

Border wars: the ongoing temple dispute between Thailand and Cambodia and UNESCO's World Heritage List

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This article traces the history of the ongoing tension between Thailand and Cambodia over a beautiful Khmer temple located on the unresolved border between the two countries. The struggle is noteworthy for its transethnic character, the deep and imbricated history of the players, and the fight's intersection with dramatic contemporary politics in both countries. The paper argues that the dispute implicates existential challenges to ancient and contemporary political legitimacy. It emphasizes the significant role iconic sites can play in the construction of national identity as well as in the competitive global tourism market. The paper questions UNESCO cultural heritage policy concerning contested nominations to the World Heritage List and offers a recommendation for future treatment of similar cases.

Keywords: Thailand; Cambodia; Preah Vihear; UNESCO; World Heritage List; cultural heritage; nationalism

Army chief Anupong Paojinda visited troops stationed along the Cambodian border on Wednesday [14 July 2008], ahead of Phnom Penh's 'Day of Anger' against Thailand. The Cambodian government is reported to have organised the Day of Anger on Thursday [15 July 2008] to express its dissatisfaction with Thailand over the Preah Vihear temple conflict. Cambodian non-governmental organisations were planning a parade in Phnom Penh on Thursday to mark the second anniversary of the World Heritage listing of the ancient Hindu temple. Thailand is still challenging the listing, demanding the site being [*sic*] jointly administered ... [Thai] Deputy Prime Minister Suthep Thangsuban said ... 'Cambodia organised the Day of Anger because the government there wants to strengthen feelings of patriotism' ... (*Bangkok Post*, 14 July 2010)

UNESCO's member states use the nomination process and promotion of world heritage sites for their own domestic agendas of cultural hegemony and state nationalism (besides the well-recognised function of generating tourism income). (Askew 2010, p. 23)

Introduction

The ancient Khmer capital of Angkor, in Cambodia, is one of the world's greatest and most recognisable ancient sites due to its iconographically rich, exquisitely constructed architecture (see, e.g., Jacques and Freeman 1997, Jessup 2004, Albanese 2006, Rooney 2008). Between the ninth and early fourteenth centuries, Angkor's cultural influence and political control extended over much of Cambodia, the Khorat

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Plateau of north-east Thailand, and southern Laos (Higham 2001, Coe 2003). When the Khmer Empire collapsed (Taylor 1999, pp. 169–170, Lieberman 2003, p. 242, Stone 2006, 2009, Buckley *et al.* 2010), it left behind a landscape covered with temples and related sites, some 300 of which are in Isan (the widely used Thai term for north-east Thailand; see Keyes 1967, p. 3) (Figure 1). Possession of one of these outlying temples, Preah Vihear, has fluctuated between Thailand and Cambodia for more than 100 years, being located on the intensely disputed border between the two countries. The site now resides 700 metres within Cambodia.

This paper is an examination of the underlying causes of the border wars and diplomatic wrangling that have occurred over Preah Vihear. The review takes us back in time to the formation of Thailand's own foundational empires and through the colonial and postcolonial period of the region. My discussion is informed by Thai discourses of nationalism and ethnicity, observations about Cambodia's recovery from its traumatic Khmer Rouge past, and a critical perspective on the competitive intersections of UNESCO's concept of world heritage with international tourism and economic development. I have tried to be balanced in my coverage of Preah Vihear, although some readers may perceive a privileging of the Thai side of this dispute.

Preah Vihear dramatically embodies the critical attention that nationalism and archaeology have received over the past two decades (see, e.g., Arnold 1990, Silberman 1990, Dietler 1994, Kohl and Fawcett 1995, Meskell 1998, Abdi 2001, Benavides

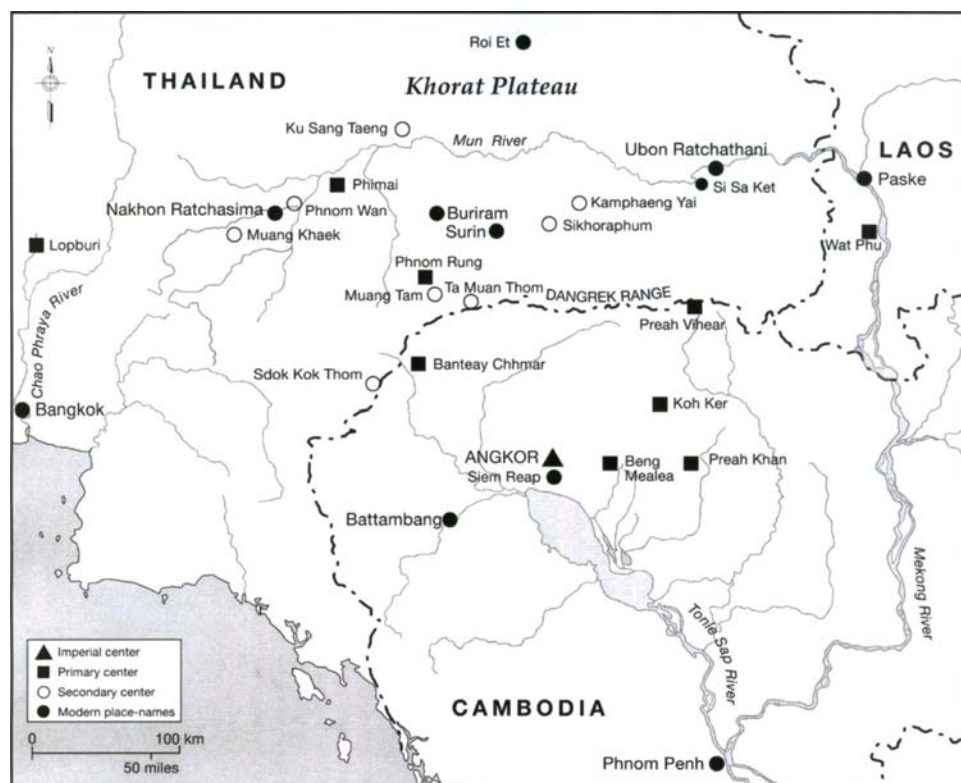


Figure 1. Map showing major Angkorean sites and other places mentioned in the text. Adapted from Coe (2003: fig. 39).

2004, Galaty and Watkinson 2006) and the relationship of that interlinkage to issues of contested cultural heritage (e.g., Bernbeck and Pollock 1996, Mitchell 2001, Fontein 2006, Winter 2007, Silverman 2010). A recent volume by Labadi and Long (2010), in particular, contributes to this field of investigation in its overt recognition of globalisation as the context for much activity in the heritagescape today. Thus, the Preah Vihear controversy is especially deserving of analysis.

