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Of migrants and middlemen: Cultivating access and challenging exclusion along the Vietnam–Cambodia border

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Abstract: *In a possible sign of a new trend in Southeast Asia, economic pressures are driving smallholder shrimp farmers from Vietnam's Mekong Delta across the Cambodian border in search of new land. Building from ethnographic research with Vietnamese shrimp farmers in Kampot province, Cambodia, this paper explores the structures, mechanisms and relations that facilitate and impede the ability of Vietnamese migrants to gain and maintain access to land in Cambodia. The Vietnamese migrants in our study bring capital and farming skills, but their ambiguous legal status and their lack of social networks and experience with the terms of access in Cambodia render them vulnerable to exclusion and dependent on a local broker to mediate their interactions with landowners and authorities. We recount the migrants' attempts to overcome the uncertainty of their mediated access by bypassing the broker and cultivating direct social ties with Khmer villagers, border authorities and the landowners themselves. This study generates new insights into the dynamics of cross-border livelihoods in mainland Southeast Asia and more broadly illuminates the central importance of migrant–broker relationships and migrant agency in seeking to overcome dependency on brokers by forging new social relations in border areas.*

Keywords: *access, brokerage, migrants, cross-border livelihoods, exclusion, land tenure*

Introduction

This paper examines the phenomenon of cross-border livelihoods from the perspective of migrant land users, looking at the particular challenges that Vietnamese migrants face in negotiating access to land in Cambodia. Building on an ethnographic case study of a single border village in Kampot province, we examine the ways in which Vietnamese migrants seek to navigate powers of exclusion and secure access to land, paying particular attention to the role that the border plays in facilitating their exclusion and the role of key intermediaries in controlling migrants' access to land and to political authority (Figs 1–3).

As Hall (2013: 1590) notes, farmers have historically migrated great distances in search of land, especially in Southeast Asia, and there is reason to believe that this trend will intensify in the future, as economic pressures put increasing strain on the livelihoods of smallholders across the region. These migrant land users, however, remain understudied, as do the brokers

and middlemen that facilitate their acquisition of land and their cross-border mobility. While much of the recent scholarship on cross-border livelihoods in the region focuses on the privileged access of 'border people' with the ethnic and kin connections and experience to navigate borderlands (Schoenberger and Turner, 2008; Sturgeon, 2013), the farmers in this study are largely from distant provinces and until recently did not imagine that they would be engaged in cross-border livelihoods. These migrants bring farming skills and capital, but their ambiguous legal status and their lack of social networks and experience with the terms of access in Cambodia render them vulnerable to exclusion and dependent on local brokers to mediate their interactions with landowners and authorities.

The paper begins by bringing together literature on land and property relations, borders, migration and brokerage to illuminate the underlying precarity of migrant land access and the vulnerability to exclusion that derives from their dependence on brokers and intermediaries,

both in navigating land markets and border landscapes.¹ We then provide a brief overview of the study site and research methodology before proceeding to the body of the case study, which we present in four main sections. In the first section, we explore the means by which Cambodian elites consolidated control over a vast swath of the border region and the role of local brokers in recruiting Vietnamese tenant farmers and mediating their access to the land. In three subsequent sections, we describe the ways in which Vietnamese migrants seek to overcome their mediated access to land and counter the ever-present threat of exclusion; these include negotiating informal arrangements with local villagers as a means of preventing theft, developing friendly relationships with border guards to facilitate cross-border travel and cultivating direct ties with absentee landlords to block an attempted eviction.

Literature review: Access, exclusion and land brokerage along borders

The inter-related concepts of 'access' and 'exclusion', which we derive from critical property theory, form the heart of our analytical approach. Access, as defined by Ribot and Peluso (2003: 153) is the 'ability to benefit from things', including land and other resources. The 'means, processes and relations by which actors ... gain, control and maintain access' (Ribot and Peluso, 2003: 160) are diverse, including formal mechanisms such as property rights and informal or extra-legal 'mechanisms, structures and relations', such as identity and status, social relations, material wealth and capital, physical proximity and even outright 'coercion or trickery' (Ribot, 1998: 310). While *de jure* property relations thus provide one means or mechanism by which one may lay claim to land, one's *de facto* ability to derive benefits from land rests upon a much broader web of social relations. Sarah Berry (1993: 15), for example, demonstrates that African farmers – regardless of the legal status of their tenure – invest heavily in the 'establish[ing] or strengthen[ing] the social identities and relationships' through which *de facto* land access is negotiated. As she notes elsewhere, 'to make and exercise claims' on land, it is not enough to simply possess a title, contract or other documentation of

de jure property rights; rather, one must 'develop and sustain relations with other people' (Berry, 2001: xxvi).

'Exclusion', on the other hand, provides the conceptual counterpoint to access, encompassing 'the way that people are prevented from benefiting from things' (Hall *et al.*, 2011: 7). Access and exclusion represent two sides of the same social relationship, and just as access may be exercised through an array of mechanisms, powers of exclusion are also diffuse; even those who do not possess any legal rights to a resource may still be able to prevent others from benefiting from that resource. Because the actual dynamics of access and exclusion cannot be deduced from the formal sphere of law and property rights, understanding them requires rigorous empirical study. This is especially true, as Hall *et al.* (2011: 16) note, in Southeast Asia, where 'the rules ostensibly governing land access and exclusion ... often bear only the most tenuous relationship to reality', and 'fuzzy zones of compromise, accommodation and bribery are the rule rather than the exception'.

