Beyond the Mirage:
Human Rights and Education in Transitional Societies

by

Katia Duszenko

A thesis submitted in partial fulfillment of the
requirements for the degree of

Master of Arts in
International Relations

at

Leiden University

July 2017

Chapter I: Introduction

Human rights today are experiencing a watershed moment. Following its improbable rise in the twentieth century and zenith in the 1990s, the human rights regime is encountering significant challenges in the twenty-first century. Questions surrounding the regime's perceived philosophical, structural, and practical flaws have led to serious concerns about its tenability. This has been exacerbated by an unfavorable political climate, making the defense and pursuit of human rights today an increasingly challenging endeavor.

Existing literature on this dilemma is in dissension on how to proceed. Responses range from arguments in favor of continuing in the image of the existing regime regardless of contextual shifts[1], to allegations that these irreparable deficiencies are leading to the warranted "endtimes" of human rights[2]. Somewhere between these two rather extreme positions lies more moderate middle ground: concessions that some changes are needed to strengthen the philosophy and increase the effectiveness of a system flawed but not so fractured that it cannot be preserved, à la Emilie Hafner-Burton[3]. Through such an approach, cogent analyses help offer solutions to the difficulties facing the regime today.

In assessing these difficulties, one common critique emerges: a lack of "bottom-up" change. In the context of human rights, this entails disproportionate focus on institutional, top-down human rights enforcement, as opposed to the human rights mentality within a society. Top-down approaches without this mentality have proven themselves short-term at best and ineffective at worst. A solution to this deficiency lies in stimulating awareness and respect for human rights at the grassroots level, which can lead to the authentic dissemination of new human rights standards throughout a society. Such a transformation can normalize and legitimize what are often considered lofty, abstract, and/or alien precepts.

---

[1] Carothers, Thomas, "Closing Space for International Democracy and Human Rights Support," *Journal of Human Rights Practice,* 1-20.

[2] Hopgood, Stephen, *The Endtimes of Human Rights* (Ithaca: Cornell University Press, 2013).

[3] Hafner-Burton, Emilie M, *Making Human Rights a Reality* (Princeton: Princeton University Press, 2013).

How, then, to engender such a shift? One avenue is through education. Education has the potential to affect powerful change in societies, particularly post-conflict or post-authoritarian countries in political transition with mixed human rights records. It does so by facilitating a psychological transformation that leads to a new human rights mentality. At its most potent, this allows for an internalization of human rights that catalyzes new normative standards, social development, and political change[4]. Thus, increasing education in transitioning societies carries substantial potential for strengthening human rights.

From a human rights perspective, this would ideally be achieved through pursuing the right to education. Tellingly, however, the difficulties ensnaring the regime impede this approach. As a "soft" economic, social, and cultural right, education has been afforded less priority than its "hard" civil and political counterparts. In transitional societies with weak human rights enforcement and the absence of a strong human rights mentality, abstract moral arguments for the fulfillment of rights have proven themselves inadequate. Instead of relying on this approach, new ways of realizing education are needed. One such method can be found in a political conception of human rights, which looks beyond moral arguments to account for the factors that might inform the realization of these rights, bearing in mind that they are often in competition with state interests. This approach considers persuasion and incentivization, centered on state interest, as ways to induce greater compliance. Naturally, this invites certain ethical concerns, for instance that relegating the morality of human rights in their pursuit could result in an erosion of a regime occupied solely with its implementation.

The promise and the concern underlying this political conception of human rights are illustrated in the case of Cambodia. The Southeast Asian country has been in a state of quasi-democratic transition since 1993. Both the democratic system and the human rights norms it adopted in its new constitution have consistently been called into question; since 1997, the

---

[4] See André Keet, "Plasticity, critical hope and the regeneration of human rights education," in *Discerning Critical Hopes in Education Practices* (New York: Routledge, 2014); Peter Seixas and Carla Peck, "Teaching Historical Thinking," in *Challenges and Prospects for Canadian Social Studies* (2004): 111-113; Felisa Tibbitts, "Understanding what we do: Emerging models for human rights education," *International Review of Education* 48 (2002): 159-171.

country has been under the rule of a de-facto one party system[5]. Within this system, political freedoms have been curtailed, elections interfered with, and corruption proliferated. Education, however, has remained a top priority for the government, largely because of its potential as a socioeconomic tool that (until recently) underpinned its legitimacy. Much of the rhetoric surrounding this commitment to education is still steeped in human rights language, in keeping with what Sebastian Strangio calls the Cambodian "mirage" of democracy[6]. In reality, it seems expanding education has had little to do with the fulfillment of the right per se. Thus, a political conception of education has been successful in that it has facilitated expanded education, but has introduced an ethical dilemma by essentially permitting the Cambodian government to manipulate the rights regime for its own political sustenance.

How should these considerations be weighed? Are human rights stronger because more people have gained their right to education, or has the regime been further fragmented by its calculated misuse? Is development a viable vehicle for realizing rights, or might such a shift effectively contribute to the "endtimes" of human rights today? By examining theoretical and conceptual foundations of human rights and pedagogical education models, and reconciling these in the case of Cambodia, this work attempts to answer the following question, in two parts: (1) can education by way of a political conception lead to a more robust human rights regime in the twenty-first century, and (2) what might such an education look like in terms of curriculum and learning outcomes in transitioning societies?

The first step in answering this question is a literature review in two parts. Chapter II delves into the history, conceptual foundations, and contemporary challenges of human rights and the human rights regime. It identifies significant hurdles facing the regime today, and moves toward establishing a solution therefor through education. Chapter III presents two conceptions of education — as a right and as a welfare policy — before considering development as a useful point of convergence between the two in the contemporary political setting. Based on this reconciliation via development, education is proposed as a viable solution to the contemporary

---

[5] Un, Kheang, "Cambodia: Moving away from democracy?" *International Political Science Review* 32 (2011): 547.
[6] Strangio, Sebastian, *Hun Sen's Cambodia* (New Haven: Yale University Press, 2014): xv.

human rights dilemma. In Chapter IV, this inference is tested through a case study on the Kingdom of Cambodia, whose adherence to international human rights norms have fluctuated since they were adopted in 1993 but whose efforts in expanding education have remained remarkably consistent, and whose future, like that of the human rights regime, seems to be in flux today. Chapter V links the theoretical foundations of the work to the Cambodian case in an analysis that explores how development can act as a vehicle for rights; why education as a developmental tool carries particular potential in this regard; what kind of education precisely is needed to achieve this goal; what difficulties or impediments may be anticipated with regard to this new avenue; and how the potential of this approach is reflected in Cambodia today.

As this work remains in theoretical territory, intersecting at times with pedagogical models and second-hand empirical observations, its conclusions, too, are conjectural; in its current form, it can provide no categorical causality between education and strengthened human rights. However, what can be inferred from the evidence provided is that education has the power to facilitate a psychological transformation that results in an increased *likelihood* or *probability* of a human rights mentality that, in turn, can catalyze social and political changes which strengthen the regime. In this way, education *can* lead to a more robust human rights regime. Whether it *does* is a point I am interested in pursuing in future work, which would seek to provide a more conclusive correlation through on-site fieldwork and empirical analysis. However, this inference on the potential of education alone provides a compelling new avenue for fulfilling rights and strengthening the regime at a moment when it is urgently needed.

Chapter II: History, conceptual foundations, and contemporary challenges of human rights

In this chapter, the necessary historical and conceptual foundations of the human rights regime are outlined before delving into challenges facing it today. By examining the origins, evolution, and contemporary strains of the regime, it is possible to move toward new avenues for solution regarding one of its most significant shortcomings: an inefficient and increasingly contested top-down approach to human rights, particularly in transitioning societies. Finally, the chapter examines an inverse approach via a focus on bottom-up human rights promulgation, and introduces education as a means for doing so. This brings us closer to establishing new ways of strengthening human rights in the twenty-first century.

A very brief history of human rights

For all their contemporary clout, human rights are relatively young. Although their roots have been traced back to ancient Greek philosophy and draw heavily on eighteenth century Enlightenment thinking, normative and legal human rights emerged only in the second half of the twentieth century[7]. The events of World War II, including unprecedented levels of systemic violence inflicted by states on their own citizens, provided a critical impetus for the establishment of an international protocol to protect the security and dignity of all people[8].

The United Nations (UN), formed in 1945 on the tail of World War II, delivered such a framework with the Universal Declaration of Human Rights (henceforth UDHR) on December 10, 1948. The UDHR formally recognized the "inherent dignity and inalienable rights of all members of the human family" and vowed to protect such rights by rule of law, albeit through voluntary participation by its member states[9]. The comprehensive list of indivisible rights set

---

[7] See Micheline R. Ishay, *The History of Human Rights: From Ancient Times to the Globalization Era* (Berkeley: University of California Press, 2004).

[8] Donnelly, Jack, *Universal Human Rights in Theory and Practice,* 3rd ed. (Ithaca: Cornell University Press, 2013): 75-92.

[9] United Nations General Assembly, "Universal Declaration of Human Rights," accessed 9 January, 2017, https://www.un.org/en/universal-declaration-human-rights/.

forth were anchored in individual freedom and the intrinsic worth of every being simply by virtue of their personhood. There would be no distinction between race, color, sex, language, religion, political association, or nationality. The UDHR envisaged a global community of individuals who maintained their diversity but coexisted peacefully, united by a common respect for every person's right to life, liberty, and security of person.

This ambitious vision found remarkable traction amid a fragile post-World War II international order. In the decades since, human rights have become a prominent if enduringly contentious international concern with increasing normative and institutional reach. The apex of this development occurred in the 1990s; with the end of the Cold War, the fall of the Soviet Union, and the proclaimed liberal end of history[10], the human rights agenda reached new levels of scope and realization[11]. The human rights regime, for better or worse, has been linked to democratic governance since its formation. Thus, the rapid increase in democratization and the subsequent formation of a "New World Order" following the collapse of the Soviet Union engendered new levels of human rights institutionalization that led to the "ascendancy"[12] of human rights.

Contemporary challenges

Though human rights continue to occupy a prominent role in today's global politics, the robustness of the regime has waned. Amid intense scrutiny of its perceived flaws and shifting political trends, the human rights regime today faces significant challenges that are testing the legitimacy it established over the course of the twentieth century. Of these, three significant challenges can be identified: (1) limitations on enforcing rights and subsequent difficulties in deterring violations, (2) an apparent "post-global" drift from liberal internationalism, and (3) increasingly evident structural problems weakening the legitimacy of the system.

An intrinsic weakness of human rights is that they are intensely difficult to enforce. The

---

[10] See Francis Fukuyama, *The End of History and the Last Man* (New York: Free Press, 1992).

[11] See Micheline R. Ishay, *The History of Human Rights: From Ancient Times to the Globalization Era* (Berkeley: University of California Press, 2004); Stephen Hopgood, *The Endtimes of Human Rights* (Ithaca: Cornell University Press, 2013).

[12] Hopgood, Stephen, *The Endtimes of Human Rights* (Ithaca: Cornell University Press, 2013): 4.

broadness of the regime's agenda and the diversity of its beneficiaries, along with the noble but empirically exacting indivisibility of all rights, has always made the issue of compliance a tricky one. Along with the voluntary nature of UN membership, the great degree to which states retain their sovereignty under membership and the shortage of tenable human rights enforcement mechanisms means that definitive authority on human rights in any given country remains chiefly within the scope of the state apparatus. This is a great paradox of human rights: the task of protecting citizens from violations *by* a state ultimately falls to that same state.

