “traces a threshold” between the two:

on the basis of which outside and inside ... enter into those complex topological relations that make the validity of the juridical order possible. The “ordering of space” that is ... constitutive of the sovereign nomos is therefore not only a “taking of land” (Landesnahme) ... but above all a “taking of the outside” an exception (Ausnahme). In its archetypal form, the state of exception is therefore the principle of every juridical localization. (Agamben 1998, 19)

Through Agamben we can begin to understand how primitive accumulation comprises the very creation of both the sovereign (“taking of land”) and the state of exception (“taking of the outside”) and how sovereignty and exception concurrently constitute primitive accumulation. Because capitalism’s originary violence as primitive accumulation is continually reproduced in contemporary Cambodia as accumulation by dispossession, we might productively consider capitalism in the country as an ongoing campaign to create a sovereign state of exception.

Moreover, the corollary to the notion that law can be created without legal means is the idea that the basis of authority is always violence, whether explicitly enforced or implicitly threatened; however, because of the relation of exception that law maintains with respect to violence, “law is possible only to the extent that it has such an outside against which to define itself. That constitutive outside is at once radically set apart and deeply embedded within law” (Blomley 2003, 124). Consequently, law is not only organized violence but also a form of “symbolic violence” (Bourdieu 2001) insofar as it is a political tool that renders particular violations legitimate and invisible and such that the coupling of law and violence becomes seemingly oxymoronic as our political imaginations are frozen toward the possibility of violence being internal to law (Keane 1996). We can see this freezing occur through the unfolding thoughts of the spokesperson for Group 78, a community under continuous threat of eviction because of its “prime” waterfront location in Phnom Penh:

I’m very worried about this situation, but in this country we have the law, so I depend on rule of law. ... It is a problem though that the government makes[s] violence, like in [neighboring commune] Sambok Chab, they used violence to make them move out. ... They will try to do anything to get the people out of this land, like lie to them, start fires, or even use violence. I was threatened before by someone from the government that they would take me to prison, but ... I’m not afraid, because this is my land and I will resist. ... They can catch me anytime ... but I didn’t do anything wrong, so they cannot do anything because they have to follow the rule of law. (Interview, Lim Sambo, Group 78 Community Representative, 7 June 2007, Phnom Penh)
Faith is initially placed in law, followed by recognition of how violence is entwined with law through its processes, in this case primitive accumulation. Yet this thawing of the participant’s political imagination is fleeting, and he ultimately returns to the icebound idea that rule of law will function in the service of social justice. Thus, in arguing that “the major challenge for Cambodia is to establish the rule of law and create the effective property rights which are a prerequisite for a market economy,” Russell ([1997], 101) unknowingly demonstrated the trilateral of logics, whereby the legal construction of a property system is tied to the functioning of capitalism, both of which underpin the advancement of civilization (i.e., “development”). Clearly this interpretation has nothing to do with the intention of his argument, the weight of which is firmly in favor of securing the rule of law so that neoliberalization can proceed more smoothly. This is because Russell’s political rationality, like that of the Group 78 representative, is preoccupied with the “visible geographies” of the Cambodian state’s matter. Both view the exceptions of violence, savagery, and primitive accumulation as existing outside of the order of the state, rather than as fundamental to its composition.

La Grande Danse Macabre: Property as Theft, Development as Eviction

In the first half of 2008, a total of sixty land disputes across Cambodia came to a head through evictions, protests, violence, or court cases and, of these, Amnesty International (2008, 1) suggested that only “thirteen appear to have been forced evictions.” The organization based this curious assessment of Cambodia’s evictions on the UN Committee on Economic, Social and Cultural Rights (1997) definition, which determines “forced evictions” to be “the permanent or temporary removal against the will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection.” The implication is that law, if enforced, will offer appropriate protection for evictees. This is, however, a sanguine interpretation that ignores the dialectic between law and violence. The Amnesty report further pointed to the UN Special Rapporteur’s (Kothari 2007, 3) Basic Principles and Guidelines on Development-Based Evictions and Displacement, which states “[t]he prohibition of forced evictions does not apply to evictions carried out both in accordance with the law and in conformity with the provisions of international human rights treaties.” Although this statement is intended to lend validity to evictions occurring through legal processes and thus win our favor for the implementation of law, there is an unanticipated double function at play, as a critical reading of this statement exposes how evictions can only be deemed “forced” if they occur in the absence of law and thus how the law is able to legitimize violent processes.