Tensions over access to resources – especially land – are most acute where distinct socio-political configurations, and thus competing access regimes, meet. Such tensions are pervasive along the internal margins of Southeast Asian states, from the outer islands of Indonesia (Li, 2002) to the highlands of central Vietnam (Tan, 2000) and northeastern Cambodia (Gironde and Peeters, 2015). In such contexts, local traditions of customary and communal tenure run up against notions of individualised property rights, brought by both state actors and domestic migrants seeking land for commodity agriculture. While this conflict often results in the displacement of indigenous or customary tenure regimes, this is not always the case. For example, Koczberski *et al.* (2009) find that in Papua New Guinea, migrants to the highlands have often failed in their efforts to push aside existing tenure practices and acquire land for oil palm on a freehold basis; instead, migrants have had to adapt to the principle that land exchanges are 'grounded in social relationships ... in accordance with traditional rules and expectations' in order to maintain 'stable relationships with their host communities and ongoing access to land' (Koczberski *et al.*, 2009: 38).

These tensions can be even more acute along international borders. Border regions are

characterised by the existence of multiple access regimes, both *de jure* and *de facto*, often resulting in an ‘overwhelming sense of uncertainty, insecurity and confusion’ (Cons, 2007: 21) and creating the conditions for ‘small border chiefs’ to monopolise control over key resources, access to which they dole out to kin and clients (Sturgeon, 2005). Likewise, border authorities can control the movement of goods and people across frontiers, allowing them to collect rents from those who engage in cross-border livelihoods. In the face of this arbitrary exercise of exclusionary power, residents of border regions often take active steps to maintain access to resources. Ethnic Hmong traders along the China–Vietnam border, for example, access markets on both sides of the frontier through the mobilisation of kinship ties, linguistic abilities and connections to local authorities (Schoenberger and Turner, 2008), while ethnic Tai and Akha farmers in China access land in Laos for rubber production through ‘kinship ties and ... patronage relations’ (Sturgeon, 2013: 71). Such strategies, however, are only open to those who come from the border regions themselves and who can thus rely on pre-existing ties, reservoirs of social and cultural capital or familiarity with the physical and political geography to gain and maintain access to resources. For migrants from more distant regions, however, often the only viable alternative is to go through an intermediary or broker to access land and livelihood opportunities across borders.

‘Brokerage’, as defined by Stovel and Shaw (2012: 141), refers to ‘the process of connecting actors in systems of social, economic or political relations in order to facilitate access to valued resources’. Brokers frequently inhabit an interstitial space between distinct social groups and through that position are able to bridge intergroup gaps and thus facilitate the flow of goods, information, opportunities or knowledge. Despite this facilitative role, brokerage also has a dark or exploitative side; brokers may effectively monopolise the supply of a valuable resource, forcing other actors to go through them in order to gain access and using their ‘structurally advantageous position’ to set prices and reap profits (Stovel and Shaw, 2012: 145).

While brokers exist in all facets of social life, two forms of brokerage are relevant to the discussion of cross-border livelihoods as follows: land brokerage and migration brokerage. Land brokers serve as intermediaries between buyers and sellers

(or landlords and tenants), mobilising social connections across group boundaries and access to information about land supply and demand to facilitate transactions. The more barriers in a market – such as information asymmetries or physical and social distance between buyers and sellers – the more important the facilitative role of the broker is (Sud, 2014). As in any form of brokerage, there are strong temptations for land brokers to ‘corrupt’ the functioning of land markets; as Sud notes (2014: 603), the Indian land brokers that he studied often resorted to ‘violence and deception’ in their attempts to monopolise the supply of land and derive the largest possible benefit from their structural position.

In a similar fashion, migration brokers play an important role in facilitating migrants’ mobility across borders and their access to livelihoods in their destination. This facilitative role, however, is tempered by vast asymmetries in access to information and to political authority between migrants and brokers, creating conditions for dependence and exploitation (Kern and Müller-Böker, 2015; Lindquist *et al.*, 2011). In this context of dependency, one way for migrants to mitigate their precarity is to go around brokers, developing the knowledge and social relations to maintain access without intermediaries (van Meetern and Pereira, 2013). Derks (2010), for example, describes how first-time migrants from Cambodia to Thailand typically rely on the services of brokers – both to facilitate their travel across the border and to place them in jobs – while more experienced migrants are able to limit their dependence on such brokers or eschew them altogether.

Case study area and research methods

Field research for this paper consisted of two trips to the Cambodia–Vietnam border, undertaken in November 2014 and February 2015 by the authors and by three research assistants, Nguyen Khiem, Pheap Sokha and Nguyen Thong Tha. We focused primarily on a single Cambodian border village, which we refer to here by the pseudonym ‘Srai Saa’, in Kampot province, conducting informal individual and group interviews with 18 local Khmer farmers and traders (including men and women of various ages) and 11 migrant shrimp farmers from Vietnam, as well