Historical background

The Khmer and Tai people¹ have been deeply entwined over time. Sukhothai, in central Thailand, had been a Khmer garrison which, upon its capture by Tai forces (between 1219 and 1243), developed into the capital of the first Tai empire in Thailand (Lieberman 2003, p. 244). Notwithstanding the enmity between the Khmer and Tai, upon its liberation from Angkor Sukhothai 'absorbed much of the Khmer culture of the Classic period, including urban planning, art and architecture, royal institutions, the Hindu-Brahmanic religious tradition, Khmer music and dance, and the Khmer script' (Coe 2003, p. 207).

Ayutthaya, capital of the second Tai empire, also had been a Khmer outpost (Coe 2003, p. 206). When the Tai royal court was founded there in 1351, Ayutthaya fashioned itself 'as heir ... to Angkor's classical brilliance [and] awarded itself the classical name of Angkor, spoke Khmer as well as Tai, used Khmer in official documents well into the fifteenth century, and thereafter retained Khmer script for religious writings' (Lieberman 2003, pp. 245, 246; see also Wyatt 2003, pp. 60–61). Coe perceives in Ayutthaya's layout a close copy of Angkor Thom (2003, pp. 191–192).

Throughout the late eighteenth century and first six decades of the nineteenth century Siam was in possession of several Cambodian provinces, including Siem Reap, where Angkor is located. But Siam was little interested in Siem Reap until French explorer Henri Mouhot effectively discovered Angkor Wat in 1860. France's passion for Angkor (Peleggi 2007, p. 156) and establishment of the French protectorate in 1863 pushed Siam out of its Cambodian territory, which had been in a vassal relationship to Bangkok. Peleggi (2007, p. 156) suggests that King Mongkut's (r. 1851–68) placement of a large model of Angkor Wat in the Grand Palace in Bangkok (Figure 2) was prompted by the newly discovered grandeur of Angkor and by the new threat to Siamese sovereignty posed by European powers – the royally situated model was a visible assertion of Siam's territorial claims against French expansion.

A series of Franco-Siamese treaties beginning in 1867 (when France ceded Cambodian territory to Thailand) and continuing into the early twentieth century established most of the current border between Thailand and Cambodia. The Franco-Siamese treaty of 1904 specifically placed Preah Vihear in Cambodia. The Franco-Siamese treaty of 1907 officially transferred the Cambodian provinces of Siem Reap, Sisophon, and Battambang to France. The Franco-Siamese treaties of 1893 and 1904 also put north-east Thailand firmly under direct the administrative control of Bangkok (see Keyes 1967, pp. 14–21).

Notwithstanding the treaty delimitations, in 1934 Thailand demanded possession of Preah Vihear once more. In 1940, taking advantage of the distraction of World War II, Thailand sent armed forces to occupy Preah Vihear. Thailand also registered the site as a national monument, calling it Khao Phra Viharn or Prasat Phra Wihan. Thailand was also able to recapture Siem Reap, in whose heart was Angkor, as well as Battambang (Wyatt 2003, p. 245, Chandler 2008, pp. 203–204).



Figure 2. King Mongkut's large model of Angkor Wat in the Grand Palace in Bangkok. © H. Silverman, 2008.

Thailand again lost its Cambodian territory in the immediate aftermath of the Allied victory in World War II, for it had aided Japan (Wyatt 2003, pp. 247, 250–253). However, when France withdrew from Cambodia in 1953, Thailand took advantage of the opportunity to re-occupy Preah Vihear. It was this action in 1954 that prompted Cambodia to bring suit against Thailand in the International Court of Justice (ICJ) in 1959. Also, in 1959 Thailand had enlarged its delimitation of the temple to include associated buildings (Fine Arts Department and ICOMOS/Thailand 2008).

In 1962 the ICJ ruled in Cambodia's favour concerning Preah Vihear, notwithstanding the fact that the Franco-Siamese treaty of 1904 used the watershed² as the natural boundary between Thailand and Cambodia, and Preah Vihear is on Thailand's side of the watershed – from that nation's point of view. On the other hand, other suit participants argued that the watershed either could not be determined or passed through the centre of the temple itself (Lamb 1968, p. 169).

In the ICJ proceedings Thailand complained that the map presented by Cambodia was inaccurate concerning the location of Preah Vihear with relation to the watershed. The ICJ ruled that since Thailand had not made any observation about the map in 1907 or subsequently, it had tacitly accepted it (Singh 1962, p. 24, Cuasay 1998). Although Thailand lost the temple of Preah Vihear, the ICJ ruling left ownership of 4.6 sq km of land immediately around the site unresolved, resulting in a continuing dispute over the international boundary line in this area.

It is also important to situate the ICJ decision and Thai–Cambodian friction in the larger context of international relations implicating French Indochina, US concerns about the rise of communism in the region, and Cambodia’s Prince Norodom Sihanouk’s growing engagement with Red China (Wyatt 2003, pp. 263–274) – accompanied by simultaneous Cambodian overtures to the US (Cuasay 1998, pp. 878–879) – which Cuasay (1998, p. 878) plausibly contextualizes within Cambodia’s tense relationships with Thailand, Thailand’s international stance of non-aggression and neutrality in the Cold War era, and the pursuit of national identity by both countries. Winter (2007, p. 43) concludes, ‘In a cold war environment of increasing regional and internal hostilities, [Sihanouk] cultivated a political rhetoric of a nation threatened with a loss of sovereignty.’ In effect, Cambodia was playing off the superpowers against each other (Cuasay 1998, pp. 879–880).

Preah Vihear was embedded in Sihanouk’s appropriation of the Angkorean past, with Angkorean heritage ‘bolster[ing] his calls for a post-independence racial and national unity’ (Winter 2007, p. 43). Adjudication of Preah Vihear was inseparable from the political problems engulfing all of Southeast Asia, leaving Thailand little recourse but to accept the ICJ decision rather than further damage its international relations and thus its security (Cuasay 1998, p. 881; Denes 2006, pp. 220–222).

Soon after the ICJ decision, political turmoil overwhelmed Cambodia, culminating in the horrific Khmer Rouge regime. Even after the overthrow of the Khmer Rouge by Vietnam in 1979, Cambodia endured a final episode of guerrilla warfare. But the dramatic shift in the world order in 1989 began to generate the larger global conditions enabling the start of a Cambodian recovery. In 1990 the UN established a Transitional Authority as the Cambodian government, and in 1993 elections were held.