Benjamin ([1921] 1986) was well aware of this duplicitous character of law, and in his Critique of Violence he sought to expose the incessant tendency for violence to be obscured in its institutionalized forms. His conclusion was to condemn the juridico-political order based on the concealment of its violence through executive and administrative channels. Similar concern for the institutionalization of violence shaped “classical” anarchist thought on capitalism. Reclus, for example, considered capitalism pathological to human societies, and viewing property as theft, he reasoned that to “steal it back” was an emancipatory act (Fleming 1988). Although it is not practical for poor Cambodians to engage their evictors in the sense Reclus advocates, particularly given the weaponry that is employed to dispossess them, we can nonetheless see how a view of property as theft arises through their experiences of eviction:

They did not explain to us why they try to make us leave, they just yell and tell us to leave and point their guns at us. … Then they come back with soldiers and police on 20 April 2007, and they all had guns to make us leave our homes. We know that the land is worth a higher price, so they know this too and it’s like they come and rob us. They are like robbers. (Interview, Farmer/Fisher, female, age 43, 20 June 2007, Sihanoukville)

They take my land away so how am I going to feed a family, how can I get money? They robbed me of everything. I have nothing, no land, no house. Right now I feel like a slave to get money for living, so how about when I have a wife and children? They will be a slave the same as me. (Interview, Farmer/Fisher, male, age 26, 20 June 2007, Sihanoukville)

They steal our motorbikes, and all our things, and destroy our houses and everything without even asking or explaining anything to us … they start shooting … to threaten us, maybe not to kill us this time, but to make us scared like what a robber would do so that they could take all our things. I was very afraid, but I had to stay … because I have nowhere else to go and wanted to keep my land. … they burned my house, stole my chickens, my pigs, they stole everything from me. (Interview, Farmer/Fisher, male, age 45, 20 June 2007, Sihanoukville)
In these accounts the connections between property and its originary violence become horrifyingly clear, yet a profound disassociation between violence and property (and law more generally) remains within both contemporary social theory and political discourse (Blomley 2000). It is this assumed incommensurability that animates the power of the sovereign. So although law constructs violence as though it is outside its domain, it is in fact a relation of exception, one that traces a twisted topology between them, so that law and violence are never actually opposed and instead “hold each other in a deadly embrace” (Gregory 2007, 211). This relationship between the dialectics of sovereignty/bare life and the dialectics of law/violence is well documented by Agamben (1998), but there are also parallels that can be drawn with the dialectics of civilization/savagery as well, and it was again the “classical” anarchists who pointed the way.

In a passage composed in the dusk of the nineteenth century, yet the relevance of which suggests that it could have been penned to describe the current manifestations of violence under neoliberalism, Reclus (1884, 638) wrote:

The supposed period of tranquility in which we live is really an age of cruelty and violence. . . . Chief among the consequences of the existing social system are murder, maladies, and death. Accustomed order is maintained by rude deeds and brute force, yet [these] things that happen every day and every hour pass unperceived. . . . Far from desiring to replace an era of happiness and peace by an age of disorder and warfare, our sole aim is to put an end to the endless series of calamities, which has hitherto been called by common consent “The Progress of Civilization.”