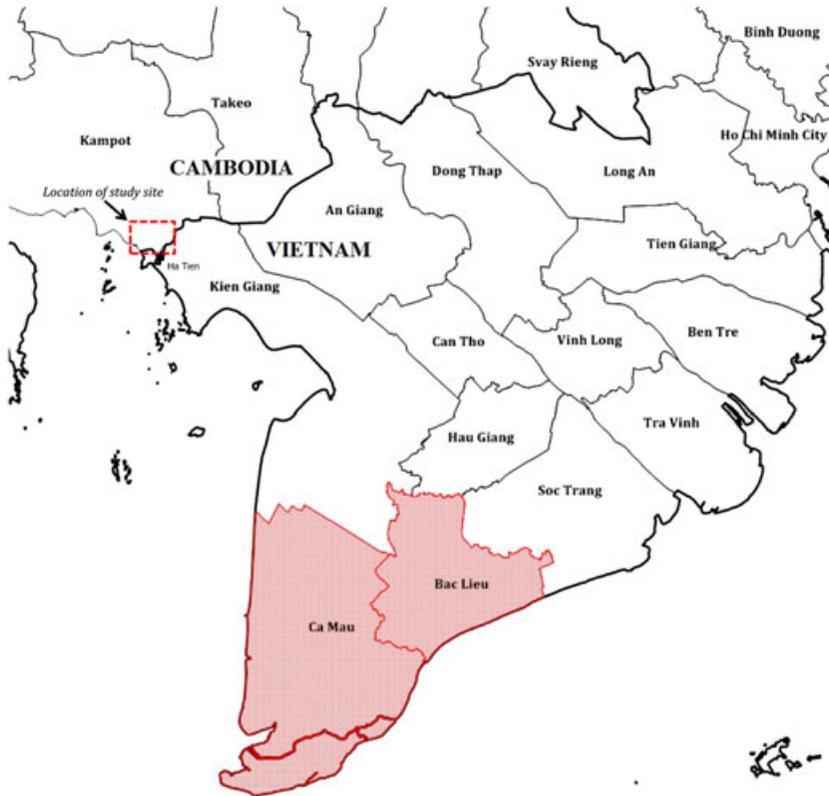


Figure 1. Map of the Vietnam–Cambodia border and the Mekong Delta region of Vietnam. Most Vietnamese migrants in Kampot were from Bac Lieu and Ca Mau provinces (shaded).

as the Srai Saa village chief, police chief and border authorities. This research was supplemented by interviews with seven Vietnamese farmers and shrimp traders just across the border in Ha Tien, an interview with a fishery official in the provincial capital of Kampot, and by surveys and group interviews on the economic and social dynamics of shrimp farming in Bac Lieu province, Vietnam, the home province of many of the migrants that we interviewed. We were also able to interview a local land broker (referred to here by the pseudonym ‘Sokun’) who served as the main mediator among the migrants, landowners and border authorities.

Our research site lies a short distance from a major border crossing and is linked by major roads to Phnom Penh, Kep, Kampot and the nearby city of Ha Tien in Vietnam. Most people in this large village (population of around 700 families) cultivate a single crop of rain-fed rice per year, and some households own *chamkar* farming land on which they grow fruit and graze buffalo and cattle. There are limited wage labour opportunities in the village, and many

young people cross the border daily for work in construction or in factories in Vietnam.

The village itself is bisected by a canal, which separates the main residential and rice-growing area from the shrimp farms of the Vietnamese migrants. In total, there are about 100 Vietnamese shrimp farmers in the village; most are men, but we also met married couples, some with children. The total area of shrimp ponds was estimated by locals and Vietnamese migrants at about 1300 ha, with individual farms ranging in size from 7 to 30 ha. The shrimp farming area itself is a wide expanse of saltwater ponds, surrounded by dirt embankments. The area has no roads but is crosshatched by canals, on the banks of which lie the thatched huts of the Vietnamese migrants. Every migrant household we visited had at least one small boat, which they use to both get around their immediate environs and to make frequent trips back across the border to Vietnam. The border is only minutes away by boat and is bisected at multiple places by canals, which flow into the Giang Thanh river and provide easy access to the city of Ha Tien in Vietnam.

Consolidating elite control and brokering access to the borderlands

In this section, we investigate the means by which a small group of Cambodian elites excluded local villagers from land to which they once exercised customary access, and the mechanisms well-connected local authorities used to establish themselves as intermediaries between the elite landowners and the Vietnamese migrants who rent the land.

In Srail Saa village, the land currently being used by the Vietnamese for shrimp farming was once covered with flooded forests of salt-tolerant melaleuca (*smach* in Khmer).² Villagers previously used the land for wood for construction and firewood, as well as grazing land for water buffalo, although most villagers referred to the land as ‘wasteland’ [*dae tok jowl*] because it was not suitable for rice farming.³ One farmer told us, ‘we couldn’t do rice farming there because the soil was too salty. It was forest land with small trees. We used it for firewood amongst the families here. And sometimes people gathered the wood to construct small houses and sheds’. Some households converted small plots of forest land to shrimp ponds in the late 1990s, but these efforts at aquaculture were unsuccessful, largely because the farmers had no experience in shrimp farming nor the financial and material resources to prepare the land and maintain ponds.

In the mid-2000s, however, commune and provincial-level authorities seized the flooded forest land on behalf of a group of businessmen in Phnom Penh and high-ranking provincial police. Villagers in Srail Saa describe how the land deals took place without their knowledge; one local shop owner said a four-wheel drive vehicle, containing local authorities and a few outsiders whom he did not recognise, pulled up to survey the land. When villagers gathered at the land and asked what the officials were doing, they were told that this was state land and they did not have rights to it: ‘Everyone had to agree. The authorities said it was state land, so if we agreed to sell they would give us some compensation, and if we didn’t agree to sell they would take it anyway’. An elderly man suggested that ‘we couldn’t do anything because it was the *nayk mien* [wealthy elite] behind [the land deal]’.

In this way, a small number of elites mobilised their own social ties with personalised networks

of political and economic authority to assert control over a large swath of flooded forest land. In the face of a powerful coalition of local and central authorities, and vast inequalities in access to information, political networks and money, most villagers in Srail Saa felt they could do little to resist this land grab. Some villagers did complain to local authorities and were able to eventually achieve limited recognition for their claims in the form of modest compensation payments. Those who lived near the flooded forest or who had previously attempted shrimp farming on the land (ten local families) were compensated at the rate of \$USD250 per hectare if they agreed to ‘sell’ their land to local authorities, although they were only allowed to claim 2 ha per family member. Others who used the land for grazing and collecting wood but had not previously cultivated the land received no compensation.