It is in this context that Cambodia’s nomination of Angkor to the World Heritage List was approved: ‘When peace came in 1992, UNESCO inscribed Angkor on the World Heritage List, as well as the World Heritage in Danger List to save it from further destruction and looting’ (UNESCO World Heritage Centre website: <http://whc.unesco.org>). UNESCO’s action reflected international recognition of the post-Khmer Rouge government. Domestically, Angkor was a unifying project for this injured nation and manifested Cambodian awareness that a rehabilitated Angkor had the potential to generate significant tourism revenue once sufficient infrastructure could be established (see, e.g., Winter 2007).

As the astute on-the-ground guidebook *Lonely Planet* (2008, p. 44) observes: ‘Angkor is everywhere [in Cambodia]: on the flag, the national beer, hotels and guest-houses, cigarettes – anything and everything. It’s a symbol of nationhood and of fierce pride; Cambodians built Angkor Wat and it doesn’t come bigger than that.’ This point was made earlier by L.P. Singh (1962, p. 26) who argued that relics of the Khmer Empire are ‘symbolic of Cambodia’s glorious historical heritage’. Winter (2006, 2007) illustrates and masterfully interprets Cambodia’s symbolic reproduction of Angkor as well as the site’s many contexts and frames for interpretation. But it is important to understand that this is a recent appropriation of the past. ‘Between the days of Angkor and the twentieth century [there] were generations of Khmers for whom Angkor, if not unknown, was nonetheless without the significance now attached to it ... the Khmers have begun to need Angkor’ (Taylor 1999, p. 163). This *need* first found expression in the nomination of Angkor to the World Heritage List, and subsequently in the nomination of Preah Vihear.

Adding Preah Vihear to the UNESCO World Heritage List

Preah Vihear is part of the network of Khmer sites on the Khorat Plateau, Isan. So similar is Preah Vihear to these other sites that it is included in Siribhadra and Moore's (1992) *Palaces of the Gods: Khmer Art and Architecture in Thailand* and in Michael Freeman's *A Guide to Khmer Temples in Thailand and Laos*, in which he refers to the southern flank of Isan as 'upland Cambodia' (1996, p. 6).

Although several of Preah Vihear's sister sites on the Thai side of the current border (Phimai, Muang Tam and, especially, Phanom Rung) are comparable in architectural layout, construction, iconographic programme, and size, Preah Vihear can only be described by superlatives because its setting is, quite simply, breathtaking. The temple is magnificently sited – perched on a 525 metre-high promontory in the Dangrek mountain chain, which separates Thailand and Cambodia, overlooking the lush Cambodian plain below (Figure 3).

Cambodia's nomination of Preah Vihear to the World Heritage List in 2002 had little to do with Cambodian concern about site protection in UNESCO's sense. Rather, as with Angkor's nomination, there was a direct correlation between Cambodian cultural politics and *realpolitik*. Preah Vihear had been the last Khmer Rouge stronghold (it was only liberated in 1998). In 1999 Cambodia joined ASEAN (Association of Southeast Asian Nations). In nominating Preah Vihear to the World Heritage List the Cambodian government was demonstrating its definitive victory over the Khmer Rouge, envisioning economic development through tourism at Preah Vihear, and continuing its project of nation-building.

Related to this vision of development was the nomination as an assertion of Cambodian territorial sovereignty over the site vis-à-vis Thailand, and a reaffirmation of Cambodian 'nationness' – for possession of Preah Vihear was and is a national project, wrapped up in Cambodia's current pervasive identification with the ancient Khmer Empire, from which the vast majority of Cambodians descend as ethnic Khmers (Mabbett and Chandler 1995).



Figure 3. Preah Vihear's dramatic setting. Public domain photograph.

But whereas Angkor's inscription was uncontested by Thailand, the nomination of Preah Vihear was complicated, notwithstanding that the 2008 inscription document³ explicitly made reference to a clause in the UNESCO World Heritage Convention, which clarifies that inscription of any site in no way adjudicates a territorial dispute between two countries but only recognizes the outstanding universal value of a particular monument. Cambodia's Preah Vihear inscription document specifically noted Thailand's expressed support for Cambodia's nomination of the site to the World Heritage List and Thailand's 'stated readiness to cooperate with the State Party of Cambodia for the safeguarding of this property'. In its approval of the nomination, UNESCO explicitly requested that:

the State Party of Cambodia ... implement, in close co-operation with the neighbouring Government of Thailand, detailed arrangements for the conservation of the property, based on the principles expressed by the two States Parties at the 5th Meeting of the Joint Commission for Bilateral Cooperation between the Kingdom of Cambodia and the Kingdom of Thailand, especially in respect of:

- (a) Joint management [of the site];
- (b) The continued open border;
- (c) [Land] mine clearance.

In 2003 Thailand and Cambodia agreed to 'jointly *develop* the Temple of Preah Vihear' (Thailand Ministry of Foreign Affairs 2008, emphasis added), presumably for tourism. On 5 March 2008, as inscription of Preah Vihear loomed, newly elected Thai Prime Minister Samak Sundaravej expressed Thailand's support for the nomination with the explicitly stated understanding that in exchange Cambodia would not assert control over the disputed area surrounding the temple (*Macau Daily Times*, 5 March 2008).

However, this official Thai support for the Cambodian nomination was made within the context of fractious Thai internal politics, which subsequently exploded when the Thai government was thrown into disarray as the Central Administrative Court ruled that 'the entire cabinet had violated the charter by not seeking parliamentary approval for a deal with Cambodia over [the] disputed temple' (*Bangkok Post*, 30 December 2009). Foreign Minister Nappadon Pattama had to resign (on 10 July 2008). Moreover, UNESCO's impending July 2008 approval of Preah Vihear as a World Heritage Site had already provoked street protests in Bangkok (some journalists argued that the People's Alliance for Democracy was using Preah Vihear as an excuse to destabilise the government of Prime Minister Samak Sudarevej). On 15 July 2008 Thai and Cambodian soldiers began to exchange fire at Preah Vihear. The next day Thailand sent more troops to the border. Cambodia reinforced its troops. Thailand sent more troops. And so on through October 2008 with repeated incidents of fighting. In April 2009 and again in January 2010 there were more border clashes, each time with loss of life and severe bodily injuries. Thus, domestic politics intervened in international cultural politics with lethal results.