Even amid growing institutional means and a rise non-governmental actors working to affect greater human rights fulfillment, the predominance of the state means that these rights constantly compete with state interests for their realization. Upholding rights thus ultimately rests on member states choosing, for myriad reasons, to abide by their responsibility to do so. This is increasingly challenging in a regime with drastic growth in membership and declining levels of commitment to the obligations thereof, which Emilie Hafner-Burton calls a "fundamental tension" of the regime today:

> "[I]t is both a successful articulator of global norms and yet also a gridlocked promoter, almost powerless to put its own aspirations into practice… Today's system faces a crisis of legitimacy and relevance because it is packed with countries that have no intention (or ability) to honor its norms. The international legal system has only an observable impact on a slice of countries."[13]

Broadly speaking, there are two avenues for combatting this tension and effecting enforcement: coercion and persuasion. The former entails fear of punishment for noncompliance; the latter acceptance of the legitimacy and value of compliance. As the human rights system has settled into itself over almost seventy years of existence, flaws in its coercive mechanisms (e.g. international tribunals with very limited reach) have become evident, demonstrating that coercion alone is not a wholly effective solution. Persuasion on the other hand has considerable potential for increased compliance precisely because it goes beyond accepting the *legitimacy* of a right to recognizing the *value* that the fulfillment thereof could have for the state. Thus, it generates an alternative route to increased human rights fulfillment that works in tandem with the quandary of the human rights paradox.

---

[13] Hafner-Burton, Emilie M, *Making Human Rights a Reality* (Princeton: Princeton University Press, 2013): xvi.

Another hurdle facing human rights in the twenty-first century is the extent to which the political winds have ceased to blow in their favor. The aftermath of World War II provided fertile ground for the establishment of of the regime; the spread of liberal internationalism and the rise of globalization at the close of the twentieth century were integral to the unprecedented levels of institutionalization and legitimacy that ushered in the golden era of human rights in the 1990s. Today, it is apparent that the proclaimed "end of history" that this was supposed to represent was not an end so much as a juncture. History, as it was, trudged on. In the two decades since, global security concerns, fragmentation of the international community, and growing skepticism about the globalization phenomenon have contributed to a new new world order, in which the optimistic liberal internationalism so conducive to the rise of the human rights regime seems to have lost its ascendancy. Its ideas about an interdependent global community have been blunted by the resurgence of a strain of post-global neorealism, which, anchored in ideas about global anarchy and self-preservation, favors national interest over international collaboration and portrays human rights as untenably idealistic[14].

As such, this revived realism presents a considerable challenge to human rights, exacerbating doubts about a regime already struggling to assert itself amid allegations of its serious structural deficiencies. In his rigorous analysis of the state of human rights today, Stephen Hopgood offers a dire diagnosis for what is ailing the regime: the regime itself. He defines it as experiencing an existential dilemma — a regime that has lost its purpose. Hopgood describes this dilemma unsparingly in the context of its institutions, which he deems "self-perpetuating global structures of intermittent power that mask their lack of democratic authority and systematic ineffectiveness," adding that the "grand narrative" that previously informed the regime has today been diluted to "an ideological alibi"[15].

Hopgood also presents harsh philosophical critiques of the system, asserting that its "universal" human rights norms are in fact outdated European claims, whose underlying

---

[14] See Duncan Bell, *Political Thought and International Relations: Variations on a Realist Theme* (Oxford: Oxford University Press, 2009); Martha Finnemore and Judith L. Goldstein, *Back to Basics: State Power in a Contemporary World* (Oxford: Oxford University Press, 2013); Francis Fukuyama, *The End of History and the Last Man* (New York: Free Press, 1992).
[15] Hopgood, Stephen, *The Endtimes of Human Rights* (Ithaca: Cornell University Press, 2013): 1.

humanist morality is doomed because "in representing all equally it represents no one directly"[16]. These somewhat contradictory claims lead Hopgood to the conclusion that the foundations of such norms undermine their political effectiveness. This is compounded by the extent to which political power has shifted in the twenty-first century. Changes in global power structures, including the move toward realism described previously, have exposed how deeply human rights institutions rely on liberal state power for their enforcement. Hopgood claims this has revealed the extent to which the civil society sector today is not the independent, organic democratic organ it was conceived to be, but rather one that too often serves as a functional vehicle for state interests.

Taken together, Hopgood's interpretation renders the human rights regime a hypocritical, capital-driven system with weak abilities and little purpose beyond its own perpetuation. In fact, he goes so far as to predict that in the twenty-first century we are witnessing the beginning of the "endtimes" of human rights as they have been understood thus far. Along with this rather gloomy pronouncement, Hopgood proposes an interesting alternative. He offers a vision of human rights wherein the expansive system it has become is reverted to "a globally unowned and unownable claim of human moral equality as the anchor of fair treatment and nothing more"[17]. He suggests human rights can act as a "popular front" for more tenable forms of international activism that work to reduce suffering and improve daily life for people across the world. In this vision, "a syncretic, political, ground-up process of mobilization…. could even lead us toward more genuinely transnational social communities based on a shared economy rather than identity of ideology"[18].

Though I find Hopgood's diagnosis too cynical on the whole, there are important truths to his observations and there is valuable potential in his alternative. Instead of abandoning human rights as a viable regime altogether, it is possible to incorporate Hopgood's criticisms in order to address the challenges that it faces today, and to consider how best to realize human rights for the simple purpose of reducing suffering and enhancing human dignity. By integrating

---

[16] Hopgood, Stephen, *The Endtimes of Human Rights* (Ithaca: Cornell University Press, 2013): 3.
[17] Hopgood, Stephen, *The Endtimes of Human Rights* (Ithaca: Cornell University Press, 2013): 22.
[18] Hopgood, Stephen, *The Endtimes of Human Rights* (Ithaca: Cornell University Press, 2013): 22.

his points on the structural flaws of the regime, supplementing these with Hafner-Burton's observations on enforcement, and affixing a consideration of the present political climate, I propose that a common critique and a plausible area for improvement within human rights today lies in the the need for "syncretic, political, ground-up" change that begins at the grassroots level and has the potential to disseminate through other rungs of a society, concluding in legal institutionalization. The inverse process — a top-down method of institutionalization that often does not fully resonate with the people it is meant to affect — is what the regime has practiced thus far, which has proven demonstrably ineffective: a flawed approach rendered unsustainable in a practical sense by a lack of effective enforcement mechanisms.

If a solution to some of the serious shortcomings of the human rights regime today lies in cultivating bottom-up change, the challenge becomes finding a way to galvanize such shifts, particularly in transitioning countries with inconsistent human rights records. One such method can be found in education.

Chapter III: Education as right, policy, and development strategy

Even at the peak of the human rights regime in the 1990s, normative and institutional recognition of education as a human right encountered considerable resistance. As a welfare policy, however, it has seen remarkable growth. Basic education has become an essential public good and a cornerstone of state-society relations, due in large part to a growing global demand therefore amid its demonstrable social and economic impact. Notwithstanding the frequent negation of education as a right per se, the widespread acceptance of the value and necessity of modern education entails extensive realization of an important provisionary right. Thus, education presents a compelling case of a "soft" economic and social right which has gained empirical traction by virtue of its political function.

In this chapter, the struggle for education as a human right and the growing eminence of education as a welfare policy are examined before being reconciled in the contemporary political setting within human development. The resulting hypothesis — that establishing development as an intersection between rights and modern state-society relations can provide a more effective political conception of the right to education — is then applied to the challenges facing the human rights regime outlined in Chapter II, in order to bring us closer to answering the research question: can increased education lead to strengthened human rights in transitioning societies?

Education as a right

Education is enshrined under Article 26 of the Universal Declaration of Human Rights. The first two points of the text, in full, are worth mentioning here:

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote

11

understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.[19]

The first point is striking in its ambition, but the second offers insight into education's potential for strengthening other rights and freedoms. This view was built upon by subsequent human rights instruments, such as the International Covenant on Economic, Social, and Cultural Rights (ICESCR), ratified in 1976. Article 13(1) of the Covenant stipulates:

> The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education should enable all persons to participate effectively in a free society.[20]

In this sense, the true facility of education extends beyond formal schooling to enabling individual autonomy. It is a vital right not simply because it allows for the acquisition of basic knowledge or skills, but because it engenders human development that protects an individual's freedom by providing the necessary tools for successfully navigating life. This begins with basic primary education and literacy, but also includes employment, health, economic security, and civic and political engagement, culminating in greater dignity and freedom. As a right, this lends education considerable urgency and moves it from abstract moral territory to more substantive empirical conceptions. Richard Pierre Claude deems the right to education "humankind's most effective tool for personal empowerment":

> [F]or instrumental reasons education has the status of a multi-faceted social, economic and cultural human right. It is a social right because in the context of the community it promotes full development of the human personality. It is an economic right because it facilitates economic self-sufficiency through employment or self-employment. It is a cultural right because the international community has directed education toward the building of a universal culture of human rights. In short, education is the very prerequisite for the individual to function fully as a human being in modern society.[21]

---

[19] "Universal Declaration of Human Rights," accessed 9 January, 2017, https://www.un.org/en/universal-declaration-human-rights/.

[20] United Nations General Assembly, "International Covenant on Economic, Social, and Cultural Rights," Treaty Series 999 (1966): 171.

[21] Claude, Richard Pierre, "The Right to Education and Human Rights Education," *International Journal on Human*

Nonetheless, education as a right has struggled to gain traction, even among countries known for championing rights who have adopted ICESCR and other instruments. To a large degree, this can be attributed *to* education's status as a social, economic, and cultural right, when considered within the seemingly inevitable hierarchy of rights. Human rights are split into three classes: civil and political, social and economic, and cultural, known as first, second, and third generation rights, respectively[22]. Of these, civil and political rights, such as freedom from torture and the right to free speech, are afforded the most urgency and legitimacy. Second and third generation rights, though equally guaranteed under the regime, have been met with far more ambivalence. These include the right to economic participation, to desirable working conditions, to freedom of religion, healthcare, food shelter — and to an education.

Two primary justifications for relegating economic, social, and cultural rights are cultural relativism and minimalist theory. Cultural relativism, the main contender to universalism, holds that it is impossible to apply a universal standard to culturally nuanced matters such as education[23]. Minimalism ignores the indivisibility of human rights to insist that, given the daunting task of protecting human dignity across the world, it is unrealistic to expect every point in the UDHR to be made a reality for every last person, especially purportedly non-essential rights like education[24]. In this view, adopting a more modest approach by selecting a smaller number of urgent rights (usually civil and political) to concentrate on is a more pragmatic approach.

These arguments have found resonance, even among human rights adherents. Although 165 states today are party to ICESCR, the extent to which this informs the educational reality in these countries is ambiguous if not outright limited. From Western countries with established education systems to countries in the Global South with less established systems and limitations for doing so, a serious gap persists between the articulated right to education and the degree to

---

Rights 2 (2005): 37.

[22] See Jack Donnelly, *Universal Human Rights in Theory and Practice,* 3rd ed. (Ithaca: Cornell University Press, 2013): 40-42.

[23] See Jack Donnelly, *Universal Human Rights in Theory and Practice,* 3rd ed. (Ithaca: Cornell University Press, 2013): 93-103.

[24] See Joshua Cohen, "Minimalism About Human Rights: The Most We Can Hope For?" *The Journal of Political Philosophy* 12 (2004): 190-213.

which it is pursued as such in member states throughout the world[25]. Nevertheless, access to education has grown over the past decades, spurred in large part by its role as a welfare policy.