However, one local village landowner and commune council member, Sokun, managed to maintain access – not to the land itself, but to the ability to benefit from that land – by cultivating new social relationships with the landowners. Sokun had strong connections in Vietnam; he could speak Vietnamese, travelled frequently across the border and had seen first-hand the money that could be made from the shrimp boom (and had even tried – unsuccessfully – to farm shrimp on the land himself), so he used his clout as a commune councillor to acquire the phone number of one of the new landowners in Phnom Penh:

I called him and said ... that this land is perfect for raising shrimp, and I would look after it for him, I would get Vietnamese farmers to rent the land and prepare the land for him. ... He agreed, so I organised the land clearing and he paid for the proper ponds to be dug and the canals.

In essence, Sokun set himself up as a broker and on-the-ground supervisor for the absentee landowners, overseeing the clearance of the forests and the conversion of the land to shrimp ponds before turning his attention to the recruitment of Vietnamese migrants to work the land.

The first of these migrants arrived in 2007, and the migrant population reached its current extent by about 2010. Most of these migrants come not from the immediate vicinity but from distant provinces such as Ca Mau and Bac Lieu, and none of

the migrants we spoke to had any prior experience in Cambodia. Some had heard about the availability of land in Srail Saa from family members and neighbours in their home provinces, while others had simply chanced upon the opportunity. As one shrimp farmer from Ca Mau explained to us, 'I went to [the Vietnamese border city of] Ha Tien to visit friends and someone told me about the cheap land. So I crossed the border to see'. He soon met with Sokun, with whom he signed a contract for a 30-ha plot.

Once established in Srail Saa, these Vietnamese migrants engaged in the extensive production of marine species such as black tiger prawn (*Penaeus monodon*) and whiteleg shrimp (*Litopenaeus vannamei*) in brackish ponds.⁴ These migrants had typically engaged in such forms of extensive aquaculture in their home provinces, and thus, survey data collected in May 2014 by the primary author in a village in Bac Lieu province, Vietnam, where extensive shrimp farming is the main form of livelihood, provides some insight into the economic pressures that drive such farmers to Cambodia.⁵ Of the 324 households surveyed in this village, 241 were engaged in shrimp farming. Most households cultivated between 0.5 and 2.5 ha of shrimp ponds, with the median shrimp farming household having a pond area of 1.296 ha. Of those households engaged in shrimp farming, 18.26% ($n=44$) had lost money in the previous year; among those who had made money ($n=197$), the median profit per hectare was just 15.53m Vietnam Dong or approximately \$USD740. In a country where the average per capita income now exceeds \$USD2000 per year, the returns from extensive shrimp farming on relatively small plots are – as many farmers told us – simply not enough to support a family. Many rely on other sources of supplementary income, such as remittances from relatives working in the industrial zones of Binh Duong and Dong Nai, northeast of Ho Chi Minh City.

Vietnamese shrimp farmers looking to expand the size of their operations are, however, constrained by the high price of land. A hectare of land suitable for shrimp farming in Bac Lieu costs between \$USD10 000 to \$USD20 000, far outstripping the savings of most farmers. While land is also available to rent, the typical rental fee ranges from about 7 to 10m Vietnam Dong (or approximately \$USD300 to \$USD500)

per hectare per year, representing the lion's share of the typical agricultural surplus. In Cambodia, by comparison, land was available in large quantities and at a comparatively low price; the farmers that we talked to typically rented between 7 and 15 ha through Sokun and paid on average \$USD125 per hectare per year. As one farmer effused, 'the land here [in Cambodia] is very expensive. Here you can get a big piece of land and you can grow a lot of shrimp. If your shrimp succeed, you can make a lot of money. But in Vietnam the land is small, and it's very expensive'. Not only was the land cheaper and more abundant than in Vietnam but it was relatively unspoiled, having previously been covered with flooded forest. According to one shrimp farmer from Bac Lieu, the land in his home province was 'old' and had been used continuously for shrimp farming over many years. In Cambodia, by contrast, the land was 'new' and produced higher yields with fewer disease outbreaks.

While the Vietnamese migrants may have been pushed outward by economic pressures – chief among them high land prices – in their home country, they arrived in Srail Saa in a position of advantage relative to the Khmer inhabitants of the village. The Vietnamese typically have experience and expertise in shrimp aquaculture and are able to access markets for inputs and outputs across the border in Ha Tien. Most significantly, however, they are able to mobilise significant reserves of capital, chiefly by selling or mortgaging their modest land holdings in Vietnam (and in the process using the high price of land to their advantage). One shrimp farmer from Kien Giang province explained that he had financed the rental of 8 ha of land in Cambodia and the requisite investments in shrimp stock and other inputs by mortgaging 0.8 ha of land in Vietnam for approximately \$USD6000. According to another migrant from Bac Lieu, one needed 'at least' 100m Vietnam Dong, or approximately \$USD5000, in capital to start a shrimp farm in Cambodia, a sum far beyond what the typical inhabitant of Srail Saa could muster.

Despite their ability to mobilise capital, expertise and market linkages to establish relatively large extensive shrimp farms along the Cambodian border land, migrants were now reliant on a single broker to provide access to their most crucial resource: land. Most never met, or

even knew the names of, the ultimate owners of the land that they rented through Sokun and received only handwritten contracts (in Khmer) from the broker as proof of this arrangement. For his role as intermediary, Sokun kept a portion of the rental fees paid by the Vietnamese, an arrangement that has brought him obvious enrichment; he now has the largest house in the village, a new car and several plots of land. However, for the migrants, the brokered nature of their access and their dependence on Sokun brought significant risks, as would soon become clear.

