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Christoph Sperfeldt

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violence of empire and racist assimilation. Such disconnection calls out for alternative intimacies that do not rely on familial reproduction of trauma nor identitarian forms of being and belonging.

This book makes a necessary intervention in Critical Refugee Studies, reorienting the field toward future configurations of intimacies. It should be included in undergraduate and graduate curricula addressing refugees, empire, racialization, kinship, and feminist/queer studies.

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Colonial Law Making: Cambodia under the French

SALLY FRANCES LOW

Singapore: NUS Press, 2024.

Anyone who has stepped into the former Palais de Justice, opposite the Royal Palace in Phnom Penh, will feel the air of France's colonial heritage in Cambodia. Inaugurated in 1925 and more recently housing the offices of Cambodia's Ministry of Justice and the Appeal Court, the compound represented the heyday of colonial law in this former protectorate of France (1863–1953). It is therefore fitting that Sally Frances Low opens her fascinating monograph *Colonial Law Making: Cambodia under the French* with a description of this symbol of colonial rule. The book is a sensitive and thoughtful analysis of how colonial law was conceived and practiced under the French. It is meticulously put together, based on many years of archival research, especially in the National Archives of Cambodia and the Archives Nationales d'Outre-Mer in France. Patiently and rigorously, Low has unearthed a vast amount of archival sources and combined these in a lucid narrative that brings to life an important aspect of colonial rule. Interweaving accounts of the structural conditions of colonial Cambodia with personal stories of the colonizers and colonized, the author has produced an engaging legal history that reveals law both as a tool of a colonial civilizing mission and as a means of domination. In essence, Low posits that “colonial law justified, established, authorised, ordered and influenced colonial rule” (p. 3).

The book makes an original and well-researched contribution to the scholarship on colonial law (Merry 2003; Dezalay and Garth 2010) and fills an important gap in our understanding of French colonial rule in Cambodia (Forest 1979; Edwards 2007). Yet, Low is attentive also to both the connections and the variations in the ways in which the law is imagined and practiced across different colonial contexts and empires. As someone who is neither a historian nor an expert in the literature on colonial law, I have focused in this review more on the socio-legal legacy of colonial law making in Cambodia. I highlight in the following some key themes that transcend the book's

chapters: the nature of indirect rule in the protectorate and the role of the monarchy, contestations between colonial rulers and local elites and how these shaped the law and its practice in unique ways, how colonial law and jurisdictions categorized and divided the protectorate along ethnic lines, and the long-lasting legacies of French colonial law in postcolonial Cambodia.

First, since Cambodia was a protectorate, the exercise of colonial rule there invariably differed from other parts of French Indochina. Low shows how a narrative of protection, grounded in the 1863 Treaty of Amity, Commerce and Protection, was seized upon by the French to expand their powers well beyond the terms of the treaty and at the expense of King Norodom, who nominally ruled Cambodia for much of the second half of the nineteenth century. Considering the monarchy's significance in Cambodian history and tradition, its symbolic power was mobilized by the French to legitimize their own domination over the protectorate, illustrated by the fact that laws were soon jointly promulgated by the King and the *résident supérieur*, the highest's colonial official in Cambodia. Thus, while ostensibly employed in support of a mission to modernize and "civilize" Cambodia, colonial law maintained a close relationship with custom and helped to legitimize authoritarian rule. This relationship between law, order, and largely unaccountable rulers continued in new guises through much of Cambodia's postcolonial history (Chandler 2019).

Second, Low astutely reveals that contestations between colonial rulers and local elites were at the core of how colonial law was conceived and shaped. The law became an arena for struggles over control, in which different conceptions of law, justice, and rule stood in opposition. From these contestations emerged "hybridised" concepts of law that, according to Low, melded "old" Cambodian methods of rule with "new" French approaches of governance. Thus, while the French imposed on the protectorate a state-based hierarchy of legal codes and courts, especially during the early twentieth century (Blazy 2014), they simultaneously relied on negotiations with local elites in the exercise of power and thereby accommodated established structures of clientelism and customary notions of law. The book highlights with the example of Prince Sihanouk's rule under the Sangkum how such hybridized notions of law and governance continued into the post-colonial era. Other observers will feel reminded of the legal and judicial reforms during the 1990s or even the hybrid Khmer Rouge Tribunal (Ciorciari and Heindel 2014)—each combining and thus "hybridising" rule of law concepts and structures with distinct Cambodian elements and understandings of law.