Education as welfare policy

With the advent of globalization in the late twentieth century, there has been a fundamental shift in the creation of policy at the national level. Bob Lingard and Fazal Rizvi[26] characterize this shift as one centered on neoliberal values and a rising global consciousness that blurs the line between external influence and internal policymaking. In this view, national policy has become inseparable from global forces; its creation, informed by a global economy and the relations that underpin it, is no longer exclusively the prerogative of the state. In short, policy today is developed at a complex intersection of local, national, and global processes and values. This is especially so in "developing"countries (countries in the Global South with lower gross domestic product and limited internal resources) where each of these forces compete with each other in close proximity in the form of external aid and involvement.

This globalized policymaking matters greatly for education, which has come to occupy a prominent role as a qualifier for global competitiveness, a stimulant of the national economy, and a determinant of social status and mobility[27]. From a free market perspective, in a world increasingly distinguished by a competitive global marketplace, an uneducated population is a serious impediment to a state's resources and global standing[28]. Within a state's own borders, education is capable of shaping a society's quality of life as well as the fiscal undercurrents that increasingly inform that quality.

How does one measure a concept as elusive as "quality of life"? The Human Development Index, established by the United Nations Development Program in 1990, acts as a

---

[25] See Neera Chandhoke, "How global is global civil society?" *Journal of World Systems Research* 11 (2005): 355-371; Jack Donnelly, *Universal Human Rights in Theory and Practice,* 3rd ed. (Ithaca: Cornell University Press, 2013); Thomas Risse, Stephen C. Ropp, and Kathryn Sikkink, *The Persistent Power of Human Rights: From Commitment to Compliance* (New York: Cambridge University Press, 2013).

[26] See Bob Lingard and Fazal Rizvi, *Globalizing Education Policy* (London: Routledge, 2010).

[27] Lingard, Bob and Fazal Rizvi, *Globalizing Education Policy* (London: Routledge, 2010): 5.

[28] See Bob Lingard and Fazal Rizvi, *Globalizing Education Policy* (London: Routledge, 2010); Theodore W. Schultz, "Investment in Human Capital," *The American Economic Review* 51 (1961): 1-17.

self-proclaimed "summary measure of average achievement in key dimensions of human development: a long and healthy life, being knowledgeable and having a decent standard of living[29]. "Standard of living" is measured it by gross national income per capita, reinforcing the notion that well-being is a corollary of economic prosperity.

This concept, which will be revisited later, sets the stage for a quantifiable measurement (and a comparative mechanism) which correlates economic development, good health, and satisfactory education with human development and well-being. Nations have overwhelmingly heeded this index; as education ("being knowledgeable") falls under the "quality of life" umbrella, it too has gained near-ubiquitous legitimacy as a welfare policy. Across the world, education is widely touted as one of the surest investments a nation can make in itself. Supporting this view is human capital theory (HCT), developed by Theodore Schultz in the 1960s. HCT holds that investing in a society's citizens through education yields sustained economic growth, thereby improving citizens' quality of life and the political and economic status of the state in question[30]. This notion was, and remains, particularly relevant for countries on the lower end of the HDI, often deemed developing.

To be sure, there has been controversy around this categorization, much of which summons relativist critiques of human rights. The notion that non-Western cultures with divergent lifestyles and values are simply works in progress waiting to be refined has been criticized as imperious. The development agenda itself, driven and ultimately controlled by "the power of the Western purse"[31], has been accused of imperialism[32]. In spite of these critiques, development has seen great strides in institutionalization and legitimization. Its essential components (economic prosperity, health, education) are widely considered the keys to national

---

[29] "Human Development Index (HDI)," Accessed March 1, 2017, http://udr.undp.org/en/content/human-development-index-hdi/.

[30]See Theodore W. Schultz, "Investment in Human Capital," *The American Economic Review* 51 (1961): 1-17; Adam Szirmai, *Socio-economic development* (Cambridge: Cambridge University Press, 2015).

[31] Sylvester, Christine, "Development Studies and Postcolonial Studies: Disparate Tales of the 'Third World'," *Third World Quarterly* 20 (1999): 703.

[32] These critiques are not without merit, but for the purpose of pursuing the stated research question with considerably limited space will not be examined in great detail here. I will say, however, that these concerns reflect the aforementioned need for human rights that move away from setting a fixed, top-down agenda, particularly where culturally nuanced "soft" rights are concerned.

growth, security, and stability. The social and economic returns on education in particular are seemingly endless: reducing poverty, increasing income, boosting economic growth, making citizens healthier, more productive, more fertile, and less likely to die of preventable diseases, as well as fostering peaceful, equitable societies[33].

In order to procure these dividends, many countries have moved to boost their socioeconomic status and HDI rank by investing in their human capital. Education has become a policy priority in countries pursuing a higher standard of living, greater financial weight, and a seat at the global table. Limited resources are often supplemented by foreign governments, non-governmental organizations, and other parties, each with their own motives. Broadly speaking, recipient cultures are often open to this external aid, even when it is conditional on higher levels of subsequent external influence. This is a striking contrast to an otherwise common reticence toward perceived foreign interference in culturally nuanced areas such as education.

Development as convergence

The widespread acceptance of education as a welfare policy provides a marked contrast to its contentious status as a human right. Within development, it is possible to establish a sphere within which these two approaches might intersect. If policy today is largely crafted with the interests of the state in mind, and human rights are concerned with the interests of the citizen, then a point of convergence for these areas could be human development, which centers on the notion of improving a society for the well-being of its people and the prosperity of the state.

If HCT can be used to explain the political and economic advantages of an education, then the human development, or capabilities, approach provides an excellent framework for assessing its social benefits, as well as a starting point for understanding how these may overlap with human rights[34]. This approach, derived from the ideas of economist Amartya Sen, stresses that education is indeed the key to economic development; however, the latter is not the ultimate

---

[33] "The Benefits of Education," accessed February 4, 2017, http://www.globalpartnership.org/education/the-benefits-of-education/.
[34] See Martha C. Nussbaum, *Creating Capabilities: The Human Development Approach* (Cambridge: Harvard University Press, 2011); Amartya Sen, *Development as freedom* (Oxford: Oxford University Press, 2001).

goal of the former. Rather, economic development should be understood as a modern requirement for the sustained improvement of an individual's well-being, so as to expand his or her capabilities. This, in turn, allows individuals to exercise freedom in the pursuits that they have reason to value, thereby fostering an ability to live in a way that respects and enhances their personal autonomy and human dignity.

With the human development approach, Sen returns the focus of education policy and economic development to human dignity, the cornerstone of human rights. He also offers a vision of human rights that addresses the relativist rebuttals of many economic and social rights. Instead of setting a top-down, Western-centric human rights agenda, education enables an individual to set and fulfill his or her own agenda in an organic, bottom-up manner. It provides the tools without constraining the outcome. Sen's concept of freedom is not merely the lack of discernible restrictions, but the presence of viable choices. In this view, education is a qualifier for economic development and subsequent social conditions that facilitate personal autonomy and human dignity in the modern state.

Human development provides a link between policy and rights that has the potential to strengthen each of these areas. Considering the watershed moment human rights are experiencing, this connection could be of considerable value to the rights side of things. It presents a means for promoting and enforcing rights through persuasion — offering attractive incentives for a state to adhere to human rights in the form of political and economic advancement. Importantly, it is an effective approach. Despite the fact that education as a right has not seen great strides in international institutionalization or empirical exercise since ICESCR, more people are receiving an education today than ever before[35].

Thus, there is potential for the political functions of certain rights, particularly those of the oft contested economic and social variety, to strengthen these rights in states where their enforcement is otherwise weak, particularly in the case of developing or politically transitioning countries with limited or mixed human rights records. This invites serious theoretical and practical considerations. Does focusing less on championing a citizen's innate right to an

---

[35] See Max Roser and Esteban Ortiz-Ospina, "The Global Rise of Education," accessed 2 March, 2017.

education and more on emphasizing the ways a state can benefit from educating its citizens ultimately contribute to higher levels of education worldwide? Can this approach be applied methodically to other economic and social rights, such as favorable work conditions or paid maternity leave? Would doing so strengthen the human rights regime in the twenty-first century, or is there a danger that it could erode it? To begin to answer these questions, we must first examine the inference that education as a welfare policy and a developmental tool can strengthen education as a human right. To do so, we turn now to the case of Cambodia.

Chapter IV: Case Study - Cambodia

Following a tumultuous and at times tragic struggle for stability in the twentieth century, Cambodia today is a curious case of progress and stagnation. The country's new democratic constitution, rapid economic growth, and institutional developments contrast sharply with an apparently autocratic political reality and allegations of "backsliding" compliance with international human rights[36]. This Cambodian paradox, which Sebastian Strangio calls a "mirage"[37], touches most corners of life in the country, including education. Since 1993, the state has adopted a vigorous commitment to education that is both ostensibly rights-based and development-focused — a commitment that has not wavered, even as the political situation has fluctuated.

This chapter attempts to gauge how the shifting political landscape in the Kingdom of Cambodia (KoC), from 1993 until today, has informed the expansion of the country's education system and impacted its human rights situation. It explores the government's approach to this expansion, and attempts to reconcile how this approach fits into notions of education as right, policy, and developmental tool. This provides the foundation for an analysis on how a political conception of human rights, with an emphasis on development and education, might be harnessed in order to provide new methods for human rights fulfillment that might augment the existing regime.

Following a brief survey of Cambodia's post-independence path to "democracy" and a synopsis of the state of the state today, four notable political developments in the KoC, and their corresponding education initiatives, are explored: (1) the birth of the Kingdom amid heavy international involvement and conditionality from 1991 to 1993; (2) the short-lived early Kingdom, with its fragile coalition politics and striking coalescence around education, from 1993 until 1997; (3) the prosperous and stable, albeit increasingly hegemonic, rule of Hun Sen and the

---

[36] Enos, Olivia, "Holding the Cambodian Government Accountable to Democracy," *Heritage Foundation*, June 16, 2016

[37] Strangio, Sebastian, *Hun Sen's Cambodia* (New Haven: Yale University Press, 2014): xv.

Cambodian People's Party (CPP), in the early 2000s; and (4) the unexpected emergence of serious political opposition and dissent in Cambodia around and following the 2013 elections. By surveying the development of the education system in a chronological parallel with the progression of "post-authoritarian" Cambodia, a clearer image of the connections between human rights, development, and education in this paradoxical state may emerge.

Cambodia today: "façade of democracy"?

Cambodia, a country of rich patrimonial traditions in Southeast Asia, has had a whirlwind century. Following years of French colonial rule, the country declared its independence in 1953 and, for the next forty years, seesawed between regimes. It was governed alternately by royal, socialist, and communist rule, in an unstable era marked by internal and regional conflicts as well as global ideological tensions.

The most infamous regime was the Democratic Kampuchea (DK) of the Khmer Rouge, a communist dictatorship of the 1970s which left the country's institutions in tatters and accounted for the deaths of up to two million people — which, at the time, accounted for roughly one fourth of its total population[38]. The education system was a particular target during this era, as DK operated under the aspiration of transforming Cambodia into an anti-intellectual agrarian utopia. Teachers and intellectuals were murdered, schools were destroyed, and scores of Cambodians grew up in survival mode, with little to no formal education[39]. Following the short-lived but devastating tenure of the DK, a shattered Cambodia was largely sustained by Vietnamese occupation and Soviet support. Dismissed by Western countries for this association, the country faded from international prominence and reemerged on the international stage only in the late 1980s, as the Soviet Union was collapsing and the United Nations turned a hopeful eye toward the small, conflict-ridden country.