Challenging theft and forging social ties

While Vietnamese migrants gained access to land in Cambodia through market means, paying Sokun in exchange for documents that promised the exclusive use of certain parcels, they found the day-to-day reality of access quite different. The ability of farmers to access and benefit from land, as Hall *et al.* (2011) note, is predicated on 'some assurance that other people will not seize their farms or steal their crops'. Upon arriving in Cambodia, however, the Vietnamese migrants soon found their access to their rented aquaculture land impinged upon by the theft of shrimp. Theft is a form of unauthorised

or illicit access (Ribot, 1998: 310), here representing a strategy by certain elements of the Cambodian population to retain some ability to benefit from lands from which they had been excluded. This phenomenon – by no means unique to the Cambodian borderlands⁶ – demonstrates that even people without property rights or legal claim to a parcel can still exercise some everyday powers of exclusion, denying others the ability to benefit from the land itself by accessing and using it in an illicit way.

In Vietnam, the migrants explained that they could simply call the police and report such theft. In Cambodia, however, they did not know what to do. 'We don't know the authorities', one told us, 'and they don't speak Vietnamese anyway'. Even though Sokun charged a 'security fee' of approximately \$USD2 per month for each hut occupied by the Vietnamese and could in theory serve as a means of accessing the police or relevant authorities, the farmers we spoke with said that he was uninterested or unable to help. As one of the female migrants scoffed: 'The security fee! I don't even know what that's for'. The challenge facing the Vietnamese migrants thus stemmed not just from theft itself but from the role of Sokun in mediating their access to local political authority – and from his inability or unwillingness to mobilise the police or other officials in defence of migrants'

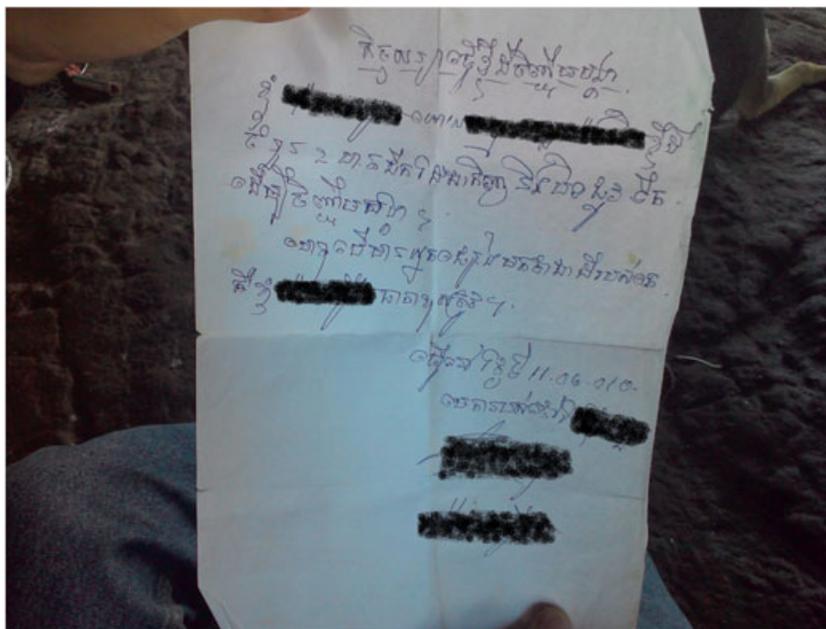


Figure 2. A contract between a Vietnamese migrant and the land broker

access claims. Farmers that we spoke to had, however, developed an alternative means of dealing with the problem and ensuring their access to their shrimp stocks, one which partially bypassed the middleman and worked through the cultivation of direct social relations with Khmer villagers in the surrounding area.

Building off their day-to-day interactions with local villagers, many of whom were capable of speaking Vietnamese from cross-border sojourns as traders and labourers, the migrants established informal access arrangements with their Khmer neighbours, permitting the Khmer to harvest certain resources from the shrimp ponds while circumscribing other activities, especially those which would negatively impact upon their capacity to benefit. The terms of this agreement were simple. As a local Khmer woman explained while fishing from the banks of a migrant shrimp pond, the Vietnamese permit the villagers to fish for certain varieties of 'natural' fish. Unlike the shrimp that farmers actively stock and cultivate, these saltwater fish, called M'rick' fish ('American' fish), are simply carried into the ponds when farmers take in seawater for shrimp cultivation and are abundant and easy to catch. As she told us: 'Anyone can fish here, as long as they know the owner. If he knows our face, it's okay'. The Vietnamese, however, generally prohibited fishing for a brief period after stocking their ponds, in order to prevent the inadvertent harvesting of shrimp fry.

These arrangements – lubricated by friendly face-to-face interactions and by the development of bonds of trust between migrants and locals – have been generally successful, both in preventing thefts and minimising the time and resources that the Vietnamese must invest in monitoring their ponds.⁷ Indeed, many of the migrants spend large portions of the day across the border in Ha Tien or at the huts of other Vietnamese, eating and drinking, while local Khmer fish their ponds unmonitored. Theft, however, has not been totally eliminated, but the perpetrators are thought to come from outside the immediate village. As one shrimp farmer explained, 'the local Cambodians are very kind. They sometimes come to catch fish to eat ... but Khmer from the other village are bad. They sometimes come and tamper with our fields'. This comment, and the ongoing phenomenon of pond theft to which it refers, illustrates the limit of face-

to-face negotiation as a way of gaining and maintaining access in the face of everyday exclusion. Such a strategy, while partially effective at overcoming the vulnerability inherent in migrants' mediated access to police and other political authorities, does nothing to protect their access claims against encroachment from outsiders with whom they have not developed such social ties and bonds of trust.

Negotiating mediated access on the border

For all intents and purposes, the area inhabited by the Vietnamese shrimp farmers serves as a Vietnamese economic enclave. The Vietnamese we spoke to purchased nearly all of their everyday necessities, such as food, drinking water, ice, gasoline, alcohol and cigarettes, across the border in Ha Tien.⁸ During the day, the cafes and small shops that line the canals just across the border teem with Vietnamese migrants, and many keep motorbikes in storage at these cafes for frequent trips home to Ca Mau, Bac Lieu and elsewhere in the Mekong Delta.