Meanwhile, Cambodia has submitted its required management plan for Preah Vihear to the UNESCO World Heritage Committee. Thailand contends that the plan includes the disputed territory. Therefore, Thailand announced in February 2010 that it would formally object to the plan before its review in July 2010 at the 34th session of the World Heritage Committee (*Bangkok Post*, 11 February 2010; *Phnom Penh Post*, 22 February 2010). Thailand furthermore argues that the border dispute must be resolved bilaterally and not in the International Court of Justice in the Hague

(*Bangkok Post*, 11 February 2010), where Thailand lost control of Preah Vihear in 1962.

Indeed, at the World Heritage Committee meeting in Brasilia in July 2010 the case of Preah Vihear was discussed, with Thailand's Prime Minister, Abhisit Vejjajiva, remaining firm on the need to resolve the demarcation line between both countries prior to consideration of the site management plan. Thailand continues to claim the 4.6 sq km territory as its own. Cambodia continues to insist that Thailand illegally occupies land adjacent to the temple. The World Heritage Committee therefore decided to make no decision on Preah Vihear, postponing reconsideration of the issue until next year's meeting of the World Heritage Committee in July 2011 in Bahrain.

The nationalist dynamics of insistence

How are we to understand the repeated, century-long insistence of Thailand concerning Preah Vihear, particularly since both parties acknowledge that the territorial border dispute is separate from ownership of the temple, and UNESCO's legal framework affirms the unresolved status of the political border. What is it about Preah Vihear that stirs these passions, for the continuing dispute over the site is unique in the annals of the UNESCO World Heritage List.

I think it is obvious why Cambodia wants to retain Preah Vihear given the site's tourism potential and uncontested relationship to Angkor, so firmly established in the Cambodian national imaginary (see Winter 2007). Also, one could suggest that the current and recurring tension with Thailand distracts Cambodians from the internal political and economic problems of their country (e.g., Denes 2006, p. 445, Anon 2008) and unifies them around nationalism (see epigraph at the beginning of this paper). Similarly, for Thailand, Preah Vihear is an expression of and distraction from Thailand's domestic political disputes.

But Thailand's conflict with Cambodia over the site goes much deeper. The dispute is the manifestation of a longstanding existential Thai challenge to Cambodia's very legitimacy as a nation (Osborne 2008) and longing for lost territories (Denes 2006, pp. 133–142). Chandler (2008, pp. 95, 96, 100) observes that 'Until the end of the sixteenth century Phnom Penh ... and Ayudhya [Ayutthaya] considered themselves not separate polities but participants in a hybrid culture.' They shared a religion (Buddhism, which had been introduced in the sixth century) as well as use of Khmer as the official language common to both early kingdoms. Chandler (2008, p. 297) concludes that 'Despite, or perhaps because of, cultural affinities, relations [between Thailand and Cambodia] have never been marked by a sincere effort on the part of Bangkok to treat Cambodia as a sovereign nation.'

This attitude is reflected in Thailand's belief that it has a strong historical claim not just to Preah Vihear but to much of Cambodia, based on its repeated possession of Cambodian territory over centuries. Indeed, the Cambodian royal chronicles demonstrate that 'Cambodian writers accepted that their country had been a weak vassal of the Thai from nearly the beginning of recorded history ... Cambodian kings ... brought the kingdom back together after times of trouble [only by having established] a special relationship with the Thai court and who had received Thai aid in regaining the throne against local opposition' (Vickery 1979, p. 154). Peleggi (2007, pp. 156–157) says Thailand can argue a claim to Angkor itself based on post-apogee Khmer court chronicles (see also Coe 2003, p. 199). Chandler (2008, p. 138) states that Thailand saw itself

as a superior state destined to conduct ‘a sort of civilizing mission’ inside Cambodia. Wyatt (2003, p. 275) interprets Thailand’s position as feeling ‘intuitively like “older brothers”’ toward Cambodia (see also Lieberman 2003, p. 331). That asymmetrical fictive kin relationship is illustrated by the refuge sought in Ayutthaya in the first half of the sixteenth century by a deposed Cambodian king and his restoration under Thai patronage, which ‘set a precedent that many Cambodian kings were to follow’ (Chandler 2008, pp. 97, 115, 134).⁴

At no time was Thai dominance clearer than in the 1840s when Cambodia ‘ceased to exist as a recognizable state’ (Chandler 2008, p. 141). In the nineteenth century there were Thai-sponsored coronations and Thailand, as I indicated above, claimed control over several regions of Cambodia, including the ruins of Angkor itself. However, it is important to indicate that Cambodia repeatedly resisted Thailand’s arrogation, a notable and relevant example of which was the establishment of the Buddhist Institute in Phnom Penh in 1914 specifically ‘destined to shield the Khmer monks from the influence of the Thai monasteries, it was also the crowning achievement of a cultural project that solidified a renaissance movement within Khmer culture’ (Brocheux and Hémerly 2009, p. 229).

Historical documents, including inscriptions, from the dynastic period leave no doubt that Khmer kings ruled Isan when the great Khmer temples were built there. But some Thai nationalists and archaeologists have put an interesting spin on that fact. They have argued that the Khmer phenomenon actually began in Isan and spread south into Cambodia, making Thailand (Isan) the source of the Khmer civilisation (Thongchai Winichakul 1995, p. 108, Denes 2006, pp. 133–135, 224–230). In addition to historical carvings that appear first in north-east Thailand and only later are repeated at Angkor (Keyes 2002, p. 223, citing Suriyavudh Suksvasti 1985, p. 110), Isan ‘furnished ... Angkor with two kings directly – Jayavarman VI and Suryavarman II’ (Freeman 1996, p. 6).⁵ Official Thai national discourse in the early twentieth century appropriated the Khmer sites through the argument that ‘The Siamese do not reject the good and the beautiful just because it is of foreign origin. They borrowed the good and the beautiful features of various different styles and merged them together’ (Peleggi 2007, p. 160, citing Damrong 1928, p. 19).⁶

By the 1930s dramatic change was happening in Thailand. Prime Minister Phibun⁷ undertook ‘to build not a new country, but a new nation’, changing the name of Siam to Thailand in 1939 (Wyatt 2003, pp. 242–244) and thereby conflating nationality with ethnicity (Peleggi 2007, pp. 36, 118). Isan did not easily reside within the new Thailand given its significant Lao and Khmer ethnic composition⁸ and long history outside the trajectory of Chao Phraya (central Thai) political evolution. Repossession of Preah Vihear occurred in this context of Phibun’s new construction of Thai national identity and promulgation of ‘cultural mandates’ for modernity (Wyatt 2003, p. 244, Denes 2006).