---

[38] Ayres, David, *Anatomy of a Crisis: Education, Development, and the State in Cambodia, 1953-1998* (Honolulu: Hawaii University Press, 2000): 97; Etcheson, Craig, *After the Killing Fields: Lessons from the Cambodian Genocide* (Westport: Praeger, 2005); Kiernan, Ben, *The Pol Pot Regime: Race, power, and genocide in Cambodia under the Khmer Rouge, 1975-79* (New Haven: Yale University Press, 2008).

[39] See David Ayres, *Anatomy of a Crisis: Education, Development, and the State in Cambodia, 1953-1998* (Honolulu: Hawaii University Press, 2000); Sebastian Strangio, *Hun Sen's Cambodia* (New Haven: Yale University Press, 2014).

With UN support, negotiations began among Cambodia's warring factions and the international community. This culminated in the formation of a new government, the Kingdom of Cambodia (KoC) in 1993. The KoC has formally operated under the designation of a parliamentary democracy with a constitutional monarchy since then. The vast majority of this rule has been under the executive power of a former Khmer Rouge military commander, Hun Sen, and his Cambodian People's Party (CPP). Officially, the KoC has all the expected marks of a liberal democracy: elections (once every five years), checks and balances (executive, legislative, and judicial branches), and a number of different parties.

However, the reality of political life in Cambodia today does not reflect this purported transition. Kheang Un calls CPP's rule a "façade of democracy"[40] and characterizes its reign as one of hegemonic authoritarianism which has found continuity amid a growing stability following the country's turbulent twentieth century. Today, the legitimacy of Cambodia's elections have been frayed, if not eroded, and its checks on power — the legislature and the judiciary as well as civil society arms such as non-governmental organizations, a free press, and space for political protest — have been severely curtailed. Sebastian Strangio calls this phenomenon a shallow (but effective) "mirage":

> Twenty years after the UN jump-started civil society in Cambodia, it lives on under Hun Sen as a mirage for the benefit of well-intentioned foreigners and donor governments. While Cambodia remains freer than many other Asian countries, the outcome is a purposefully selective freedom — a system… [that is] "open, but closed." Indeed, few countries have seen such a wide gap between norms and realities.[41]

While the country has seemingly failed to stay the course on its political transition, it has continued to steadily grow its economy and expand its education system. The country's floundering post-DK economy, which survived on assistance from Soviet bloc countries, received a massive boost from newfound international support as part of its democratic transition and has since rebounded at a striking pace. Between 1994 and 2015, Cambodia sustained an average economic growth rate of 7.6 percent — the sixth highest worldwide, earning it the

---

[40] Un, Kheang, "Cambodia: Moving away from democracy?" *International Political Science Review* 32 (2011): 547.
[41] Strangio, Sebastian, *Hun Sen's Cambodia* (New Haven: Yale University Press, 2014): 194.

designation of a "lower-middle income" nation instead of "low-income" in 2015[42]. The country has a gross national income per capita of US$1,070, spurred by a flourishing garment industry, agriculture, and tourism[43].

This wealth has not seen equitable distribution in Cambodia. The economic reality for many Cambodians is one of scarcity. Roughly 40 percent of Cambodians remain on or around the poverty line[44]. Wealth is largely concentrated among 20 percent of urban-dwelling Cambodians, while the remaining rural percent struggle to stay afloat in a newly industrialized and increasingly expensive society[45]. This is exacerbated by high levels of political corruption among the upper echelons of government and society — which, in Cambodia, are often one and the same. Today, inequality is increasing, with many Cambodians juggling old inequalities and a rapidly shifting social and political landscape[46].

In under three decades, Cambodia has gone from a depleted state eager for external assistance and acquiescent of the conditions therefor, to a fragile democracy with ambitious development goals, to a hegemonic but stable "tiger economy"[47] with incongruous political norms and practices, to a state in possible abeyance, with increasing indications of social and political upheaval that could signal "turning point"[48] in the Cambodian story. During each stage of this progression, the country has retained a commitment to modernization and development, notably through rebuilding its education system. Examining each of these stages in greater detail provides a basis for understanding how the situation has evolved, what might come next, and how human rights and education may factor into these developments.

---

[42] "Cambodia: Overview," accessed 2 April, 2017, http://www.worldbank.org/en/country/cambodia/overview/.
[43] "IMF Survey: Fast-Growing Cambodia Can Reap Further Benefits from Reforms," *IMF Survey* 17 November, 2015, accessed 3 April, 2017, http://www.imf.org/en/News/Articles/2015/09/28/04/53/socar111715a/.
[44] Global Witness, *Hostile Takeover: The corporate empire of Cambodia's ruling family* (London: Global Witness, 2016): 4.
[45] Global Witness, *Hostile Takeover: The corporate empire of Cambodia's ruling family* (London: Global Witness, 2016): 4-5.
[46] See Global Witness, *Hostile Takeover: The corporate empire of Cambodia's ruling family* (London: Global Witness, 2016); Sebastian Strangio, *Hun Sen's Cambodia* (New Haven: Yale University Press, 2014).
[47] "Here Comes Cambodia: Asia's New Tiger Economy," 10 May, 2016, accessed 2 March, 2017, http://www.adb.org/news/features/here-comes-cambodia-asia-s-new-tiger-economy/.
[48] Mortensen, Carol, "Political Economy Analysis of Civic Space in Cambodia: Challenges and Opportunities for Active Citizenship," *Oxfam International* (2015): iii.

"Fictitious reconciliation" and the 1993 election

Cambodia in the late 1980s and early 1990s was in disarray. The Soviet bloc support that had sustained it for the past decade evaporated with the collapse of the Soviet Union. The country's Vietnamese-occupied communist regime led to a diplomatic and economic estrangement from much of the international community, and infighting between vestiges of each of the former regimes led to widespread instability. Amid these precarious conditions, the international community stepped in.

The Comprehensive Cambodian Peace Agreement, known as the Paris Peace Agreement (PPA), was signed on October 23, 1991, following three years of negotiations. Under the auspices of the United Nations and with support from the international community, it outlined a course for the country's path forward in three parts: (1) definitively settling the political conflict; (2) reaching consensus on sovereignty, territorial integrity, and national unity; and (3) facilitating the country's rehabilitation and reconstruction.

The first step to achieving this was the "free and fair" election of a new government that would put Cambodia on the path to lasting political stability. The agreement stipulated a period of temporary international rule by United Nations Transitional Authority in Cambodia (UNTAC) meant to provide a period of political neutrality conducive to a successful transition. Considerable emphasis was placed on rebuilding and developing a country ravaged by years of internal conflicts and financially crippled by a period of severely limited foreign assistance. The agreement urged the international community to assist Cambodia in these efforts through generous economic and financial assistance. Additionally, PPA invoked a human rights agenda for the first time in modern Cambodian history and stipulated the country's compliance thereto.[49]

In keeping with this new responsibility, Cambodia included the Universal Declaration of Human Rights in its 1993 constitution, and has since ratified eighteen additional human rights instruments[50]. In this way, human rights in Cambodia were not born of a demand by the

---

[49] "Framework for a Comprehensive Political Settlement of the Cambodia Conflict," accessed 2 March, 2017, http://www.peacemaker.un.org/cambodiaparisagreement91/: 7.
[50] United Nations Office of the High Commissioner, "Country Profile for Cambodia," accessed 3 May, 2017,

Cambodian people for the recognition of their own rights. Rather, the advent of democratic, human rights-focused norms emerged through a reluctant concession by Cambodian officials with little to no choice in the matter:

> Cambodia's warring factions had few options but to agree…. With a shattered state, no money, few remaining foreign supporters… the Khmer leaders came to the negotiating table with few reliable options…. Cambodia had little choice but to accept the imperatives of international donors. With virtually nothing — money, infrastructure, means of communication, or adequately skilled human resources — the atmosphere of cooperative needs assessment envisioned by the declaration was more akin to a beggar, empty bowl in hand, seeking assistance from a wealthy benefactor[51].

Ayres goes so far as to label the agreement a "fictitious reconciliation" — both in terms of Cambodia's supposed transition to democracy, and with regard to the human rights standards it was now formally tasked with upholding. Neither democracy nor human rights were called for or insisted upon by the greater public. Rather, they were part of what Caroline Hughes describes as a "democratic mandate"[52] which outlined the conditions for a UN sanctioned (and financed) transition.

Despite the purported fictitiousness of the agreement, it nonetheless resulted in the country's first "free and fair" democratic election in May 1993. The UN-administered elections saw Hun Sen's ruling CPP defeated at the ballot by Prince Norodom Ranariddh's royalist Funcinpec party. As it was, Hun Sen refused refused to concede and threatened a new civil war. Following talks between the two leaders, a coalition government was established that appointed Ranariddh and Hun Sen as first and second prime minister, respectively. The Kingdom of Cambodia (KoC), the first democratically established government, was born.

Early Kingdom, early reform

The early years of the KoC under coalition rule was marked by administrative tension and a

---

http://www.indicators.ohchr.org/.

[51] Ayres, David, *Anatomy of a Crisis: Education, Development, and the State in Cambodia, 1953-1998* (Honolulu: Hawaii University Press, 2000): 154-155.

[52] Hughes, Caroline, *The Political Economy of Cambodia's Transition, 1991-2001* (London: Routledge, 2003): 81.

fragmented ideology that reflected the inorganic formation of its new regime. Neither the egalitarianism nor the pluralism envisioned by the United Nations was championed by either of Cambodia's new prime ministers following the election. Each of the coalition parties kept an uneasy eye trained on the other. It was clear that this was not the harmonious, democratically-oriented state the UN had hoped to establish.

There was, however, one element of the UN vision around which both parts of the Cambodian administration — and the international community — coalesced with equal enthusiasm: a commitment to development, or what Ayres calls "developmentalism"[53]. Rehabilitating a country fractured by waves of tumult over the past decades through concentrated modernization became a defining and uniting goal in Cambodia. This modernization primarily centered on economic reforms which embraced free market principles, human resource development, and the post-Cold War "New World Order" (NWO)[54].

The first notable legislative result of this new Cambodian commitment to developmentalism can be found in the 1994 National Plan to Rehabilitate and Develop Cambodia (NPRD). The plan introduced six "fields of operation" aimed at facilitating a strong private sector and international trade through market-driven economic reforms, and whose predicted profits would be used to rebuild the country's infrastructure and effectuate social development[55]. One element of NPRD was a focus on the development of "human resources," which can be likened to Theodore Schultz' notion of human capital — that is, an emphasis on education for development (see page 15). Education became a popular rallying point for a Cambodian government otherwise reticent about the international norms it was now tasked with implementing:

> These norms, based on notions of increased efficiency in the use of resources, qualitative renewal,
> and improved sectoral management… were willingly and enthusiastically embraced by the
> Cambodian government, which proudly boasted as fundamental development priorities the

---

[53] Ayres, David, *Anatomy of a Crisis: Education, Development, and the State in Cambodia, 1953-1998* (Honolulu: Hawaii University Press, 2000): 162.

[54] Ayres, David, *Anatomy of a Crisis: Education, Development, and the State in Cambodia, 1953-1998* (Honolulu: Hawaii University Press, 2000): 162.

[55] Ayres, David, *Anatomy of a Crisis: Education, Development, and the State in Cambodia, 1953-1998* (Honolulu: Hawaii University Press, 2000): 165.