Ha Tien is also the place where Vietnamese purchase inputs such as shrimp stock, antibiotics, feed and lime (for the neutralisation of acidic water) and where they sell their harvested output. Because shrimp is extremely perishable and because extensively farmed shrimp can be harvested on a regular (typically monthly) basis throughout the year, it is vital for shrimp farmers to have ready access to markets for their produce (Hall, 2004). Most shrimp are packed in ice (also sourced in Ha Tien) for transport across the border to buyers and middlemen who congregate at the canal-side cafes and transport purchased shrimp to the Ha Tien wholesale seafood market. Some migrants have installed oxygenated tanks on their boats, enabling them to transport live shrimp that fetch a higher price and are typically destined for the restaurant market in Ho Chi Minh City.

Migrants' ability to benefit from the shrimp ponds in Cambodia is thus dependent not just on their access to land but also on their cross-border mobility and the movement of inputs and outputs both into and out of Cambodia. Such crossings are thus both a routine, everyday exercise for the Vietnamese and one that exposes them to potential exclusion. This potential for exclusion is exacerbated by the ambiguity

surrounding the legality of the Vietnamese presence in Cambodia and their economic activities there; few of the Vietnamese we met possessed valid passports, and none had visas or other official paperwork permitting them to reside or work in Cambodia. Meanwhile, the officials we spoke to in Cambodia professed ignorance as to the numbers of Vietnamese migrants in the border provinces, their status and the legality of their land rentals.

The pervasive ambiguity of the border zone – and of the migrant presence in Cambodia – is facilitated by the region's physical geography; while there is a large land crossing not far from Srai Saa, the lack of road connections to the shrimp farming area meant that travel by boat was simpler. This method was not only more convenient but brought the migrants past isolated border posts that were manned (albeit infrequently) by a small assortment of border guards. The remote nature of these posts, in contrast to the more closely supervised land crossing, enabled the cultivation of informal understandings and friendly relations between guards and migrants. In our visits to migrant shrimp ponds, we often encountered members of the Cambodian border patrol drinking and eating with the Vietnamese, particularly around Tet, the Vietnamese lunar new year. Some border agents were fluent in Vietnamese, which facilitated the development of social ties.

Such investments in friendly relations with the border agents thus represented one strategy of access maintenance among the Vietnamese migrants, but the wheels of access were not simply greased by food, drink and friendly conversation alone. Rather, the Vietnamese made annual payments – totalling several hundred US dollars per household per year – in exchange for the ability to cross the border unfettered. These payments, however, flowed not to the individual border agents themselves but to Sokun, who supposedly distributed these payments among the local border posts and paid off more senior authorities higher up the chain of command. In exchange for these payments, the migrants received handwritten documents, little more than scraps of notebook paper, which they referred to as their 'passports' or 'visas' (using the English terms). Written in Khmer, and thus unintelligible to the Vietnamese, these documents were actually receipts of payment for 'boarding fees', signed by

Sokun. The standard fee was \$USD200 for each adult male household head per year and \$USD100 for a spouse or other adult family member, although this figure varied. The Vietnamese reported that these documents also permitted them to transport aquaculture inputs and consumer goods across the border, as well as small quantities of shrimp. Those who transported larger amounts of shrimp (as by collecting shrimp from neighbours for sale in Ha Tien) had to pay for another permit, which cost about \$USD150 per year. The migrants, however, reported paying no fees to the Vietnamese border patrol, either for crossing or transporting goods.

Within a context of pervasive ambiguity, the Vietnamese migrants have managed to negotiate seemingly stable access arrangements, facilitated by the regular payment of informal fees to Sokun, who, in turn, provides unofficial paperwork authorising their residency status, trading on his own social ties with higher levels of authority to provide a personal guarantee of unfettered passage across the border. These documents, however, do not convey any official recognition or authorisation for the Vietnamese presence from the central government of Cambodia, and the threat of deportation remains a very real one for migrants. While the Vietnamese cultivate friendly ties with individual border patrol agents, they rely upon Sokun to mediate their interactions with higher level authorities, much as he mediates their rental contracts with the landowners. By consolidating so many 'strands' (Ribot and Peluso, 2003) of access control in his own hands, Sokun has come to comprise a key node through which migrant access to land – and access to the political authorities who ultimately control such land access – flows, enriching himself in the process but ultimately reinforcing the precarity of the Vietnamese by enmeshing them in relations of dependence.

Renegotiating the terms of access and bypassing the middleman

The roots of the Vietnamese migrants' precarity thus lay not simply in their ambiguous legal status but in their reliance on a single node – indeed, a single person – to mediate their access to land and authority. Although the Vietnamese attempted to mitigate their reliance on Sokun