Thai interest in appropriating Khmer heritage increased again in the late 1950s, precisely at the moment when relations between Thailand and Cambodia were deteriorating in terms of larger international politics (Keyes 1967, Denes 2006). This ‘stimulated the Thai government to make a place for the Angkorean legacy in the Thai national heritage’ (Keyes 2002, p. 228; see fuller discussion in Denes 2006) and accounts for Thailand’s renewed claim to Preah Vihear and Thailand’s investment in the restoration of its major Khmer sites at that time, notably Phimai and Phanom Rung, which were assessed by the Fine Arts Department as:

not second in quality to monuments in Cambodia. If they were restored, and were made easily accessible they would be visited by many people. The local citizens of north-eastern Thailand would also prosper financially from the tourist trade. Moreover the knowledge of their ancient and civilized heritage would make them more conscious of defending their country and its traditions. (Keyes 2002, p. 226, citing Fine Arts Department 1960, pp. 55–56)

Thailand's later campaign to obtain the return of an early Angkor-style stone lintel that was stolen from the Khmer site of Phanom Rung is testimony to continuing Thai claims to Angkor civilisation as part of Thailand's national identity. Sometime between 1961 and 1965 the lintel was smuggled out of Thailand and then donated by an American benefactor to the Art Institute of Chicago in 1967. Because the lintel had been documented *in situ* by Thai archaeologists, it was readily identified when it appeared in the museum. But few efforts were made by Thailand to obtain its return until 1988 when Thailand launched a successful public relations campaign to repatriate it. As interpreted by Keyes (2002), the issue behind the massive Thai effort was Thailand's declaration in 1988 that the lintel's source site, Phanom Rung, was part of national Thai heritage and the lintel a 'national treasure' (Figure 4).

Thailand's 1988 campaign against the Art Institute of Chicago occurred just as the completed 17-year reconstruction of Phanom Rung was going to be inaugurated and, coincidentally, just as Cambodia was about to rout the remaining Khmer Rouge from Preah Vihear, thereby enabling Cambodia to commence its own plans for developing that site as part of its Angkor tourism.



Figure 4. The stolen lintel of Phanom Rung, restored to its architectural context. It depicts Vishnu reclining and is one of the finest examples of this scene. © H. Silverman, 2009.

The controversy over the lintel took on added meaning because it occurred at a time when ... Cambodia [was] again bidding to have international recognition for an exclusive [Khmer] claim ... to this heritage. [In demanding the return of the Phnom Rung lintel] the Thai ... were seeking implicit validation from the West for a Thai claim to the legacy of Angkor. The case of the purloined lintel from Phnom Rung demonstrates well that the construction of a national history is always a political act. (Keyes 2002, pp. 229–230)

Denes (2006, p. 139ff) compellingly argues that the Khmer temples of Isan have become ‘metonyms for the “lost” Khmer territories which once comprised an essential part of the greater Siamese empire’.

Political déjà-vu

Political acts are indeed at the heart of some of the intriguing twists in the struggle for Preah Vihear in recent years. Samak Sundaravej became Prime Minister of Thailand when his powerful predecessor, Thaksin Shinawatra (2001–06), was forced out of office by the military due to his corruption and autocratic rule, following months of street protests. Thaksin fled Thailand to avoid a two-year prison sentence over a shady land deal, eventually arriving in Cambodia where, remarkably, on 4 November 2009, Cambodian Prime Minister Hun Sen appointed him as his economic advisor and announced that Cambodia would not extradite Thaksin. Thailand recalled its ambassador to Cambodia in protest; Cambodia then recalled its ambassador.

In addition to the self-interest both Thaksin and Hun Sen presumably saw in their alliance, Thaksin’s seeking of refuge in Cambodia and achievement of a position of power in that government is not as unusual as it appears. Rather, and probably undertaken with historical awareness, today’s Thaksin was paralleling the late eighteenth century history of another Thaksin (Taksin), a regional overlord who fled to Cambodia following the fall of Ayutthaya and who, within three years, had recovered all of the territory lost to Burma and re-established Thai hegemony over its former holdings in Cambodia (Gesick 1983, p. 87, Chandler 2008, p. 114). Both Ayutthaya’s Taksin (Lieberman 2003, p. 303) and the current Thaksin had Chinese immigrant fathers. Both were able to gain large numbers of supporters in Thailand but then lost their position (see Gesick 1983, p. 102 on the historical Taksin). Both faced challenges to their political legitimacy (Thaksin’s ongoing struggle was splashed across the news in April and May 2010). Furthermore, we can compare Thaksin’s position as economic advisor to Hun Sen to the mid-nineteenth century situation, just before the French Protectorate, when ‘Siamese officials occupied senior positions within the Cambodian rulers’ courts’ (Osborne 2008; see also Lieberman 2003, p. 311). Perhaps it could be argued that the present Thaksin’s substantial business interests in Cambodia (Anderson 2009, *The Star Online*, 5 November 2009) are the modern version of the historical Taksin’s hegemonic goals.

However, as of early April 2010, Thaksin had lost favour with the Cambodian government, apparently being sacrificed by Prime Minister Hun Sen for the sake of attempting to repair relations with Thailand (*Bangkok Post*, 7 April 2010, *Phnom Penh Post*, 8 April 2010). At the time I write, Thaksin is currently outside Cambodia and being denied re-entry. Hun Sen claims he does not want to encourage Thaksin’s political supporters inside Thailand in their continued protests against the Thai government of current Prime Minister Abhisit by giving the impression that Cambodia is permitting Thaksin to use Cambodia as a political base (*Asia News Network*, 5 April 2010).

Notwithstanding this apparent gesture of good will by Cambodia toward Thailand, the situation between the two countries remains tense, with the Khmer heritage as an *agent provocateur* (see epigraph at the beginning of this paper). In early February 2010, Hun Sen toured the border area and stated his desire to visit another Khmer temple site, Ta Muan Thom (Figure 5). Cambodia claims it lies within its national boundary but the site is internationally recognized to be inside Thailand, though right up against the border (*Bangkok Post*, 8 February 2010) (Figure 6).



Figure 5. Ta Muan Thom, Thailand. © H. Silverman, 2009.



Figure 6. The border. Ta Muan Thom is immediately behind me. I am looking at a Cambodian soldier walking towards me. He passed through to chat. © H. Silverman, 2009.