KoC's education reforms were, from the beginning, centered on improving educational quality and access for the purpose of development, and continued to operate with high levels of international involvement and support. An important policy framework, Rebuilding Quality Education and Training in Cambodia, was introduced in early 1994. It mandated nine years of modernized basic education for all Cambodian youth, and drew explicit connections between (formal and non-formal) education, successful employment, and economic development[57].

With these economic and educational reforms, the framework for Cambodia's growth was established. Nevertheless, politically, the country was far from settled. Despite the encouraging coalescence around development in Cambodia, the tension simmering under its ill-matched coalition government and ensuing "fictitious" democratization remained, and eventually boiled over. On July 5, 1997, Hun Sen appeared on Cambodian television accusing Ranariddh, who was out of the country, of illegal collaboration with the Khmer Rouge. That evening, conflict broke out between troops alternately loyal to the first and second prime minister. By July 7, Hun Sen was in control of the capital city Phnom Penh..

With the forcible removal of Ranariddh and the upending of the "free and fair" results of the 1993 election, the Cambodian democracy as the UN and the PPA had envisioned it was seemingly finished. However, Hun Sen, no doubt aware of the political and financial ramifications of conceding this reality, insisted that democracy was alive and well. He claimed the coup was not a coup at all, but rather a legitimate transfer of power within what should still be considered a democratic state. He also insisted that the alliance between the CPP and Funcinpec remained. In reality, under his orders dozens of Funcinpec officials were summarily executed immediately following the upheaval. With this telling event, the "mirage" of democratic rule under the CPP was born.

---

[56] Ayres, David, *Anatomy of a Crisis: Education, Development, and the State in Cambodia, 1953-1998* (Honolulu: Hawaii University Press, 2000): 166.
[57] Ayres, David, *Anatomy of a Crisis: Education, Development, and the State in Cambodia, 1953-1998* (Honolulu: Hawaii University Press, 2000): 166.

Twenty-first century "mirage" and Education for All

As Hun Sen attempted to validate his recouped reign and the world slid into the twenty-first century, Cambodia began to see significant yields of its 1990s "developmentalism." The Cambodian economy flourished, and has showed little sign of slowing since. The economic reforms and the industrial investments led to remarkable — and remarkably consistent — levels of economic growth. From the time NPRD was adopted in 1994 to when the World Bank elevated it from a low-income to a lower-middle income nation in 2015 (a goal the country had set itself for 2030), Cambodia sustained an average growth grade of 7.6 percent — the sixth highest worldwide[58].

As this developmentalism yielded profitable returns and the country settled into a peace that had been sorely lacking over the past several decades, Hun Sen garnered substantial political support in Cambodia. He won the 1998, 2003, and 2008 elections with an average percent of 48.9[59]. Internationally, Hun Sen deftly navigated diplomatic hurdles and international obligations, using the democratic "mirage" to present an image of Cambodia to the world that generally appeased its foreign donors and the international community at large. This internal and external legitimacy endured even as the actual quality of democracy in Cambodia continued to decline. Competitive elections, civic space, and freedom of the press were increasingly curtailed, including through political suppression, violence, and extrajudicial imprisonment. The checks on power established with the new constitution increasingly appeared devoid of any real, independent authority, but rather functioned as an extension of Hun Sen's rule[60].

Despite these divergences from the Cambodia envisioned by the PPA, the CPP maintained the commitment to education born with this framework. One notable piece of legislation resulting from this was the Education for All (EFA) plan[61], which introduced an ambitious agenda for education reform between 2003 and 2015 with the goal of further

---

[58] "Education for All 2015 National Review Report: Cambodia," accessed 3 May 2017, http://unesdoc.unesco.org/images/0022/002297/229713E.pdf/.

[59] "Kingdom of Cambodia - IFES Election Guide Country Profile: Cambodia," accessed 23 May, 2017, http://www.electionguide.org/countries/id/37/.

[60] See Kheang Un, "Cambodia: Moving away from democracy?" *International Political Science Review* 32 (2011).

[61] "Education for All National Plan 2003-2015," accessed 15 March, http://119.82.251.165:8080/xmlui/handle/123456789/272/.

stimulating development. The primary policy objectives of EFA focus on ensuring equitable access to basic education, improving educational quality, and decentralizing the educational system so as to tailor it to the diverse needs of students in varying regions. In a preface to the document, Hun Sen himself provides a spirited espousal of the reforms in which he not only reiterates CPP's commitment to education as a way to strengthen social and economic development, but also to its "strong commitment"[62] to its human rights obligations, an assertion contradicted by its increased restriction of other rights and freedoms.

Nonetheless, under the party line of development and rights, and through plans like EFA, education has been expanded considerably. The most significant progress has been made in improving access; by 2011, access to primary education was at 95.2 percent, with 95.8 percent for boys and 94.6 percent for girls — making access near-universal and significantly decreasing Cambodia's gender gap[63]. Serious problems persist concerning quality and retention; the literacy rate hovers around 70 percent, and only 47.9 percent of Cambodian students complete lower-secondary education, which comprises part of Cambodia's nine-year basic education[64]. But with a steady commitment by the Cambodian government and considerable aid from foreign donors, the formerly decimated education system has seen considerable expansion since 1993.

So the first decade of the twenty-first century went in Cambodia, with strong economic growth, some social development, relative peace, and increasingly hegemonic rule. Judging by the CPP's political support, Cambodians seemed content enough with the status quo, which afforded the country a long sought-after stability. By all accounts, this imperfect status quo might have continued into the new century — until it didn't.

---

[62] "Education for All National Plan 2003-2015," accessed 15 March, https://119.82.251.165:8080/xmlui/handle/123456789/272/: 5.
[63] "Education," accessed 23 May, 2017, https://www.unicef.org/cambodia/3.Education.pdf/: 2.
[64] "Education for All 2015 National Review Report: Cambodia," accessed 3 May 2017, http://unesdoc.unesco.org/images/0022/002297/229713E.pdf/: 1; "Lower secondary completion rate, total (% of relevant age group): Cambodia," accessed 1 June, 2017, http://data.worldbank.org/indicator/SE.SEC.CMPT.LO.ZS?locations=KH/.

The 2013 elections and the rise of political dissent

On July 28, 2013, the Cambodian general elections dealt a blow to Hun Sen's rule and the Cambodian status quo. In results that seemed to take the country by surprise, the CPP lost the largest number of National Assembly seats in fifteen years, leaving it with 68 (down from 90) and giving 55 to the opposition Cambodian National Rescue Party (CNRP), which was formed only in the previous year[65]. These results were crippling enough to a party that had until this point held such a comfortable majority; widespread allegations of election fraud and claims by the CNRP that they were cheated out of victory suggests that they might have been altogether crushing had the democratic process been allowed to unfold undisturbed[66].

This was a shocking turn of events for Hun Sen and the CPP, who had been convinced of their continued dominance, and a notable departure from Cambodians' previous support for the party in the name of stability and prosperity. But the shift did not take place overnight, and it was not quelled with the (official) election outcome in 2013. Cambodians, disenchanted with corruption and persistent inequality, driven from rural homes to new urban settings for employment opportunities, and equipped with more knowledge and different expectations for their own standard of living, had begun to push back against the CPP's democratic façade. Protests against the results continued long after July 28, 2013, and calls for change have persisted, with many eyes trained on the 2018 elections.

Hun Sen, clearly dismayed by these developments, attempted to assuage public discontent by promising a series of reforms meant to appeal to voters. This included an apparent rebranding of education efforts. In a 2015 review and addition to the EFA plan, the rhetoric emphasized the state's continued commitment to "heavily"[67] invest in education for the purpose of benefitting Cambodian people as well as the economy[68]. The document detailed government

---

[65] Strangio, Sebastian, *Hun Sen's Cambodia* (New Haven: Yale University Press, 2014): 258.

[66] Strangio, Sebastian, *Hun Sen's Cambodia* (New Haven: Yale University Press, 2014): 261-266.

[67] "Education for All 2015 National Review Report: Cambodia," accessed 3 May 2017, http://unesdoc.unesco.org/images/0022/002297/229713E.pdf/: 1.

[68] "Heavy" in this context crosses a line from hyperbole to farce. Cambodia is notorious for its low education expenditure; between 2001 and 2013 it spend an average of only two percent of its gross domestic product on education (see Knoema World Atlas, https://knoema.com/atlas/Cambodia/topics/Education/Expenditures-on-Education/Public-spending-on-education-as-a-share-of-GDP/).

plans for harnessing "all the potential of Cambodia's demographic dividend" to reduce poverty and improve living standards — and, of course, "to ensure a favorable socio-economic development"[69]. The new plan, this time designated for 2014-2018, committed itself to improving educational quality and standards alongside access[70]. It focused specifically on improving learning conditions and opportunities for young adults — who had made up nearly 37 percent of the vote in 2013[71] — and underlined the international partnerships and funding it was receiving to do so.

The 2013 elections and the rise of political dissent in Cambodia have sparked hopeful sentiment among human rights supporters that they have ushered in a "turning point" in Cambodian society[72]. Hun Sen's post-election attempts to woo erstwhile supporters who no longer seemed content with high national economic growth and modernization seem to indicate moves toward a more genuine form of democracy. But whether this dissent will persist at similar levels into the future, whether Hun Sen's promises of reform are anything more than an extension of his mirage, and what will happen in the 2018 elections remains to be seen.

Summarizing changes

Since 1993, Cambodia has committed to expanding and improving its formerly decimated education system. The focus of this improvement lies primarily in increasing equitable access to education, improving the system's quality and retention rate, and providing its recipients with tools for greater productivity and social mobility. This commitment is reflected less in the state's own internal expenditures, which are comparatively low, even among developing countries in the region[73]. Rather, it is apparent when measured against the historical and political context of the

---

[69] "Education for All 2015 National Review Report: Cambodia," accessed 3 May, 2017, http://unesdoc.unesco.org/images/0022/002297/229713E.pdf/: 1.

[70] "Education Strategic Plan 2014-2018," accessed 16 May, 2017, https://www.veille/univ-ap.info/media/pdf/pdf-1436325627550.pdf/.

[71] Strangio, Sebastian, *Hun Sen's Cambodia* (New Haven: Yale University Press, 2014): 259.

[72] Mortensen, Carol, "Political Economy Analysis of Civic Space in Cambodia: Challenges and Opportunities for Active Citizenship," *Oxfam International* (2015): iii.

[73] "Cambodia - Expenditures on Education - Public spending on education as a share of gross domestic product," accessed 17 May, 2017, https://knoema.com/atlas/Cambodia/topics/Education/Expenditures-on-Education/Public-

Cambodian state — specifically, the extent to which the country has relaxed its otherwise strict protectionism of cultural institutions in favor of educational modernization.

This embrace of international frameworks, standards, and collaboration in the pursuit of education reform is a serious anomaly in the Cambodian context, particularly when considering the continuity with which it has been sustained and the degree to which this contrasts with concurrent political trends. Cambodia's new, open approach to education was born of its "transition" to democratic, rights-abiding statehood in the early 1990s. Even as Cambodia has slipped into a system more indicative of autocracy than democracy and has been increasingly flagged for failing to fulfill its human rights obligations, it has remained steadfast in this commitment to education.

Why this continued support? In considering the circumstances that led to the adoption of democratic rule and human rights in Cambodia, embracing education reform arguably never had much to do with human rights in the first place, despite proclamations to the contrary. Neither part of the shaky coalition government established in 1993 seemed driven by a profound moral respect for human rights, or a duty to uphold them. In fact, the inclusion of international human rights standards in the new constitution seemed propelled not by political support or public demand therefor, but rather because of an external conditionality imposed on a desperate state.

