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Letter :

For the Sake of Justice for Humanity

In February 2002, the United Nations withdrew from talks with the Cambodian government over the establishment of a Khmer Rouge tribunal. In a June 19 comment to the International Herald Tribune, Hans Corell, the UN undersecretary-general for legal affairs, explained and defended that critical decision.

Mr. Corell argued that the Cambodian government has been unwilling to sign an agreement that would safeguard the trials' integrity, and that the UN could not attach its name to trials over which it had only minimal control. He also asserted that the UN did not wish to participate in a process that would fail to deliver "credible justice" to Khmer Rouge victims and potentially set a precedent for lowering international standards.

I am deeply disappointed by both the United Nations and the Cambodian government. It is clear that the Cambodian people—both victims and even many of the perpetrators--desire criminal trials of Khmer Rouge leaders. As Mr. Corell suggests, the Cambodian judiciary suffers from many shortcomings. But without strong international support, delivering credible justice would be very difficult indeed.

Although the UN and Cambodian government have yet to reach complete agreement, the international community has hardly exhausted all of its options for encouraging a fair tribunal. Major bilateral and multilateral donors should consider the importance of the proposed trials, both from moral and developmental standpoints. The absence of justice for Khmer Rouge leaders haunts Cambodia and impedes its social and economic development. The public lacks confidence in a judicial system that punishes petty criminals, but leaves the architects of genocide untouched. Impunity for the powerful continues.

A tribunal supported by the UN and broader international community has the potential to achieve justice and national reconciliation, restore faith in the Cambodian legal system, and pave the way toward sustainable development.

The UN must rejoin the process and use additional means to encourage a fair tribunal. Ultimately, the UN's reputation and the preservation of international standards of justice depend on it.

I strongly encourage the UN and the Cambodian government to re-examine their stance toward the talks, and resume them in the most constructive framework possible.

Youk Chhang

Editor-in-chief and Publisher

Nuon Khhoeun and Tuon Sokh Phalla

Excerpts from the Confession of Tuon Sokh Phala

Sophearith Chuong

Tuon Sokh Phala worked in the Technical Division of S-8, which was under the Ministry of Public Works of Democratic Kampuchea. Parts of his confession cite the activities of Phin (Tauch Phoeun), the head of S-8. "After the liberation of Kampuchea, Brother Phin proposed that I work for the Ministry of Public Works. He also summoned Mai Sakhan, Men Nitho, and Phuk Ky to return to this ministry, but not Chhun Sokh Nguon, who had been engaged in work in Kampong Som. Of the four of us, Mai Sakhan had the closest contact with Brother Phin. Mai Sakhan's wife was a niece of Brother Touch, who was Brother Phin's wife. The connection between Brother Phin and Mai Sakhan formed some sort of familial relation in 1967. Mai Sakhan's duties were eliminated by Angkar after the liberation, and he was supposed to farm in Kampong Speu. However, Brother Phin proposed to have him placed in the Ministry of Public Works. At first he was supposed to serve as chief of S-8, but instead he became a member of the office committee, and was placed in charge of municipal work sites. So the activities against the revolution in Office S-8 were provoked by the close, direct contact between Mai Sakhan and Brother Phin."

Office S-8 was run by Touch (Chhim Sophon), Phin's wife. Workers at S-8 came from all zones, but mostly from Region 25, the Eastern Zone and the Southwest Zone. Its core members included Mai Sakhan, Men Nitho, Phuk Ky and Tuon Sokh Phala. Phin was the leader. However, Mai Sakhan disappeared in October and Tuol Phala was arrested on January 1, 1977.

Tuon Sokh Phala's Activities from before 1975 until the Day of his Arrest

Tuon Sohk Phala confessed that his traitorous activities began in 1961, when he joined the CIA through Kheng Teng An and Khuon (Koy Thuon). Tuon enumerated his activities and the reasons for his treason. In 1960, he and Chhun Sokh Nguon graduated from Kampong Cham high school. Khuon tried to learn about their political position, but did not question them closely. But he did raise the issue of the student struggle movement in Phnom Penh. The two felt very warmly toward Khuon because of the way in which he was expressing himself.

As time passed, the three met often and their relations became more friendly and close. Sometime later, Khuon mentioned the general political situation, saying, "American imperialists have been planning to overthrow Prince Sihanouk since 1958, and the revolution is so weak that it cannot take any action against the American imperialists. So therefore, the American imperialists will absolutely be the master of Cambodia. However, they need support from people of all walks of life." Eventually, Tuon Sokh Phala and Chhun Sokh Nguon agreed to make commitments in favor of the U.S. plan to control Cambodia. Khuon stressed that the U.S. already had military bases throughout Thailand, Laos and South Vietnam. In September 1961, arrangements were made for Tuon Sokh Phala and Chhun Sokh Nguon to join the CIA. The ceremony was organized at a house Khuon rented in the vicinity of Tuol Sbov.