As a result of Hun Sen's announced visit, Thailand stationed guards at Ta Muan Thom; Thailand already has a military base at the site. Hun Sen demanded that Thai troops withdraw from the site during his visit (*Bangkok Post*, 8 February 2010). Thailand refused and Hun Sen cancelled his cross-border excursion, making a series of inflammatory remarks directed at the Thai Prime Minister and ordering extra Cambodian troops to the border (*Bangkok Post*, 9 February 2010). Although nowhere near as spectacular as Preah Vihear, Ta Muan Thom nevertheless became a pawn in the territorial discord between the two countries and a venue for replaying ancient animosities.

The role of tourism in the border war

I think that Thailand's next step should be to press UNESCO for transference of its Khmer temples of Phimai, Phanom Rung and Muang Tam, currently on the Tentative List as a conjoined nomination, to inscription on the World Heritage List. This will be the cornerstone of a Khmer temple tourist circuit throughout north-east Thailand (Thirachaya Maneenetr 2007). From these fascinating sites in Nakhon Ratchasima and Buriram provinces, one can travel further east along the southern strip of Isan into Surin Province, and from there into Si Sa Ket Province. In each province there are other Khmer sites to visit (Siribhadra and Moore 1992, Freeman 1996). When and if the border is reopened, this wonderful tourist route will be able to culminate with Preah Vihear, access to which is a comfortable two-hour drive south on good roads from Si Sa Ket city, where there are modest but fully acceptable hotels. As Preah Vihear can be well visited in three hours, it is a pleasant day trip. Moreover, in ancient times access to and transit through Preah Vihear was from the north (today one would say from Thailand to Cambodia) along its N-S axis.

In contrast, Preah Vihear is currently quite difficult to access from within Cambodia: 'travel around Preah Vihear is only for the most resilient of souls. The province's main transport artery ... is in a truly miserable state ... This road opened up previously inaccessible areas – some of them mined ... The police in these parts carry AK-47s' (*Lonely Planet* 2008, p. 262). 'Getting to Preah Vihear from the Cambodian side is a unique and challenging adventure' (*Lonely Planet* 2008, p. 269). In 2006 Preah Vihear received only 3603 visitors (www.tourismcambodia.com/statistics/?year=2006). Winter and Ollier (2006, p. 12) are sanguine about the scant number of tourists visiting Cambodia's north-east – where Preah Vihear is located – and point to the 'grossly inadequate infrastructure' for tourism. I have found no statistics for visits to Preah Vihear after 2006 but would assume that the number decreased as tension with Thailand flared.

Understandably, tourism at Preah Vihear has been slow to develop on the Cambodian side (the Khmer Rouge stronghold, the civil war, rebuilding a traumatized country). But even with construction of good roads and creation of a tourist infrastructure close to the site it may be very difficult to make Preah Vihear a frequented attraction in Cambodia, notwithstanding its World Heritage status, which is 'a form of tourism-advertising strategy' (Long and Labadi 2010, p. 7). For after visiting Angkor – the greatest of all Southeast Asian sites – would many tourists travel 140 km to see a provincial site, notwithstanding its stunning view? Nevertheless, Winter (2010, p.119) tells us that Cambodia is gearing up to develop Preah Vihear. He reports that the Chinese government is going to fund new road construction between Angkor and Preah Vihear, which could create 'a ribbon of heritage tourism development' connecting several sites extending north of Angkor to the border where Preah Vihear is

located. Winter (2010, pp. 120, 122) acknowledges that Angkor will remain the 'central commercial hub within this larger development plan'.

For Thailand, however, as I indicated above, Preah Vihear would be the proverbial jewel in the crown for its north-east tourism, the dramatic culmination of a four-day excursion from Bangkok through Isan's extensive ancient Khmer landscape. (This would be analogous to Peru, where Machu Picchu is the culmination of a typical four-day visit to Cuzco and its outlying landscape of glorious Inca ruins).

Thus, beyond the issue of nationalism discussed earlier, there is a very real economic dimension to Thailand's claim on and desire for Preah Vihear as, indeed, there is in Cambodia (see Winter 2010). Long and Labadi (2010, p. 6) observe that the 'enthusiastic embrace of heritage as a resource for tourism development is, of course, entirely symptomatic of broader globalisation processes'. The 'international heritage movement with UNESCO at its pinnacle ... [is] inherently implicated with ... processes of globalisation' (Long and Labadi 2010, p. 8). Askew (2010, p. 17) similarly speaks of the commercialised values of heritage, referring back to Lowenthal's (1998) concept of a valorised past. Harrison (2010, p. 15) is blunt: 'heritage is fundamentally an *economic* activity' (emphasis original). But it is only recently that the fundamental economic dimensions of cultural heritage are gaining traction among scholars whose fields lie outside the business disciplines of academia where, for instance, Hutter and Rizzo's 1997 volume was pioneering in this regard.

When the border dispute is brought to a definitive end, commercial investment in tourism on the Thai side can be expected to increase. It could be accomplished in such a way that the fact that Preah Vihear is technically inside Cambodia will be obscured by easy access to the site from the Thai side – *if* Cambodia will permit a trouble-free border crossing (right now the Thai side of the site has been sealed off by Cambodia with impenetrable gates and massively coiled barbed wire). Indeed, crossing the border for a few hours and getting a Cambodian stamp in one's passport can impart an aspect of adventure tourism to this worthwhile cultural outing.

In this regard – cultural tourism – Winter's (2010) informed prediction of an increasing *Asian* market for heritage tourism in Southeast Asia with its own particular cultural preferences, such as for entertainment in the form of gambling casinos, is especially interesting. Winter's vision of that trajectory of tourism development in the twenty-first century will bear watching and study – for tourism development in that direction might dissuade Americans and Europeans from going to Angkor or other 'mysterious' 'exotic' archaeological sites (see especially Norindr 2006, Winter 2006, pp. 39–40) or 'exotic' ethnographic places (e.g., Vickers 1996), or negatively impact satisfaction with those visits (see Winter 2009 and Winter *et al.* 2009a on intra-regional Asian leisure tourism and the cultural relativism of western academic approaches to tourism).

UNESCO and the path not taken

The bloodshed and political turmoil unleashed with Cambodia's successful nomination of Preah Vihear to the World Heritage List is the most recent manifestation of Thai–Cambodian tension, now complicated by an especially volatile domestic political situation in Thailand (and a generally problematical one in Cambodia). UNESCO's World Heritage Centre is alarmingly naïve or disingenuous or irresponsible in its professed stance of political neutrality.⁹ Indeed, UNESCO behaved quite carelessly when, in March 2009, it sent staff to 'explore the Thailand–Cambodia dispute area of Preah Vihear Temple ... without any notice to Thai authorities' (*National New Bureau*

of Thailand, 21 May 2009). Thailand perceived this exploration as both a diplomatic affront and an assertion by UNESCO to have jurisdiction in the disputed area.