The state's enthusiasm for education reform appears to have been rooted almost exclusively in a desire for development. In the early years, the government saw education as a developmental tool with great potential and embraced it as such, international strings attached and all. Today, even as the state's existing progress on education has indeed moved to fulfill this development potential, it seems that the focus has shifted from development per se to something else. Education and the development derived from it have remained at the top of the government agenda because together they serve a crucial political function: generating a level of economic growth that has, until recently, ensured the regime's domestic and international legitimacy.

The socioeconomic dividends wrought by education over the past twenty-five years in Cambodia seem to have played a part in perpetuating an increasingly imperfect status quo within

its borders — one that requires sustained growth for its continuation[74]. The high rate of economic growth and the relative stability that the country has enjoyed since the early 2000s led to widespread support for the ruling CPP, even as political freedom and other rights were curtailed. Similarly, in a global context much of Cambodia's legitimacy is derived from the notion that it continues to develop in the free-market fashion envisaged by the UN in the early 1990s, and that it does so in the spirit of international cooperation and with its human rights obligations in mind.

The government keeps this narrative alive even as its actions contradict it, insisting on its compliance with human rights norms and laws and pointing to its economic growth as proof of its ongoing modernization. Until recently, this approach appeared to be working; Cambodia faced nominal pressure both internally and externally. It is quite likely that without such strong growth, the CPP would be unable to sustain the (increasingly contested) legitimacy it maintains. Thus, its steadfast commitment to education over the past two decades, often portrayed as the fulfillment of rights obligations and an investment in the country's "human resources," today appears principally anchored in a desire for socioeconomic development for the primary aim of retaining political rule. Rather than an end, development has itself become a political mean.

To reconcile these events with theoretical considerations of human rights and begin to extract a method for strengthening rights through education in transitioning societies like Cambodia, we must examine in greater detail how development can facilitate greater rights fulfillment, how education in particular can strengthen the regime in new and sustainable ways, and what these considerations, taken together, illustrate about the future of human rights in Cambodia and beyond.

---

[74] See Kheang Un, "Cambodia: Moving away from democracy?" *International Political Science Review* 32 (2011).

Chapter V: Analysis

It appears that in Cambodia today, human rights predominantly constitute a diplomatic fig leaf for socioeconomic development. This development is not merely driven by a desire to develop per se, but by the political legitimacy derived therefrom by a hegemonic ruling party. Without minimizing this unfavorable state of affairs, it is worth exploring how these elements may be harnessed and rearranged in a way that is beneficial to rights. It is possible, for instance, for development to act as a vehicle for certain rights in societies where they are not embraced as such. Given the difficulty of enforcing rights in Cambodia by virtue of their status as such, development can be considered as a useful entry point for expanding education, even if a moral concern for human rights is not the immediate motivation. The fulfillment of the right, after all, is still fulfillment. Without dismissing the ethical considerations that this approach invites, there is an argument to be made that the potential of education is significant enough to merit realization through more pragmatic, even ostensibly transactional, avenues. The benefits of this alternate approach may in fact offer new ways to not only realize human rights but to strengthen the regime as a whole.

Using the case presented in Chapter IV, Chapter V analyzes the Cambodian situation in the context of politically-conceived human rights. It delves further into the notion that development may provide a new avenue for human rights fulfillment in the twenty-first century, including a critical ethical appraisal that explores the drawbacks and risks of such an approach. It emphasizes how and why the fulfillment of education specifically could be beneficial to the human rights system: namely, that education possesses a unique potential for strengthening rights and freedoms, particularly in transitional societies like Cambodia. This potential lies in the facilitation of a psychological transformation that may catalyze new social norms, increased civic engagement, and more society-wide respect for human rights. Such a transformation can be stimulated through the inclusion of human rights education as part of a country's curriculum. The chapter provides a specific pedagogical framework for this type of human rights education,

and explores the benefits and limitations of its application in transitional societies. Finally, the Cambodian case is revisited for a preliminary evaluation of this approach, and what it could mean for human rights in the twenty-first century.

Development as a vehicle for rights

In an effort to become economically viable and internationally legitimate, the Cambodian government has embraced education as a fundamental aspect of its modern statehood. In doing so, it has accepted many of the conditions, frameworks, and priorities of a number of external parties, many of which are rooted in a rights-based approach to education. The government, keenly aware of the legitimacy it derives from (the appearance of) human rights compliance, continues to declare human rights a primary motivation for its commitment to education, an assertion that is becoming increasingly difficult to accept given the regime's indifference toward myriad other rights. The true motivation appears to be development, both for its immediate socioeconomic returns and for the political legitimacy it has bestowed on the government. Nonetheless, the state continues to put a premium on education, resulting in considerable strides in its reformation and expansion over the past two decades.

The benefits of utilizing development for the purpose of furthering human rights is grounded in the idea that the two are linked by their interest in increasing human opportunity, as well as the notion that they are often mutually beneficial in this pursuit[75]. Beyond this, the Cambodian case seems to indicate that there is also potential for development to not only act as a reinforcer of human rights, but to actually provide an entrance therefor in states with reticence toward the human rights regime which nonetheless possess ambitions regarding their own growth and global standing.

This potential also invites serious philosophical and ethical considerations. Suppose a state is unwilling or unlikely to provide a social good on the basis of its status as a right, but

---

[75] See Philip Alston and Mary Robinson, *Human Rights and Development: Toward Mutual Reinforcement* (Oxford: Oxford University Press, 2005); Martha C. Nussbaum, *Creating Capabilities: The Human Development Approach* (Cambridge: Harvard University Press, 2011); Amartya Sen, *Development as freedom* (Oxford: Oxford University Press, 2001).

receptive to pursuing it because doing so entails a tangible benefit. Should this second avenue be pursued? Is the fulfillment of a right for the "wrong" reasons preferable to leaving it unfulfilled, and moreover, can a state's selective or disingenuous human rights compliance still be considered part of an effective human rights regime? This is particularly pertinent when such selective adherence functions as part of a broader violation. There is an unavoidable sense that focusing on development as a pragmatic method for the fulfillment of rights while relegating moral foundations could lead to a problematic erosion of the regime itself. The notion that the Cambodian government is conceivably manipulating the system by using development as human rights window dressing while simultaneously cracking down on political freedom is illustrative of such a hazard.

For this reason, development as a vehicle for rights in a broad sense appears too precarious to constitute a comprehensive approach to realizing human rights today. However, while it is not defensible a consistent method of pursuing human rights, in the case of education the benefits may outweigh — or at the very least parallel — the ethical concerns. Education is uniquely powerful not only as a reinforcer of other individual rights, but in strengthening the regime as a whole on a structural, philosophical, and empirical level.

Education for rights: theories, models, and potential

In a social and political sense, a satisfactory education provides a contextual understanding of the world and our roles therein that fosters a propensity for critical thought conducive, among other things, to understanding human rights and identifying their violation. In this way, knowledge is not only power, but empowerment. This notion has factored heavily into the human rights regime and its instruments since they were formed, as outlined in Chapter III. Article 26 of the Universal Declaration of Human rights defines the fulfillment of education as the "full development of the human personality" as well as the "strengthening of respect for human rights and fundamental freedoms"[76]. This understanding has been augmented by thinkers like Amartya Sen[77] to include

---

[76] "Universal Declaration of Human Rights," accessed 9 January, 2017, https://www.un.org/en/universal-declaration-human-rights/.
[77] See Amartya Sen, *Development as freedom* (Oxford: Oxford University Press, 2001).

important and interrelated ideas about the role of education in expanding individual capabilities and strengthening personal autonomy, thus leading to increased freedom, which Sen views as the ultimate goal of development. Within the existing human rights regime, education has been established as an important "gateway" right, opening the door for the realization of myriad others.

It is my view that its potential extends beyond this. Education can engender a psychological transformation among its recipients that has the potential to facilitate meaningful, sustainable human rights change, particularly in transitional societies. This begins with a genuine shift in mentality among ordinary citizens, resulting in increased awareness and personal empowerment, and concludes in bottom-up social change, for instance through civic engagement. Such potential renders education uniquely effective for strengthening human rights and uniquely defensible as a political conception, ethical concerns notwithstanding.

How precisely might this work? The concept of social transformation through human rights education is rooted in the idea that a greater understanding of the world around us leads to better comprehension of our own roles and rights therein. This results in different expectations for what we are afforded. A human rights education should include two primary dimensions, both approached through critical pedagogy: the first historical, the second sociological. Developing an awareness of history can help facilitate a deeper understanding of how we have gotten where are. Digging into sociology helps us further make sense of why things function the way they do today. Taken together under a critical lens, the two provide a framework for a heuristic conception of human rights.

Learning from history does not merely entail factual recounting of past events. It also involves the acquisition of what Seixas and Peck call "historical significance": "a relationship not only among events and people of the past, but also about the relationship of those people and events to us… organizing events in a narrative way that will show us something important about our position in the world"[78]. Extracting significance from history means moving beyond what

---

[78] Seixas, Peter and Carla Peck, "Teaching Historical Thinking," in *Challenges and Prospects for Canadian Social Studies* (Vancouver: Pacific Education Press, 2004): 111.

happened when and where to understanding why and how it came to pass. History ceases to be a static narrative, an immutable fate, and becomes humanly determined, dynamic, and changeable. In this way, a critical historical approach helps expand an understanding of human rights by examining the causes and origins of these rights in a way that is both normatively comprehensible and relevant to its audience. As André Keets puts it, this "constructs a relationship of 'questioning' between itself and the human rights universals it is tasked to legitimate… [and] allows for a reflexivity which is capable of questioning, from a social justice perspective, the assumptions, premises and suppositions of human rights itself"[79]

Along with history, sociology is critical for successful human rights education. Understanding the fabric of social structures today allows for consideration of the ways in which they might be altered, and how a society may progress in the future. Human rights education, from this perspective, involves a process that allows recipients to imagine (and re-imagine) how social constructs underlie rights in a personal, day-to-day context — what Felisa Tibbitts calls a "social change framework"[80]. This framework rests on the concept of Tibbitts' "learning pyramid" — a set of three mutually reinforcing models for practicing human rights education: (1) values and awareness, (2) accountability, and (3) transformation (see Figure 1).

The strategic goals for this model are socialization, cultural consensus, and normative institutionalization of human rights. The values and awareness model provides a foundation for


Figure 1. Tibbitts' "learning pyramid," in "Understanding What We Do: Emerging Models for Human Rights Education" (2002).

---
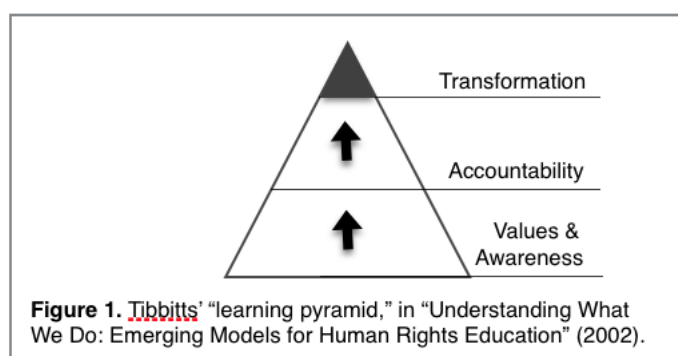
[79] Keet, André, "Plasticity, critical hope and the regeneration of human rights education," in *Discerning Critical Hopes in Education Practices* (New York: Routledge, 2014): 70.
[80] Tibbitts, Felisa, "Understanding What We do: Emerging Models for Human Rights Rducation," *International Review of Education* 48 (2002): 161.

the legal accountability model in the middle, and the psychological transformational model at the top[81]. One flaw within the existing human rights system illustrated in the context of Tibbitts' learning pyramid is a disproportionate emphasis on accountability, which mainly involves institutionalizing human rights law. Without building human rights values and awareness the pyramid lacks a foundation; considering it done at the second stage leaves the transformation unfulfilled and the learning process incomplete. Transformation involves complex psychological shifts with an ambitious goal: the inception of a human rights mentality with new social norms and standards by and for all. It normalizes the most basic idea of human rights in a way that makes them logical, accessible, and defensible to the people they are tasked with protecting. This mentality strengthens human rights by facilitating personal empowerment that leads to social development — which, in turn, strengthens the original mentality, thereby creating a symbiotic triangular process of human rights education (see Figure 2).