As with so many other variants of anarchist thought, some poststructuralist scholars have picked up on the current of critique against civilization. Said ([1978] 2003, 1993) in particular has demonstrated the unremitting ties between civilization and imperialism, arguing that the resultant imaginative geographies of this conspiratorial pairing never only function at a metaphysical level, as the construction of savagery ensures that the “other” is never left alone by the othering process. Instead, the “savage other” is irrevocably drawn into the very constitution of civilization’s geographies through a relation of exception.

How we define ourselves in relation to others who think differently is the process through which civilization is traced, marking the threshold not only between civilization and savagery but also between law and violence, sovereignty and bare life. Thus, the UN Special Rapporteur’s notion that evictions and displacement can be categorized as “development-based” demonstrates the functioning of the trilateral of logics, where legal logic necessarily coincides with civilizational logic. To be genuinely “development-based,” evictions must be legal, and to be “legal” evictions should be undertaken in the name of development. Hence, the erasure of the exceptions of savagery and violence from the processes of ongoing primitive accumulation is a mutually reinforcing phenomenon. So although Amnesty International bases its public appeals on the notion that rich and powerful individuals involved in Cambodia’s land disputes are silencing opponents through the manipulation of the criminal justice system, as though some sort of perversion of law and the development process is occurring, what they fail to realize is that such depravity is the very heart of both development and law. Although corruption is undoubtedly playing some role in the dispossession of the poor, the vast majority of the land disputes and evictions in Cambodia are proceeding through legal means. If only thirteen of the sixty evictions in the first half of 2008 could be deemed “forced,” as Amnesty International (2008) suggested, then that means that over 78 percent of the land grabs and evictions during this time were considered legal and thus “developmental,” thereby protecting the perpetuation of violent accumulation from censure.

To Gregory (2004), it is this sinister tonality of law—forged within what is seemingly a mundane set of cultural practices—that licenses the unleashing of exemplary violence and calls “the colonial present” into being. Echoing Marx’s view of how history is made, Gregory (2004, 10) compels us not to gloss over colonialism’s erasures but to actively remember the “exactions, suppressions, and complicities that colonialism forced upon the peoples it subjugated, and the way in which it withdrew from them their right to make their own history, ensuring that they did so empathically not under conditions of their own choosing.” Although Gregory hinted at the notion that the colonial present is embodied in all modern states, he did not explicitly acknowledge that there is no fundamental difference between colonization and state-making other than the scale on which these parallel projects operate, so that any substantively anticolonial imagination or postcolonial positionality is also post-statist or anarchic (Anderson 2005). Nonetheless, the brilliance of Gregory’s (2004) exposition is that it not only alerts us to the ongoing relationship between the dialectics of civilization/savagery, law/violence, and sovereignty/bare life, but that it also encourages us to push our
analysis even further to incorporate the dialectics of capitalism/primitive accumulation thus revealing a *grande danse macabre*. Many “classical” anarchists saw similar relational patterns, arguing that the capitalist system originated in the forcible seizure of common rights by a few, who in converting these into vested privileges were eventually able to entrench them as statute law and government. Capitalists are maintained, fostered, and perpetuated by law; “In fact, capital is law, statute law, and law is capital” (Parsons 1887, 107). Capitalism, right from its genesis up to its present manifestation under neoliberalism, is therefore immutably bound to the formations of law and civilization, a trilateral of logics that makes up sovereign power.