President Barack Obama himself has been sanguine in assessing the potential damage the United Nations can do. Addressing the UN General Assembly on 23 September 2009, he said: 'this body is made up of sovereign states ... [S]adly, but not surprisingly, this body has often become a forum for sowing discord instead of forging common ground; a venue for playing politics and exploiting grievances rather than solving problems' (http://www.whitehouse.gov/the_press_office/remarks-by-the-president-to-the-united-nations-general-assembly/). His remarks are directly applicable to UNESCO. I argue that the World Heritage Centre is derelict in not recognising that countries differ in their motives for seeking site inscription on the World Heritage List and that UNESCO's goal of site preservation may not be foremost in the strategy of nominating countries.

It ought to be difficult to gain inscription on the World Heritage List for a site being claimed by two countries, even without a larger boundary conflict. Specifically in the case of Preah Vihear and given the history of conflict between Thailand and Cambodia about the site, UNESCO should have anticipated that the inscription of Preah Vihear as a Cambodian World Heritage Site would have led immediately to more violence and make bilateral resolution of the surrounding border dispute more difficult, which time has proven to be the case. UNESCO is almost out of compliance with its own principle of non-adjudication.

UNESCO's obliviousness or white-washing is apparent in the official document pertaining to the Preah Vihear inscription. No threats to Preah Vihear's preservation are indicated in this required category of the inscription documentation (see <http://whc.unesco.org/en/list/1224/threats/>), notwithstanding the bullets that have hit the stone walls and the site's episodic occupation by troops. It is UNESCO's own decision to list Preah Vihear that provoked the recent violence that has damaged the site, in contravention of the explicit goal of the World Heritage List and World Heritage Convention to promote site protection.

There would have been a viable, Solomonic solution to this terrible situation. Although the ICJ ruling of 1962 can not be vacated (to do so would likely prompt an all-out war between Cambodia and Thailand), UNESCO could have reflected on the fact that the ICJ decision had been reached a full 10 years before the World Heritage Convention was created, 14 years before it entered into force in 1976, and 16 years before the first World Heritage Site was inscribed on the World Heritage List in 1978. Since that 1962 decision the world of cultural heritage has changed. A better solution in July 2008 would have been for UNESCO to have worked with Cambodia and Thailand to create a *transborder* World Heritage Site, declaring that when two countries dispute ownership of a border site and when a diplomatic crisis (possibly with violent repercussions) will result from a World Heritage List inscription, and when there have been initial, productive binational discussions of cooperation for the development/management of a contested site, UNESCO will not award the World Heritage designation to a single country but rather confer a *borderless* status, assisting the two countries to prepare dual access routes to the site with appropriate passport control. The UNESCO flag and the flag of both countries would fly over the site. Minimally, the site should be jointly and cooperatively managed and income from the site should be equally shared by both states. And so on. The scenario I offer here is consistent with UNESCO's mantra of *outstanding universal value* which argues that site significance transcends a single country. This scenario would fulfil the 2003 binational

declaration to ‘jointly develop the Temple of Preah Vihear’, quoted above. Moreover, UNESCO is not unfamiliar with the relationship between development and the World Heritage List. In 1979 UNESCO published, with the World Bank, a volume called *Tourism: Passport to Development?* (de Kadt 1979). The volume was the outcome of a seminar convened in 1976 by both agencies. The first line of the book is:

In recent years, both the World Bank and UNESCO have been involved in tourism development. UNESCO’s involvement has been mostly indirect, either supporting research projects in which the impacts of tourism figured or assisting in the preservation of cultural monuments which also happened to be tourist attractions. (Tolbert 1979, p. v)

UNESCO is characterised as ‘the UN agency concerned with cultural development’ (de Kadt 1979, p. ix). With the first inscription on the World Heritage List having occurred only in 1978, however, that List is not considered.

The World Heritage List is neither a value-free nor a monolithically positive mechanism for site protection, economic development, and generation of universally held feelings of shared heritage. The decision to inscribe a site cannot be divorced from political and other realities. The vetting that a State-Party’s dossier goes through before arriving at the World Heritage Committee for a vote still may not indicate all the issues that need to be taken into consideration when deciding upon inscription in the World Heritage List, notwithstanding conformity to the *Operational Guidelines*.

In this regard, I note a recent article in *The Economist*, 28 August 2010, that criticized the secrecy of the World Heritage Committee’s decision-making ‘as well as [that] inscribing sites in the first place [is] getting infected by politics’ (p. 50). Although focused on natural sites, *The Economist*’s call for public openness and de-politicisation of the World Heritage List process is merited. The nomination dossier presents a best-case scenario consensus view. The World Heritage Committee is susceptible to pressure and has its own agenda. If the World Heritage Committee meetings were open to the public, then important factual opinions possibly not included in the dossiers or discussions could be brought into the deliberations, presented by qualified outside parties such as ICAHM (International Committee on Archaeological Heritage Management), NGOs (non-governmental organizations), and professionals and scholars from relevant academic fields with broader contextual knowledge and, arguably, more caution than the World Heritage Committee. Outstanding Universal Value does not – and should not – inhabit a rarified zone. UNESCO must consider more seriously the many and sometimes unanticipated/unintended consequences of its actions.

Conclusions

Given that the ‘Thainess’ of Isan’s population has been suspect¹⁰ (indeed, denigrated) in nationalist ideology (and even more so now that north-east Thailand is the heartland of the current Red Shirt protests against the national government; see Keyes 2010), it is particularly interesting that this is the region whose ancient glory as a major centre of Khmer civilisation has been drawn episodically into construction of national Thai heritage. This appropriation of Khmer civilisation resolves a long-standing tension of Thai national identity by bringing this historically separate region – Isan – into the state. This effort at integration has included Thailand’s long struggle to possess Preah Vihear. Winter *et al.* (2009b, pp. 15–16) observe that states may seek to

rein in errant ... communities and enforce a sense of national solidarity ... by depoliticizing difference and reconstituting their territories as spaces of culture and tradition that have tourist appeal ... [Interestingly,] the depoliticization process is made possible less by international tourism and more by domestic tourism'.