After becoming a member of the CIA, Tuon Sokh Phala and Chhun Sokh Nguon studied during 1961 and 1962. Tuon went to Sisowath High School, while Chhun attended Dekat High School. In 1963, the two men studied together for the entrance exam to the faculty of civil pedagogy. In the same year Tuon was actively involved in the struggle movement of students in Phnom Penh. His activities included

demonstrations, meetings, and spreading leaflets.

From 1962 to 1964 the number of students interested in politics increased rapidly. An initiative for creating a student association became a topic of broad discussion within student circles. Khuon, Phok Chhay, Chhun Sokh Nguon and Tuon Sokh Phala were determined to entice and recruit more and more students for future political activities.

In January 1965, the student association was officially inaugurated with Phok Chhay as its president and Tuon as secretary-general. The board of directors consisted of Chhun, Yin Kim Ket, Kang Saran, Vann Piny, Pok Kanel, In Sopheap, Phok Chhay, Uon Kheang, and Kit Saing Chor. Tuon was detained for spreading leaflets in early February 1965. Chhun took over his responsibilities and worked closely with Phok Chhay. Tuon wrote a letter to Prince Sihanouk requesting his release.

In early 1966, Tuon was released. The situation among the students shifted a little bit due to the fact that some were transferred to different positions or places. This prevented the Student Association from forging closer relationships. After his release, Tuon resumed his studies in the school of civil pedagogy along with Chhun and Phok Chhay. The political situation in Cambodia changed to some extent in that year.

In 1967 the political conflicts in Cambodia intensified. Explosions took place in rural areas, while the masses in urban areas became more active in their struggle. At that time Phok Chhay received instructions from the CIA through Sirik Matak to form a political party, using the Student Association as its core force. The political party disguised its identity by adopting a "progressive" nature in order to gather more active forces and encourage mass support for a coup against Prince Sihanouk. However, the plan to form the party failed due to Sihanouk's announcement canceling the Student Association. Phok Chhay was arrested; he was accused of using the Student Association to persuade students to rise up against the ruling government. In the meantime, Sihanouk suspended all existing associations.

In 1968 agitation against Prince Sihanouk increased greatly, and the government cracked down on such activities. Government spies came to check on the office of the Association, forcing the students to scatter. Soon after that, spies arrested Mai Skhan, Mao Run, and Nguon Kheang and detained them. Chhun and Tuon managed to escape.

Early in 1969 Chhun was sent to work in Kampong Som, while Tuon worked in Phnom Penh. The arrested individuals were released the same year. Mao Run returned to his teaching work in Battambang. Soon after, Phok Chhay was released. After his release, he told Tuon that the creation of a party should be postponed for a while, since the situation was really developing fast at that point. It was thought that the matter should wait for the implementation of an organized plan.

In February 1970, Tuon's father-in-law was made secretary of state for the Ministry of Agriculture. As member of the government, he was directly involved in toppling Prince Sihanouk on March 18, 1970. A new pro-American government was formed under the presidency of Lon Nol. In April 1970, Tuon was able to reconnect his revolutionary network via Seang Po Se. However, he had not yet begun carrying out anti-revolutionary activities. By the end of 1970, Tuon and Chhun left for the liberated zones. Mai Sakhan did the same in January 1971.

In August 1971 Tuon tried to persuade his wife to join the CIA. Hak You Leng, his brother-in-law, and In Tam were also present. In 1971, he was designated by the Ministry of Public Works to form a committee to write a constitution.

However, in 1972-73 the public staged general strikes. Students, teachers and professors walked out of their classes. Posters flourished on school fences, scolding the Lon Nol government. There were wide-spread strikes in Kampot, Kampong Speu, Kampong Chhnang, Battambang, and Kampong Cham provinces. Facing this situation, Tuon consulted Mao Run and

Nuon Khoeun. Finally, they agreed to push the movement harder by organizing an open meeting where the public would be able to stand up and condemn Lon Nol and ask for his resignation. The plan looked like it might work. During the rhetorical condemnation, a Lon Nol soldier wearing civilian clothes appeared. He fired a gun and threw grenades at the people at the meeting, causing chaos. Mao Run was arrested at that time, while several spies came to search for Tuon and Nuon Khoeun at their homes. However, the two managed to escape.

Tuon and Nuon Khoeun left for the liberated zone in March 1973. Upon arriving, they were greeted by Phok Chhay at the Region 15 office. They said nothing about work, since there was a huge gathering of masses from the capital city.