**Of Black Flags: Modernity, Muselmanner, and the Inevitability of the Camp?**

During the American Civil War, the black flag was a well-known portent of ruthless combat, indicating that no prisoners would be taken, no lives would be spared, and no quarter would be afforded to the enemy (Goodrich 1999). Arguably, it is for this same reason that the captors of Guantánamo Bay adopted it as their ensign, signifying that while they were holding detainees, they had taken no prisoners as these lives did not count and thus they had kept their oath. In many ways, the return of the camp with the global “war on terror” represents an ominous warning (Minca 2005), a raising of the black flag, one large enough to cast a shadow over all of humanity. But has the camp really made a reappearance, or has it been ignominiously with us since the time of Pol Pot’s S-21, Hitler’s Auschwitz, Stalin’s Gulag, the Second Boer War, Cuba’s insurrection against Spain, Canada’s residential school system, America’s “Trail of Tears,” and possibly even before? To Agamben (1998, 6) the camp is “the decisive event of modernity,” where such politicization of bare life constitutes the birth of sovereignty itself. This is shown, Agamben (1998, 15) argued, “by the fact that while prison law only constitutes a particular sphere of penal law and is not outside the normal order, the juridical constellation that guides the camp is . . . martial law and the state of siege.” Because the originary violence of primitive accumulation is continually reproduced under capitalism as a relation of exception through repeated processes of accumulation by dispossession, we can understand capitalism as an ongoing campaign that imposes martial law and maintains a state of siege. The business of capitalism then is the very production of *homines sacri*, and it is for this reason that Agamben (1998, 180) argued that “today’s democratico-capitalist project of eliminating the poor classes through development, not only reproduces within itself the people that is excluded but also transforms the entire population of the Third World into bare life.” Although overstated insofar as Cambodian and other local elites are well connected to the transnationalization of capital (Glassman 1999; Springer 2010a), and thus committed to accumulation by dispossession, Agamben’s point is well taken inasmuch as the position of the global south’s poor majority in the anatomy of capitalism can be productively understood as being maintained through a state of exception.

The invigoration of primitive accumulation under neoliberalism in present-day Cambodia represents an extension of capitalism’s violent geographies of exception; however, because the structure of the ban functions as much on an exclusive–inclusion (the sovereign) as it does on an inclusive–exclusion (the exception)—effectively blurring to indistinction the line between those lives that count and those that do not (the threshold between life and death)—the sovereign power “requires a material and mappable space within which violence becomes the constitutive element of both the torturer and the victim” (Minca 2005, 407). Thus, what is most terrifying is the realization that the sovereign trilateral of logics represents the production of the camp not only in Cambodia but also on a global scale, where the zombification of capital has much the same effect on human beings. We all become prospective Muselmanner, undead figures located in a space of indistinction between human and inhuman, where each of us exists as “a staggering corpse, a bundle of physical functions in its last convulsions” (Améry 1998, 9).³ The entire “necropolitical” (Mbembe 2003) apparatus of the trilateral of logics—civilization as the production of savagery, capitalism as ongoing primitive accumulation, and law as the apotheosis of violence—strips us of our humanity, producing an “anonymous mass” of living dead, where we are all made “remnants of Auschwitz” (Agamben 2000b), residues of S-21.

In this light, and in applying a postanarchist critique to Cambodia’s historical geographies of violence, what Pol Pot’s revolution did was simply lay the violent character of the state and its legal framework bare.⁴ By practicing capital punishment in an overt and immediate sense, where no longer hidden behind the obfuscations of law to preserve notions of “civility”—as is the practice of most governments—the sovereign
power in Cambodia under the Khmer Rouge revealed the fundamental component of all modern sovereign power: bio/necropolitics. As a consequence, some have argued that beyond S-21, Pol Pot effectively transformed the entirety of Cambodia into a camp (Kiernan 1996; Etcheson 2005). Yet metaphorically speaking, what the Khmer Rouge had really done was strip the paint from the walls to reveal a cage as a cage. This idea is in no way meant to downplay the suffering and ongoing trauma of the victims, and the intended meaning should not be misconstrued. My argument, following Agamben (1998), is that the possibility of the camp— as a space of exception—is made flesh by modern states, where the camp is understood as an inner dialectic of sovereignty. Put differently, all states are engaged in the power over life and death (bio/necropolitics); they only differ in terms of the degree to which this fact of sovereign power is made overt. As Benjamin ([1921] 1986, 286) argued, “violence . . . is the origin of law.” This point is made explicit in the death penalty and is embodied in the activities of the key executive institution of the modern state, the police, and their sovereign authority to use “deadly force” when and where they deem necessary. So although the death penalty, for example, is codified and enacted through law and therefore deemed a “legitimate” function of sovereign power, Pol Pot simply did away with such codification and enactment, effecting his sovereign power directly, killing without “due process.” Both acts of murder—with or without due process—are equally violent, as they both result in the loss of human life, so to say that one is better or worse than the other is not only a profound ethical failure; it is an implicit recapitulation of violence though the acceptance of sovereign power.