As Thailand's north-east tourism circuit develops, it will be important to observe the composition of its travellers.

Thailand's national and regional economies are integrated in a worldwide network of commerce, trade, and information exchange. Although Isan lags notoriously behind the rest of Thailand (hence the riots of April–May 2010), the situation is remediable in proximate time. The Khmer tourist route through Isan may be one means of generating economic development and employment in a region that has seen too many of its young men migrate and too many of its remaining residents resort to violence to call attention to their grievances (see Keyes 2010).

As for Cambodia, for obvious reasons the country is grindingly poor and underdeveloped save in one dimension: the tourist enclave at Siem Reap, which is a global bubble. Winter and Ollier (2006, p. 12) observe that the economic growth associated with Angkor tourism is extraordinary: 'Its listing as a UNESCO World Heritage Site in 1992 marked the beginning of a pattern of growth perhaps unparalleled in any other country in modern times.' Preah Vihear offers Cambodia the opportunity to extend that bubble to another region, (ideally) with benefits to local people. However, Tim Winter casts plausible doubt on that scenario: 'the Chinese government has donated US\$290 million for the construction of the road from Angkor to Preah Vihear. Clearly, this is all being driven by a desire to secure control over the development of the border region as a tourist destination. The Cambodian government is looking to control the bulk of the access rights, concessions and land deals that will pop up over the coming years' (http://www.postconflictheritage.com/home/pch_blog/pch_blog.html, dated 3 November 2008). The potentially big money involved in opening up Preah Vihear to mass tourism contributes to Cambodia's ardent defence of its temple territory.

Neither Preah Vihear nor the various Khmer temples in Thailand that I have visited are 'dead' sites, notwithstanding their 'ruined' (albeit restored, in some cases) appearance. Across the globe scholars have recognized the complex afterlife of ancient monuments and the multiple domains in which they are physically and ideologically deployed, often resulting in significant cognitive and competitive dissonance. The Thai–Cambodian border dispute over a single beautiful Khmer temple is an important and fascinating window from which to consider several of the manifold issues of cultural heritage today: its relationship to nationalism and national identity, particularly under conditions of a multi-ethnic state; the interface of UNESCO with domestic and international politics; and the inexorable linkage between cultural heritage, tourism, politics and globalisation. Preah Vihear is a call to dialogue and action that transcends its specific case.

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Notes

1. ‘*Tai*, a term used to denote the various Tai peoples in general, peoples sharing a common linguistic and cultural identity that in historic times has become differentiated into a large number of separate but related identities’ (Wyatt 2003, p. 1). *Thai* refers to citizens of the modern nation-state and speakers of the Thai language. ‘[W]hat the modern citizen refers to as “Thai” existed only recently’ (Wyatt 2003, p. 1).
2. A watershed is the land area that drains to a particular point. The promontory on which Preah Vihear was built is part of the Khorat Plateau of Thailand. In geologic time, uplift created the plateau, which slopes down to the north, resulting in Preah Vihear’s dramatic precipice view in the opposite direction, south toward the Cambodian plain below. The mountain range is the source of waterways draining into Thailand (Cuasay 1998, pp. 849, 870, 874, 875, Fine Arts Department and ICOMOS-Thailand 2008, pp. 19, 24).
3. Preah Vihear was recommended for inscription on the World Heritage List at the 31st Session of the World Heritage Committee in 2007. The nomination was approved at the 32nd Session of the World Heritage Committee in July 2008.
4. Conversely, Thai elites sometimes sought refuge in Cambodia, an example of which occurred after the destruction of Ayutthaya by the Burmese in 1767 (Chandler 2008, p. 115). Nevertheless, the dominant element in this pattern is Thai.
5. The argument for Khmer as part of the Thai national identity is more recently bolstered by archaeologist Charles Higham’s discovery of a water flow control system outside Phimai that antedates Angkor’s complex hydraulic system by hundreds of years. His inference appears to be that this earlier technology of reservoirs and associated canals was vital to Angkor’s rise and power (Stone 2006, p. 1366).
6. A variation on that nationalist theme was offered in 1940 by Luang Wichit Watthakan, a popular playwright, who argued that Khmer court customs had corrupted the Thai nation and its moral and cultural values (Peleggi 2007, p. 161, citing Barmé 1993, p. 162). I think that ultimately this interpretation arose out of the irredentism of the 1920s and 1930s (see discussion in Terwell 2002). It is also important to indicate that Isan had its own historical trajectory, not moving synchronously with the capital at Angkor although there were close cultural connections (Freeman 1996, p. 7).
7. ‘Phibun was born Plaek Khittasangkha ... and in 1928 was granted the rank and title, Luang Phibunsongkhrum’ (Wyatt 2003, pp. 241–242). He is known as Phibun.
8. The Lao in Isan are largely the result of massive resettlement from the former kingdom of Vientiane following the defeat of King Anuvong in 1827 (Stuart-Fox 1997, pp. 15–16), but their roots go back at least to the mid-fourteenth century when Fa Ngum resettled some 20,000 Lao families in north-east Thailand (Keyes 1967, p. 6). The Lao in Isan have ‘kept alive an oral tradition of resistance to Siamese domination, while vigorously maintaining their unique Lao culture’ (Stuart-Fox 1997, p. 16). Peleggi (2007, p. 63) recalls ‘a drastic pattern of administrative assimilation [of the ethnic Lao] owing both to Thai prejudices and the tensions with French Indochina over the legal status of Siam’s Lao subjects even after France’s renunciation to the extraterritorial rights of its Asian subjects in the 1907 treaty’. Srisak Vallibhotama (1991) makes the radical argument that Sukhothai itself was founded by Lao people (discussed by Thongchai Winichakul 1995, p. 108). Many Lao migrated to Thailand as refugees during the time of Laos’ late twentieth century troubles.
9. Experience shows that the World Heritage List can sometimes exacerbate national or international tension rather than promote peace, prosperity and cooperation around site protection as intended. Examples could include the Bamiyan Buddhas of Afghanistan, Poland’s ambivalence toward Auschwitz-Birkenau, Jordan’s nomination of Jerusalem, and protests by local *campesinos* in north-west Argentina against the Quebrada de Humahuaca inscription. Of course, some inscriptions are explicitly intended to promote peace and are successful. The Mostar Bridge in Bosnia would be exemplary in this regard.
10. Isan’s distinct personality originated in its role as a buffer between the Lan Xang and Ayutthaya kingdoms in the fourteenth to seventeenth centuries (Keyes 1967, p. 7).

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