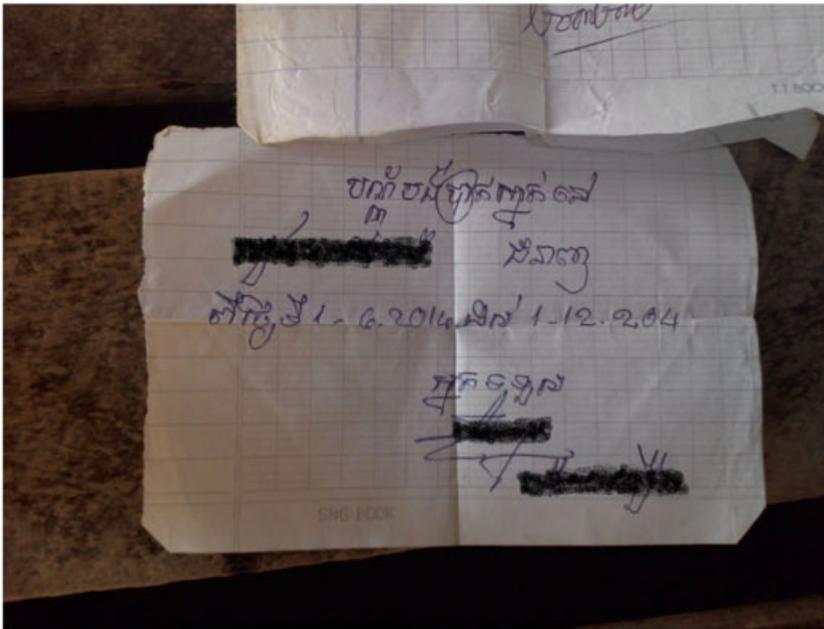


Figure 3. A Vietnamese farmer shows us the 'passport' he received from Sokun

through their cultivation of horizontal social ties with local Khmer villagers and friendly relations with border guards, the power imbalance between Sokun and the Vietnamese remained evident, as he used his position to extract increasing rents and informal payments.

Shortly before we began our research, many of the initial 5-year rental contracts had expired, and the Vietnamese migrants had signed new agreements with Sokun. They complained, however, that the rental price had increased significantly, from \$USD100 per hectare to \$USD125, and they suspected that Sokun was simply pocketing the difference. Between the rent and the passport and security fees that Sokun also collected, the cost of access for migrants was steadily rising, to the apparent benefit of the broker. As one Vietnamese farmer complained: 'These fees are enough to kill us. I've paid all kinds of money to Sokun. He'll give you no peace until you pay'.

Just a few months after signing these new contracts and collecting the first year's lease payment, Sokun began calling the migrants with a surprising ultimatum. The Cambodian government, he claimed, planned to deport them. They had 10 days to leave voluntarily, after which they would be evicted from the land and forced to leave the country. We arrived for our first research trip just days after this announcement to find the Vietnamese outraged. 'I came to Cambodia in

2010', one migrant explained. 'I rent 22 hectares here, and I pay my rent regularly to Sokun. He asked me to pay until March 2015, and I did. Now [November 2014] he wants me to remove my hut and to leave in 10 days. He drives us away without any warning'. Another complained of the injustice of the situation: 'it's like we ate one dish but had to pay for two. We paid for a year, but he only allows us to farm for five months and then makes a complete about-face like this'.

This anger was tempered by uncertainty over the ambiguity of the situation and anxiety over the future. Whether or not Sokun was trying to cheat the Vietnamese or simply conveying a new policy directive from the central or provincial government in his role as a commune authority, few doubted his capacity to call upon the coercive power of the state to carry out the threat of deportation. Rumours swirled around us, and some Vietnamese reported that Sokun had ordered Cambodian border police they did not know to block the migrants returning from Ha Tien, while others claimed that they were not border guards at all but came from a 'higher level' of the police or military. As the clock ticked towards the impending deadline, the Vietnamese grew anxious. They were well aware of the anti-Vietnamese violence that had recently erupted in Phnom Penh, and Sokun seems to have stoked their fears, telling them that Sam Rainsy (the

opposition leader and proponent of anti-Vietnamese nationalism) and his party were orchestrating their eviction.

While the migrants faced the threat of a violent eviction if they stayed in Cambodia, they risked losing everything if they left. As one shrimp farmer explained, 'people are crying, because they they've put a lot of money into their ponds, and they haven't even harvested yet. And if they have to go home, they have nothing. They've mortgaged their land or sold it to come here'. When we asked him what he would do if he had to go back to Vietnam, he just shook his head. 'I mortgaged all my land', he said, 'but I guess I can go to Ho Chi Minh City or to Binh Duong [an industrial area in southeast Vietnam] and try to find work there'.

The Vietnamese were eager to show us their paperwork, their rental contracts and handwritten passports, authorising them to stay in Cambodia, all emblazoned with Sokun's signature. What he was doing, they argued, was 'inappropriate' and 'illegal', but they had no means to force him to honour the agreements he had signed, no obvious authority to which they could appeal. As one shrimp farmer later told us, Sokun 'is the authority. We are friends with some of the Khmer, but they're just normal people. He's the person we have to go through if we have a problem'. 'We want the Cambodian government to intervene and solve this situation', another told us, 'but it is very hard because we live in a foreign land, and we have no knowledge of Cambodian law and we don't speak Khmer'. This frustration illustrates the fundamental weakness of migrant land users; adrift in an unfamiliar context, they must work through brokers who mediate their relation to land and authority and thus have little recourse when these brokers themselves attempt to exploit them.⁹

To resolve the situation favourably and preserve their ability to access land in Cambodia, the migrants would thus need to go over Sokun's head and establish their own direct relationships with those in positions of greater power and authority. After some effort, some migrants were able to make contact with one of the major landowners for whom Sokun served as a broker. Four of these migrants travelled to the provincial capital in Kampot city, where the landowner occupied a senior government post. The landowner, who spoke some Vietnamese, explained that he did not know anything of Sokun's

ultimatum and informed them that they were free to stay in Srai Saa and finish out their contracts. He advised them to come and speak to him directly if the migrants needed any documents or encountered any problems along the border; as a senior provincial official, he promised to ensure their continued access to their rented plots through his own extensive ties with the border authorities. Some migrants have since begun making their rental payments to him directly, bypassing Sokun.

In this manner, the Vietnamese tenants were ultimately able to overcome the attempted exclusion initiated by Sokun by bypassing him and establishing direct, personal ties with one of the major landowners, who also happened to occupy a position of political authority and thus could serve as a more powerful guarantor of their mobility and protector of their access claims. By doing so, they strengthened their access to the land and ameliorated some of the precarity surrounding their position as migrant land users. However, the fundamental basis of that precarity remains unchanged; the landlord could still evict them at will, and they would have no recourse to any higher authority. Sokun remained in the picture, and most of the Vietnamese continued to make their rent payments directly to him, just as they had in the past. In light of this episode, some of the Vietnamese expressed lingering uncertainty as to just how long they would be permitted to stay in Cambodia.