To be clear, I have no sympathies for any form of state power; hence, I have forwarded a postanarchist position. My argument is that all state power is of the same chord, and whereas most governments (including the Hun Sen administration) hide their violence behind the obfuscations of law, Pol Pot elicits such revulsion on the world stage precisely because, like the Nazis, the sovereign violence of his regime became so obvious. Yet the sovereign violence of the Khmer Rouge was cut from the same cloth as the sovereign violence that underpins all states, both colonial and national. Thus, I simply seek to acknowledge that what at first glance appears as exceptional violence in fact comes to form the rule; it becomes exemplary. Accordingly, my argument encourages the opening of our political imaginations to the “symbolic violence” (Bourdieu 2001), “constant state of emergency” (Benjamin [1921] 1986), “banality of evil” (Arendt 1963), “fascination of the abomination” (Conrad 1969), “pathologies of power” (Farmer 2003), “impossibility of witnessing” (Agamben 2000b), “vanishing points” (Gregory 2007) and, finally, what I have called “dark matter,” that together make up the omnicidal system of our times. In contemporary Cambodia, the dark matter of the trilateral of logics proceeds as a neoliberalization that celebrates the monetization of daily life, champions anomie, places social justice on the auction block, privileges dispossession, allows authority in all its institutionalized guises to function in its own self-interest, and ultimately produces Muselmanner:

These people . . . hire the police and army to [evict] us, so they only care about money. Now everyone in Cambodia loves money more than being a human. They don’t care about anyone else they just want more money. The village chief, the commune chief, they don’t care about us either, they just come to take care of their own land and forget about us. No one helps us except the people in this village, we help each other. (Interview, Homemaker, female, age 52, 21 June 2007, Sihanoukville)

Although the ways in which neoliberalization reduces human beings to bare life are unnerving, the participant’s final sentiment reveals that the political picture need not be as bleak as it seems and that we should never allow our dismay to paralyze either our potential for mutual aid or the possibility of emancipation (Kropotkin [1902] 2008). Through a recognition of the dark matter of states, and by employing a theoretical edifice centered on postanarchism, we can begin to view the state of exception that has become so emblematic of neoliberalism’s violent exclusions not as a permanent and paradigmatic outcome of political modernity, as is Agamben’s (1998) belief, but as a momentary potentiality, the realization of which is an occasion for political struggle (Gregory 2006). By tempering Agamben’s (1998) pessimism for the permanence of the camp, and aligning our geographical imaginations to the potential of transformative politics, we can reinvent the black flag of no quarter’s hostility with the black flag of anarchism’s liberationist spirit.

Conclusion

In making a recalcitrant argument that casts aspersions on the institutions of property, law, and the state, I open myself to the inevitable Hobbesian rebuttal that questions the nature of the human animal. The specter of Hobbes is particularly acute in the literature on
Cambodia, where all manner of Orientalism, misanthropy, and nihilism have been used to explain enduring expressions of violence in the country (see Springer [2009a] for a critique). More generally, sovereignty, law, and by extension, property are repeatedly said to be necessary because, if aggression is programmed into us—as we are told is emphatically the case—and if communalism of some kind is also ingrained—which I acknowledge—is not statism both a necessary expression of our spatiality and a bulwark against our pugnacious tendencies? In both instances these sentiments underestimate humanity and reinforce the authority of oppressive systems of rule. Goldman ([1910] 1969, 61–62) rebuked both violence and statism by drawing an analogy between the state and the cages in which animals are kept:

The greater the mental charlatan, the more definite his insistence on the wickedness and weaknesses of human nature. Yet, how can anyone speak of it today, with every soul in a prison, with every heart fettered, wounded, and maimed? John Burroughs has stated that experimental study of animals in captivity is absolutely useless. Their character, their habits, their appetites undergo a complete transformation when torn from their soil in field and forest. With human nature caged in a narrow space, whipped daily into submission, how can we speak of its potentialities?