The result is a compelling account that portrays Cambodians as neither passive nor powerless but rather as active participants in the making and shaping of the colonial law of the protectorate. Yet, ordinary, non-elite Cambodians remain in the background. The author acknowledges that the archives on which this book relied are inherently elite-made and -focused. The lived experiences of ordinary people under colonial law are therefore difficult to reconstruct. However, building on her long-standing experience of working in Cambodia, Low remains sensitive to her subjects and aware of the power imbalances inherent in her archival materials.

Third, Low provides a fascinating account of how colonial law categorized populations along ethnic lines and divided them into different jurisdictions. There were effectively three such jurisdictions: one for French citizens and other Europeans; one for “foreign Asiatics,” predominantly ethnic Vietnamese but also Chinese; and the “indigenous” jurisdiction, which covered the majority Khmer population (Hoeffel 1932). The people in each jurisdiction were governed by different laws and courts, with the indigenous jurisdiction remaining mostly in the hands of Cambodian judges. The result was a discriminatory system of jurisdictions with no equality before the law that not only distinguished between the colonizer and the colonized but also among the colonized populations of the protectorate. As such, colonial law incorporated and, in many ways, exacerbated existing ethnic tensions, especially with regard to ethnic Vietnamese communities (Thun and Keo 2024). The ethnicity-based categorizations and distinctions were carried over into post-independence Cambodia, where many long-term residents of Vietnamese origin remain stateless to this day (Sperfeldt 2020).

Throughout the book, Low carefully identifies and traces the long-lasting legacies of colonial legal arrangements. The French influence on Cambodia’s formal legal and judicial system remains visible to this day, with French development cooperation having played a central role in the reform of the Criminal Code and Criminal Procedure Code during the 1990s. Although colonial law introduced many of the foundational rule of law concepts and institutions that are still used in Cambodia today, their application in practice was frequently restricted as the law also served as an instrument of domination. The result is the façade of a relatively well-developed postcolonial legal infrastructure behind which hybridized notions of law and rule continue to reverberate (Sperfeldt 2016). For instance, colonial restrictions prevented the emergence of an independent and robust Cambodian legal profession, leaving a legacy of a lack of autonomy in the legal field. This was further exacerbated by a general neglect of legal education—the first law diploma in Cambodia was offered only in 1949 and the Faculty of Law and Economics established only post-independence, in 1957.

Overall, Low has produced a thought-provoking account of how a fusion of Cambodian traditions and French influences shaped the nature, authority, and practice of law in Cambodia. This book is a must-read for those wanting to obtain a fresh and insightful understanding of the contested making and working of colonial law and its long afterlife, both in Cambodia and beyond.

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Turning Land into Capital: Development and Dispossession in the Mekong Region

PHILIP HIRSCH, KEVIN WOODS, NATALIA SCURRAH, and MICHAEL B. DWYER, eds.
Seattle: University of Washington Press, 2022.

What is land? The anthropologist Tania Li (2014, 589) observed that “Land is a strange object” and can be considered “an assemblage of materialities, relations, technologies and discourses that have to be pulled together and made to align.” These multiple facets of land make discussions about land relations and land politics increasingly complex. This complexity is reflected in the interdisciplinary discussions over the past decade about global land grabbing, with the Mekong region emerging as a key area for exploring this topic. Under the influence of globalization and the market economy, land in this region has transformed from a traditional production factor into a mobile and appreciating asset. This process, known as land capitalization, has triggered various socio-economic and political concerns. The edited volume *Turning Land into Capital: Development and Dispossession in the Mekong Region* thoroughly explains these issues.

The introduction of the book discusses the complexity of land capitalization, with its social, economic, and political factors and resulting struggles, resistance, accumulation, and exploitation issues.