These fears may ultimately prove well-founded. On our last day of research, Sokun produced a map of the area, carefully unfolding it to show us a small area demarcated in yellow highlighter. Srai Saa and the surrounding area, he explained, would soon be designated a special economic zone. With that designation, he claimed, would come infrastructural improvements and foreign investment. 'Now everything is changing', he said excitedly. 'I heard that they are getting electricity in here soon. There is a Malaysian company putting in capital, and companies from China too. They plan to do intensive shrimp farming here'. The Vietnamese would have no place within this proposed arrangement. 'They [the landowners] will kick out all the Vietnamese farmers soon', claimed Sokun. 'Soon they will all be gone'. Whether or not this prediction comes to pass, it speaks

to both the fundamental precarity of migrants' access to land and to the region-wide trend of establishing special economic zones along borders (Eilenberg, 2014), opening up, in the process, new opportunities for enterprising brokers such as Sokun.

Conclusion

In this paper, we have explored dynamics of access and exclusion as they play out along the Cambodian border with Vietnam. As we have shown, a small number of well-connected elites were able to exclude the local villagers from what was once flooded forest and to consolidate control over a wide swath of land near the border. These absentee landlords, in turn, entrusted day-to-day control over the land to a local broker, Sokun, who oversaw the transformation of the land to shrimp ponds and the recruitment of Vietnamese migrants to cultivate these ponds. In the process, he became a key node through which the access of the Vietnamese to both land and political authority was mediated. Even after making these initial agreements with Sokun, however, the Vietnamese have still struggled to gain and maintain day-to-day access to the ponds that they have rented, and thus, we explored the various strategies that they have employed to mitigate the threat of exclusion: In the face of theft, they negotiated mutually agreeable arrangements that preserved the access of local villagers to their ponds and to certain resources; in response to the pervasive ambiguity around their status as cross-border migrants, they have both purchased unofficial residency permits through Sokun and cultivated friendly ties with the local border guards, and finally, in the face of an attempt at exclusion by Sokun, they took steps to mitigate the inherent precarity of their mediated access by establishing direct ties with the landowners themselves.

In developing this case study, we have sought to make a contribution to emerging literature on cross-border livelihoods. While the phenomenon of large-scale cross-border land acquisitions – or 'land grabs' – has received ample study, relatively little scholarly attention has been paid to the role of individual farmers who engage in international migration for the purposes of accessing land for production. Our intention, through the present

case study, is to examine such cross-border livelihoods through the lens of land access and to argue that there are circumstances – such as the reliance on intermediaries, the inability to invoke politico-legal authority and a lack of existing social ties in their new contexts – particular to migrants that render them particularly susceptible to exclusion. What we have found here, on the Cambodian borderlands, is that Vietnamese migrants have strived to ameliorate these underlying sources of precarity and strengthen their access to land through the active cultivation of new social relations; whether such relations will be enough to maintain their access over the long term in such a dynamic environment, however, remains to be seen.

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Notes

- 1 We focus specifically on the experiences of Vietnamese enants rather than the general insecurity faced by Cambodian land users in a context where violent evictions are commonplace (Le Billon, 2010). This is not to discount the insecurity of local people but to highlight the particular factors that contribute to the precarity of migrant land access. This focus on migrant precarity also counterbalances the tendency of the Cambodian press to portray Vietnamese farmers as powerful land grabbers (Un, 2015).
- 2 These plants are often called 'rear mangrove' and play a significant role in maintaining ecosystem function by minimising flooding in the wet season, promoting biodiversity of aquatic organisms and providing a source of wood (Theilade *et al.*, 2011).
- 3 Their dismissal of the land as 'wasteland' during interviews may be because of the central importance of rice farming for village livelihoods (which renders other land less valuable) and may also reflect people's frustrations at their unsuccessful attempts to cultivate shrimp on the land or their anger that the land was taken from them.
- 4 Extensive shrimp farming, as practised in the study area and in the Mekong Delta of Vietnam, utilises purchased

shrimp fry stocked at relatively low densities, as well as limited applications of fertiliser to promote the growth of organisms that provide feed for the shrimp. Intensive shrimp farming, which is also widely practised in the Mekong Delta, entails a higher degree of technological sophistication and higher capital outlays, making use of higher stocking densities, purchased feed and mechanically operated pumps and fans to aerate ponds.

- 5 In fact, a number of shrimp farmers from this particular village have travelled to Cambodia to rent land, which is how the phenomenon originally came to our attention.
- 6 Hong Anh Vu (2011: 274–275), for example, writes that theft is a significant problem for relatively wealthy migrants with intensive shrimp ponds in Tra Vinh, Vietnam. In Koh Kong province, Cambodia, Marschke (2012) describes the theft of crab traps as a major constraint on the livelihoods of coastal fisherfolk.
- 7 This informal access regime resembles, in part, the emergence of informal, self-organised institutions around the governance of common-pool resources (Ostrom, 1990), particularly in the co-existence of multiple users, each with a defined set of rights to resources and restrictions upon resource use (Ostrom and Schlager, 1996).
- 8 One migrant even cut short our interview to pick up his teenage daughter from school in Ha Tien and bring her back to the family's hut in Cambodia by boat, demonstrating the extent to which migrants' everyday lives depend upon their unimpeded cross-border mobility.
- 9 Faced with little avenue for redress on the Cambodian side, some of the migrants instead petitioned the Vietnamese border patrol for help. In Ha Tien, we watched as one migrant informed a Vietnamese official of their plight; the official was willing to help but said he could do little but contact his Cambodian counterpart in Kampot. He did, however, advise the Vietnamese to acquire proper passports.

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