Goldman revealed the debilitating violence of “enclosure,” which we should interpret in its double meaning as both internment and as primitive accumulation. The functioning of the (capitalist) state through accumulation by dispossession is the paralysis of human capabilities; it adversely affects human potential by reorganizing our communal ideals in the service of individualism. Although packaged in a discourse that speaks to unleashing human inventiveness, what capitalism is most concerned with is creative destruction (Harvey 2003) through the propagation and entrenchment of the trilateral logic of sovereign power.

Within the trilateral of logics, civilization is conceived precisely insofar as society operates in the service of capital, where both are seen as rationalizing agents, bound under the codes and contracts of the juridico-institutional order as law. Cambodia’s recent experiences consequently allow us to see with more clarity how the dispossession of land and the construction of a property regime are rendered legitimate through the concept of civilization, and particularly through its exception, the construction of a “savage other.” That is, when primitive accumulation is enacted against ostensi-

bly “savage” peoples said to be in need of civilization, the violence visited on them is rendered “progressive” and we are encouraged not to think of this as violence at all (Springer 2009a). As Blomley (2000, 89) argued, “law’s violence—construed as rational and regulated—is seen as not only necessary because of the anomic violence beyond law, but also as different. Similarly, liberal property regimes (and their implied violences) are often legitimized by comparing them with the violent spaces where property is absent.” Thus, through discursive appeals to rationality, the notion of civilization—and by extension capital and law—obfuscates the violence undertaken in their name. This continues to be the modus operandi of imperialism everywhere (Said 1993). Civilization discourse, as a process of legitimation, holds true as much for the colonial state as it does for its mirror image in the nation-state, where the effective coordinates for figuring out who is “civilized” and who is “savage” turns out to be little more than a code for state appropriation (Scott 2009). Consequently, we must reject commonsense views of violence as somehow essential, universal, or psychobiological and that only civilization enabled us to overcome our cruel impulses. In fact, the opposite appears true, that our cruelty is largely a product of civilization and its discontents (Zerzan 2005). Mainstream anthropology has largely abandoned the Hobbesian hypothesis that posits violence as a residual of our evolutionary origins as a species (Gowdy 1998; Sahlins 2003). The expression of violence in Cambodia, as it is elsewhere, is above all shaped by shared social structures, ideologies, histories, and geographies and thus, more than anything, it is reimagining these processes along nonviolent axes that will open pathways toward sustained peace (Springer 2011b).

The nonviolent premise of postanarchism offers not only a radical critique of the violences of capitalism, law, civilization, and sovereignty but also a productive outlet for emancipatory politics. Anarchism, despite the oft-repeated mischaracterization, is not about destroying all forms of organization. It is instead an appreciation for the decentralization and diffusion of power rooted in the ethics of difference (Mueller 2003), which is neither denied, essentialized, nor exoticized but embraced as potentially transformative and is thus about creating new forms of organization. Yet through the continual reproduction of the trilateral of capitalism, law, and civilization, we are actively discouraged from considering what the latent possibilities of human creativity might hold under postanarchism, once we are finally liberated from the pervasive logic of financial gain and material
reward and freed from the hidden and direct violences of sovereignty. Neoliberalization is the continuation of the processes that began with the “invention of capitalism” (Perelman 2000), but what is new is its amplification of the hold that the trilateral of logics has on our political imaginations. Consequently, much like the rhetorical “war on terror,” neoliberalization discursively persuades the wholesale acceptance of the vanishing point, wherein compassion for homo sacer and awareness for the deadly geographies of the exception undergo an erasure from our collective conscience. But we cannot lose sight of the shared humanity of all members of human society. In spite of the pronouncements of the state, its territorial logic, its insidious discourses of nationalism and civilization, and its enactments of law—all of which serve to segregate our collectivism as a single species and partition our good will into stringent categories of belonging—each and every single life counts. We must not forget that it is the exception of sovereignty, homines sacri, who are most exposed to the violence of the state and, further, as the Cambodian situation confirms, that one’s place as homo sacer is secured by capitalism’s ongoing reproduction as primitive accumulation. Law and civilization further the legitimization of accumulation by dispossession, and wherever they are performed, violence is enacted through the state of exception, exposing us all to bare life.