It is difficult to overstate how vital this transformation is in fortifying human rights, particularly in sates with mixed human rights records. A heightened awareness of rights among a citizenry strengthens the regime by lending it legitimacy and respect where it might otherwise be viewed as alien or imposing. This is particularly important considering the common critique of the regime as detached from the lives and daily struggles of those it attempts to defend, making it a lofty, vague "other." A human rights education that succeeds in linking rights to these struggles and offering them as a solution therefor opens the door to a genuine internalization of human

Figure 2. Symbiotic triangle of human rights education.

---
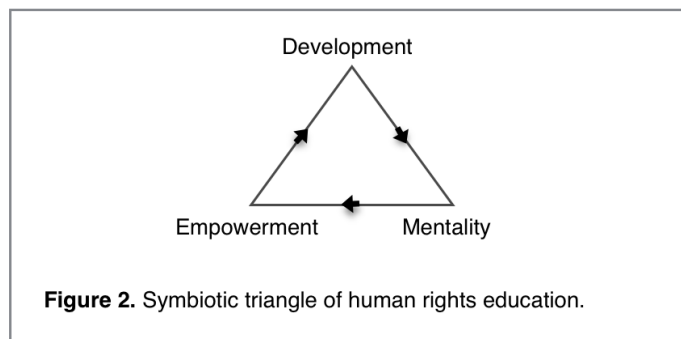
[81] Tibbitts, Felisa, "Understanding What We do: Emerging Models for Human Rights Education," *International Review of Education* 48 (2002): 165-166.

rights. This in turn can engender meaningful social and political shifts, for instance through the mobilization of grassroots civic engagement in the pursuit of rights fulfillment. Over time, this can lead to the development of rights-focused and citizen-driven instruments and institutions.

If expanded education — and more specifically, the incorporation of human rights education — can galvanize a mentality that catalyzes significant social change and human rights practices, then the stakes for improving education in transitional societies go well beyond fulfilling a right because it is a moral obligation, important as this may be. Education becomes a uniquely powerful instrument for realizing human rights. The transformative and developmental. potential of human rights education — as well as its possible impediment as a development. mandate — are illustrated in the case of Cambodia.

Progress, potential, risks: development-mandated education in Cambodia

In a country long guided by patrimonial deference for established cultural institutions and social hierarchies, the notion of citizens vying for their own rights is somewhat antithetical to the Cambodian tradition[82]. Yet today, things are changing. As education and civic engagement have increased, support for Hun Sen and the CPP has dropped. The 2013 elections were followed by months of protest. The outrage swelled again in July 2016 following the assassination of prominent political commentator and vocal CPP critic Kem Ley, which the regime was heavily suspected of orchestrating[83]. Today, there are predictions that the CNRP opposition party could win the upcoming 2018 elections in a clean race[84]. This is a drastic shift resulting from myriad causes, not least among them an expanded education system and the inclusion of a human rights curriculum.

Under heavy international guidance, Cambodia has moved to incorporate human rights education into its expanded curriculum since reform began in 1994. The Ministry of Education,

---

[82] See Simon Springer, *Cambodia's Neoliberal Order: Violence, Authoritarianism, and the Contestation of Public Space* (London: Routledge, 2010).
[83] "Cambodia's Deadly Politics," accessed 23 May, 2017,
https://www.aljazeera.com/programmes/101east/2017/01/cambodia-deadly-politics-170111105925039.html/.
[84] Pinol, Marc, "Cambodia's Commune Elections: A Barometer for 2018," *The Diplomat*, accessed 6 June, 2017;
Thul, Prak Chan, "Cambodian opposition makes gains in local elections," *Reuters,* Accessed 6 June, 2017.

Youth and Sport developed a joint effort with the non-governmental Cambodian Institute of Human Rights (CIHR) entitled Human Rights Teaching Methodology. The program works to promote rights through the inclusion of human rights education in the national curriculum, in the hope that this will "rebuild human rights and restore traditional values from the ground up by educating all the generations to come"[85]. The methodology stipulates that rights education be taught as its own subject as well as integrated into others, such as reading and literature. Additionally, in recent years Cambodian schools have begun to include a measure of history education as it pertains to the deadly Khmer Rouge rule — a departure from the previous "amnesia approach" that its history lessons took regarding the atrocities committed during this time[86].

Civic engagement in Cambodia has drastically increased in the 2010s, in what a 2015 Oxfam report calls a "turning point in social, economic and political development"[87] in the country. This increase can be traced to the 2013 elections, wherein the surprising uptick in support for the CNRP opposition party was attributed to "massive mobilization of youth support, online campaigns for change, and citizen desire for change"[88]. These culturally unorthodox demands for change, and the extent to which they impacted the outcome of the election, shook Hun Sen, the CPP, and the Cambodian status quo. Despite the fact that the resulting reforms have proven limited at best, the process by which they have emerged — that is, discontent manifested through citizen engagement to vocalize a collective will — appears a more organically democratic development than anything seen previously in Cambodia. Caroline Hughes attributes the prior absence of this "bottom up" citizen engagement in Cambodia to the failure of democratic transition and genuine human rights respect in the early 1990s; she deems

[85] Leang, Mengho, "Human Rights Education in Cambodian Schools," accessed 4 June, 2017, https://www.hurights.or.jp/archives/human_rights_education_in_asian_schools/human-rights-education-in-cambodian-schools---the-experience-of-the-last-three-years.html/.

[86] USIP Staff, "In Cambodia's Schools, Breaking Silence Over the 'Killing Fields'," *United States Institute of Peace*, accessed April 2, 2017.

[87] Mortensen, Carol, "Political Economy Analysis of Civic Space in Cambodia: Challenges and Opportunities for Active Citizenship," *Oxfam International* (2015): iii

[88] Mortensen, Carol, "Political Economy Analysis of Civic Space in Cambodia: Challenges and Opportunities for Active Citizenship," *Oxfam International* (2015): 3.

their promulgation in the past a mere diplomatic mandate[89]. The spread of apparently "real" human rights internalization and the emergence of grassroots civic engagement and genuine political dissent mark suggest an unlikely resurgence in democratic possibility in Cambodia. The notion that this transformation could be ascribed, in some measure, to increased education, lends this right a utility that renders its fulfillment essential.

However, while it is important in the given context to identify the potential and the subsequent urgency of education in strengthening human rights, it is equally pivotal to recognize the complexity of the social and political shifts that underlie such a process. The myriad, ambiguous, and often convoluted factors affecting these processes leave little room for empirical correlations or straightforward causations. This is especially true in the context of post-authoritarian, transitional societies such as Cambodia. In an environment where longstanding social, cultural, and political structures and norms are suddenly in flux, it is difficult to attribute these shifts to any one factor. Rather, a number of circumstances and influences are at play. In Cambodia, this includes expanded education but also significant demographic shifts, with scores of Cambodians flocking to urban centers for employment opportunities, and technological advances such as increased Internet access stimulating an unprecedented flow of unfiltered information. One common point among these contributing facets is increased awareness, which no single factor can fairly be attributed with facilitating.

Additionally, the potential of development as a vehicle for education and a catalyst for social change must be reconciled with the reality of its shortcomings. In Cambodia, the proclaimed "turning point" of social and political change arrived years after the country's initial commitment to development under the auspices of the United Nations in the 1990s — including expanded education and a mandated human rights curriculum. These changes have been deemed partial at best and fictitious at worst, but they satisfied the requirements of the country's new diplomatic mandate and gave the government valuable indicators to point to as proof of the country's development. This sheds light on an important flaw in the premise of development as a vehicle for rights: development initiatives in transitioning societies are not always conducive —

---

[89] See Caroline Hughes, *The Political Economy of Cambodia's Transition, 1991-2001* (London: Routledge, 2003).

and may even be unfavorable — to the transformations that they aim to facilitate because they risk sustaining a counterproductive illusion of progress.

In the Kingdom of Cambodia, the reality that expanded education and human rights adherence have functioned largely as diplomatic mandates since the government's formation in 1993 has led to the clouding of these concepts in their dissemination. This has resulted in a lack of legitimacy and a barrier for internalization among much of the public, including among young people receiving a human rights education. A 2010 report by the United Nations Development Program on youth civic engagement in Cambodia found that although engagement itself was on the rise, levels of knowledge and awareness about the topic itself were mixed at best:

> Many young people who had heard… terms did not know how to define them. 'Human rights' was a universally familiar term with mixed interpretations. When those who had heard 'human rights' were asked what the term meant, one fourth of them did not know. Nearly half referred to some form of assurance or principle of freedom…. 'Civic engagement' was less known. The two-third of young people who had heard the term gave a range of definitions about some type of responses to problems. A third of those who had heard of it could not define it. Formal training about 'democracy/civic engagement' was limited to a quarter of the full sample, of whom virtually all (94%) had been taught at school"[90].

These findings indicate qualitative challenges within human rights education stemming from development mandates. A lack of real fulfillment of the learning outcomes set forth by the aforementioned pedagogical models leaves Cambodians with perplexing half-definitions and general confusion about what these heavily expounded concepts even mean. The half-hearted realization of diplomatic mandates tied to development initiatives poses a hazard in cultivating a false appearance of progress, which can be detrimental to truly strengthening rights in that it presents a façade of improvement that can slow or altogether obstruct meaningful change.

This challenge to development-mandated education is by no means exclusive to Cambodia. In neighboring Vietnam, which liberalized its economy in 1986 and subsequently adopted an ambitious new education system, there is a serious gap between academic certification and actual knowledge and skills. This has been attributed to lacking internalization of the new system

---

[90] United Nations Development Programme Cambodia, "Youth Civic Participation in Cambodia: Knowledge, Attitudes, Practices, and Media," accessed 20 June, 2017: 12.

among both teachers and students; the former demand little and distribute disproportionately high marks, and the latter have been charged with pervasive cultural "passiveness"[91]. In both instances, education is viewed less as a process of acquiring knowledge and more as a societal checkmark of sorts. Still, the system is in place, diplomas are distributed, and it is difficult to establish whether education in Vietnam might actually be suffering more under this fractured system, considering the all-important international indicators are present. In this way, although the Vietnamese case operates within a vastly different context, it still underscores the risks evident in Cambodia, namely that a development-mandated education system that is increasingly accessible but qualitatively poor can actually be detrimental to social, economic, and political conditions in a transitioning society. To remedy this, qualitative improvements and reliable methods for measuring subsequent results are needed.

---

[91] Tran, Thi Tuyet, "Limitation on the development of skills in higher education in Vietnam," accessed 20 June, 2017.

Chapter VI: Conclusion

Can development, as a political incentive, serve as a tenable vehicle for human rights, and how might this strengthen the human rights regime in the twenty-first century? In the case of Cambodia, is the pursuit of education for the purpose of development, economic growth, and political legitimacy a viable and ethically acceptable avenue for expanding rights? How is this approach harmful or helpful to strengthening the human rights regime today?

This work offers three related conclusions to these inquiries. Firstly, a political conception of human rights, in the context of development as a vehicle for these rights, is not universally defensible, even on a theoretical plane. It carries too much ethical baggage and too many empirical risks. Pushing too far into pragmatic realizations of rights while relegating their moral foundation risks an amoral transactionalism that threatens to erode the regime altogether.

Secondly, while this approach should not be applied to rights *generally*, an exception can and should be made concerning education, on the basis of its potential in effectuating a more robust human rights regime. In the context of transitional societies, education can constitute a uniquely effective method for strengthening human rights by facilitating a psychological transformation that has the power to catalyze meaningful, bottom-up social change. This begins with the inclusion of a human rights curriculum which can fosters learning outcomes favorable to strengthened human rights, as detailed in the provided pedagogical models.

Finally, although education does provide a compelling theoretical avenue for strengthening human rights in the twenty-first century, it is difficult at this stage to delineate its empirical potential, particularly in transitioning societies such as Cambodia. Although expanded education is connected to the budding social and political "turning point" in Cambodia, these changes have been informed by myriad, interrelated factors. It is difficult, if not impossible, to ascribe disproportionate credit to any single factor, including education. Thus, the correlation I aimed to establish between increased education and strengthened human rights at the outset of the the project has proven neither as straightforward nor as empirically defensible as initially

44

envisioned. The increase in education in Cambodia since 1993 certainly appears to have contributed positively to political and social shifts in the country today. However, the extent to which the new human rights curriculum has facilitated the psychological transformation proposed in the pedagogical models is, for now, unknowable. Future work on the topic could narrow this gap by incorporating an empirical assessment of human rights education learning outcomes in Cambodia through on-site fieldwork including surveys, focus groups, and in-depth interviews.

Despite these gaps, the potential of education underlying the premise of the work remains. While not categorically demonstrable as a direct causation of greater human rights fulfillment, education does provide a possibility, and indeed the *probability,* of a human rights mentality with the potential to effectuate a stronger, more organic human rights regime by increasing public awareness and facilitating social change. Such change, in the form of civic engagement, can result in grassroots demands for human rights, thus strengthening the regime in transitioning societies and as a whole. Complexities in realizing or delineating its full potential notwithstanding, this potential, in the watershed moment of the human rights regime today, is a critical step in looking beyond existing methods to new avenues for sustainable change.

Bibliography

Al Jazeera 101 East. "Cambodia's Deadly Politics." *Al Jazeera*, 12 January, 2017. Accessed 23 May, 2017.
https://www.aljazeera.com/programmes/101east/2017/01/cambodia-deadly-politics-
170111105925039.html/.

Asian Development Bank. "Here Comes Cambodia: Asia's New Tiger Economy." 10 May, 2016, accessed 2
March, 2017. http://adb.org/news/features/here-comes/cambodia-asia-s-new-tiger-economy/.

Ayres, David. *Anatomy of a Crisis: Education, Development, and the State in Cambodia, 1953-1998.* Honolulu:
University of Hawai'i Press, 2000.

Bell, Duncan. *Political Thought and International Relations: Variations on a Realist Theme.* Oxford: Oxford
University Press, 2009.

Carothers, Thomas. "Closing Space for International Democracy and Human Rights Support." *Journal of
Human Rights Practice,* 1-20.

Chandhoke, Neera. "How global is global civil society?" *Journal of World-Systems Research* 11 (2015), 355-
371.

Claude, Richard Pierre. "The Right to Education and Human Rights Education." *International Journal on
Human Rights* 2 (2005), 36-59.

Cohen, Joshua. "Minimalism About Human Rights: The Most We Can Hope For?" *The Journal of Political
Philosophy* 12 (2004), 190-213.

Donnelly, Jack. *Universal Human Rights in Theory and Practice*. 3rd ed. Ithaca: Cornell University Press, 2013.

Enos, Olivia. "Holding the Cambodian Government Accountable to Democracy." *Heritage Foundation*, June
16, 2016. Accessed March 16, 2017, http://www.heritage.org/asia/report/holding-the-cambodian-
government-accountable-democracy/

Etcheson, Craig. *After the Killing Fields: Lessons from the Cambodian Genocide*. Westport: Praeger, 2005.

Finnemore, Martha and Judith L. Goldstein. *Back to basics: State Power in a Contemporary World*. Oxford:
Oxford University Press, 2013.

Fukuyama, Francis. *The End of History and the Last Man*. New York: Free Press, 1992.

Global Partnership for Education. "The Benefits of Education." Accessed February 4, 2017.
http://www.globalpartnership.org/education/the-benefits-of-education/.

Global Witness. *Hostile Takeover: The corporate empire of Cambodia's ruling family.* London: Global Witness,
2016.

Hafner-Burton, Emilie M. *Making Human Rights a Reality*. Princeton: Princeton University Press, 2013.

Hopgood, Stephen. *The Endtimes of Human Rights*. Ithaca: Cornell University Press, 2013.

Hughes, Caroline. *The Political Economy of Cambodia's Transition, 1991-2001*. London: Routledge, 2003.

International Foundation for Electoral Systems Election Guide. "Kingdom of Cambodia - IFES Election Guide
Country Profile: Cambodia." Accessed 23 May, 2017. http://www.electionguide.org/countries/id/37/.

International Monetary Fund. "IMF Survey: Fast-Growing Cambodia Can Reap Further Benefits from
Reforms." *IMF Survey*, 17 November, 2015. Accessed 3 April, 2017.
http://imf.org/en/News/Articles/2015/09/28/04/53/socar111715a/.

Ishay, Micheline R. *The History of Human Rights: From Ancient Times to the Globalization Era*. Berkeley:
University of California Press, 2004.

Keet, André. "Plasticity, critical hope and the regeneration of human rights education." In *Discerning Critical
Hopes in Education Practices*. New York: Routledge, 2014.

Kiernan, Ben. *The Pol Pot Regime: Race, power, and genocide in Cambodia under the Khmer Rouge, 1975-79*.
New Haven: Yale University Press, 2008.

Knoema World Data Atlas. "Cambodia - Expenditures on Education - Public spending on education as a share
of gross domestic product." Accessed 17 May, 2017.
https://knoema.com/atlas/Cambodia/topics/Education/Expenditures-on-Education/Public-spending-on-
education-as-a-share-of-GDP/.

Lingard, Bob and Fazal Rizvi. *Globalizing Education Policy*. London: Routledge, 2010.

Leang, Mengho. "Human Rights Education in Cambodian Schools." Accessed 4 June, 2017,
https://www.hurights.or.jp/archives/human_rights_education_in_asian_schools/human-rights-education-
in-cambodian-schools---the-experience-of-the-last-three-years.html/.

Mortensen, Carol. "Political Economy Analysis of Civic Space in Cambodia: Challenges and Opportunities for
Active Citizenship." *Oxfam International,* 2015.

Nussbaum, Martha. *Creating Capabilities: The Human Development Approach*. Cambridge: Harvard University
Press, 2011.

Pinol, Marc. "Cambodia's Commune Elections: A Barometer for 2018." *The Diplomat*, 24 May, 2017.
Accessed 6 June, 2017.

Risse, Thomas, Stephen C. Ropp, and Kathryn Sikkink. *The Persistent Power of Human Rights: From
Commitment to Compliance*. New York: Cambridge University Press, 2013.

Roser, Max and Esteban Ortiz-Ospina. "The Global Rise of Education." *Our World In Data*. Accessed 2
March, 2017. https://ourworldindata.org/global-rise-of-education/.

Royal Government of Cambodia. "Education for All 2015 National Review Report: Cambodia." Accessed 3 May, 2017. http://unesdoc.unesco.org/images/0022/002297/229713E.pdf/.

Royal Government of Cambodia. "Education for All National Plan 2003-2015." Accessed 15 March, 2017. http://119.82.251.165:8080/xmlui/handle/123456789/272/.

Royal Government of Cambodia Ministry of Education, Youth and Sport. "Education Strategic Plan 2014-2018." March 2014. Accessed 16 May, 2017. https://www.veille.univ-ap.info/media/pdf/pdf-1436325627550.pdf/.

Schultz, Theodore W. "Investment in Human Capital." *The American Economic Review* 51 (1961), 1-17.

Seixas, Peter and Carla Peck. "Teaching Historical Thinking." In *Challenges and Prospects for Canadian Social Studies*, ed. A. Sears and I. Wright. Vancouver: Pacific Education Press, 2004.

Sen, Amartya. *Development as freedom*. Oxford: Oxford University Press, 2001.

Springer, Simon. *Cambodia's Neoliberal Order: Violence, Authoritarianism, and the Contestation of Public Space*. London: Routledge, 2010.

Strangio, Sebastian. *Hun Sen's Cambodia*. New Haven: Yale University Press, 2014.

Sylvester, Christine. "Development Studies and Postcolonial Studies: Disparate Tales of the 'Third World'." *Third World Quarterly* 20 (1999), 703-721.

Szirmai, Adam. *Socio-economic development*. Cambridge: Cambridge University Press, 2015.

Tibbitts, Felisa. "Understanding What We Do: Emerging Models for Human Rights Education." *International Review of Education* 48 (2002), 159-171.

Thul, Prak Chan. "Cambodian opposition makes gains in local elections." *Reuters,* 5 June, 2017. Accessed 6 June, 2017.

Tran, Thi Tuyet. "Limitation on the development of skills in higher education in Vietnam." *The International Journal of Higher Education* 65 (2013). Accessed 20 June, 2017.

Un, Kheang. "Cambodia: Moving away from democracy?" *International Political Science Review* 32 (2011), 546-562.

Unicef Cambodia. "Education." Accessed 23 May, 2017. https://www.unicef.org/cambodia/3.Education.pdf/.

United Nations Development Programme. "Human Development Index (HDI)." Accessed March 1, 2017. http://hdr.undp.org/en/content/human-development-index-hdi/.

United Nations Development Programme Cambodia. "Youth Civic Participation in Cambodia: Knowledge, Attitudes, Practices, and Media." November 2010.Accessed 20 June, 2017.

United Nations Office of the High Commissioner. "Country Profile for Cambodia." Accessed 3 May, 2017.

http://www.indicators.ohchr.org/.

United Nations Peacemaker. "Framework for a Comprehensive Political Settlement of the Cambodia Conflict."
Accessed 2 March, 2017. http://www.peacemaker.un.org/cambodiaparisagreement91/.

United Nations General Assembly. "International Covenant on Economic, Social, and Cultural Rights." Treaty
Series 999 (1966), 171.

United Nations General Assembly. "Universal Declaration of Human Rights." 217 (III) A. Paris, 1948.
Accessed 9 January, 2017. http://www.un.org/en/universal-declaration-human-rights/.

USIP Staff. "In Cambodia's Schools, Breaking Silence Over the 'Killing Fields'," *United States Institute of
Peace*, 8 April, 2015. Accessed 2 April, 2017.

World Bank. "Cambodia: Overview." Accessed 2 April, 2017.
http://www.worldbank.org/en/country/cambodia/overview.

World Bank. "Lower secondary completion rate, total (% of relevant age group): Cambodia." Accessed 1 June,
2017. http://data.worldbank.org/indicator/SE.SEC.CMPT.LO.ZS?locations=KH/.