Law can be both indifferent toward and an active participant in the processes of violent accumulation, as is the case in contemporary Cambodia. Hence, to put our faith in the legal system fixing the problem of property in Cambodia, or elsewhere, is to put faith in property solving property, which is, of course, a contradiction. To the question “What is property?” Proudhon (1890 [1970], 223) answered, “property is not self-existent. An extraneous cause—either force or fraud—is necessary to its life and action. In other words, property is not equal to property: it is a negation—a delusion—nothing.” But the historical geographies of capitalism suggest property is something, its existence in space is manifest, and its enclosures intensifying with each passing day. Thus, when Russell (1997, 101) wrote, “[t]here now exists an opportunity for the Cambodian people to refine their legal system and other major institutions. Such changes cannot be made in isolation from the lessons and the legacies of the country’s history,” we must in the second instance take him at his word and in the first reject the myopia of his proposal. In understanding property, we must look to its “extraneous cause,” its histories, its legacies, and its geographies, and in that examination we might come to understand, like Hegel, like Marx, like Agamben, and like so many “classical” anarchists, that what is so often thought to be an exterior is actually a constitutive interior. Property is violence, both in the annals of its history and in the unfolding of its present. To recognize this synchronicity is to reappropriate knowledge and decipher a long-sealed truth, a revelation that might finally allow us to reclaim the role of history under conditions of our own choosing.

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Notes

1. Noncapitalist states like Cuba and the former Soviet Union are included because at one time they experienced a capitalist mode of production, whether as colonizer or colonized.

2. My use of “commonsense” throughout comes from Harvey’s (2005, 39) recognition for its construction out of long-standing practices of cultural socialization often rooted deep in regional or national traditions. It is not the same as the ‘good sense’ that can be constructed out of critical engagement with the issues of the day. Commonsense...
can, therefore, be profoundly misleading, obfuscating or disguising real problems under cultural prejudices.”

3. To Auschwitz survivor Primo Levi (1959, 103), Muselmänner “form the backbone of the camp, an anonymous mass... of no-men who march and labor in silence, the divine spark dead within them, already too empty really to suffer. One hesitates to call them living; one hesitates to call their death death.” Accordingly, Muselmänner are like zombies, seemingly still alive, yet dead in spirit, crushed by extreme subjection to violence. The genesis of its usage in the camps is unknown, but the term might come from the literal meaning of the Arabic word muslim, “the one who submits unconditionally to the will of God,” the original sovereign (Agamben 2000b).

4. Although Pol Pot’s regime raises the question of capitalism within the trilateral of logics, Cambodia passed through a capitalist stage both under and following colonialism. Moreover, part of the fault of the Khmer Rouge revolution—and communism more generally—is that they look exclusively to one part of the trilateral (capitalism) as problematic and continue to want to work within the confines of law and civilization, thus promoting statism.

5. Freud ([1930] 1962) sits somewhere between these two views, identifying violence as a primitive instinct that was only subdued through civilization but also acknowledging that the individual’s quest for instinctual freedom is impeded by civilization’s demand for conformity; hence the enduring discontent.

References


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