Sometime later, Tuon's wife brought their children to the liberated zone. For the first time, Angkar assigned Tuon and his wife to work at Office 670. They lived apart. They had not yet carried out anti-revolutionary activities. Tuon received information from his family in Phnom Penh that his father-in-law was still working for the Democratic Party. During his stay at Office 670, Tuon met Sokh Nguon and Mai Sakhan two or three times, who told him to provoke disagreements among the people at the office in order to cause trouble there.

By the end of February 1974, Angkar assigned Tuon to live at Office K-300, where he met Nuon Khoeun and Prum Sang A. They, along with Tuon and his wife, caused divisions among the people there along clan lines. His wife worked with women named Rin, Phang, and Kuch.

In March 1974 Tuon met Phin. They had not had contact before, since Phin was working at another location for a period of time and was then hospitalized for several months. Tuon remembered that during that time, Phin asked him to help find people who could work in the Ministry of Public Works after independence. Tuon then gave a list of names: Chhun Sokh Nguon, Mai Sakhan and Phok Chhay.

In March 1975 Angkar assigned Tuon to a cooperative in Region 103 (Preah Vihear). He spent about a month there. In April 1975, Angkar called him back to work in Phnom Penh. In July 1975 Tuon was required to work in the Ministry of Public Works. He met Mai Sakhan, Phok Chhay and Men Tho at Office S-8. Then, Tuon joined a work team that aimed to carry out anti-revolutionary activities under the direction of Phin. His work was to educate and strengthen anti-revolutionary components at Office S-8 in an attempt to capture power in Cambodia during the CPK's anniversary on September 30, 1976. However, the plan was aborted and as a result Tuon was arrested on January 1, 1977.

Activities of Tuon's Wife

Tuon Chandara, aka Phoan, married Tuon Phala, her cousin, in 1964. They had six children. She had studied until fourth grade at Yuk Kunthor High School.

Soon after their marriage, Phoan began her CIA activities. She was educated step- by-step by her husband so that she could be in total agreement with the CIA's views and stances. After the March 18, 1970 coup, when the CIA network was actively engaged in their work, Tuon had his wife work as his assistant. Her father had agreed to this, and organized a ceremony at his house on Monivong Boulevard to celebrate her appointment. The party lasted one day and one night. In Tam was also present.

Phoan carried out her CIA activities among women in the Khmer Red Cross team. Her responsibility was to grasp hold of the political trend of the women she was working with as well as that of their husbands. In September 1973 Phoan and her children left for the liberated zone. She was placed in a separate division of Office 670 of the Special Zone. She and her husband had not yet begun their anti-revolutionary ways.

By the end of February 1974 Angkar sent Phoan, her husband and her children to Office K-300, where she started her CIA activities. She caused breakups and provoked conflicts among the women in the office. Four of the five women at the office were against the revolution. They were Phoan, Rin (wife of Nuon

Khoeun), Phang (Prum Sang A's wife), and Kuch (Ky Nach's wife).

In January 1976, Phin (Tauch Phoeun, minister of public works of Democratic Kampuchea) requested that Phoan be sent back to Office S-8 from Region 103, Preah Vihear province, where she had been staying since 1975. At Office S-8, Phin assigned her to work in an office for women and children under Office S-8, which was administered by Touch (Phin's wife), who also instigated anti-revolutionary activities in the office. The women working with Touch included Phoan, Prum (Men Nitho's wife), Phal (Phuk Ky's wife), Kham (Mai Sakhan's wife) and Nhep (Phoeun's wife).

In preparation for a change of administration during the coup, Phin instructed Touch to make the five women (Phoan, Kham, Prum, Nhep and Phal) core members to regulate people at the office. Phoan encouraged the workers' wives to call their husbands to join them. She managed to recruit three people—Horn, Ngao, and Han. Phoan worked very hard in this field to impress the masses, saying that she was working for santesampoan (the peace alliance).

In October 1976 she was heavily criticized by the masses because of her propaganda. Fearing that her traitorous actions would be revealed, Phoan decided to commit suicide by taking tablets on October 16. Touch saw this and took her to hospital P-17. After her recovery, Phin took her to rest at Office S-8 until her husband was arrested on April 25, 1977.

Tuon Sokh Phala's confession describes his wife's activities: "Beside the main traitorous acts, she committed other sorts of acts, like inciting conflicts between Brother Touch and Brother Nun. The cause of conflicts was jealousy over their positions. But due to additional provocation, the conflict became divisive of clans, who could not live in harmony together."

(Continued in the September 2002 issue)

Sophearith Chuong is a staff-writer of the Searching for the Truth magazine.

The Killing Fields in Pursat Province

Rasy Pheng Pong

(Continued from the July 2003 issue)

Execution Site of Daun Am
Geographical Code: 150111
North Latitude: 12º35'40"
East Longitude: 103º46'36"

This execution site is located in Daun Am village, Bak Nim subdistrict. Today, it is called Trapeang Chorng village, Trapeang Chorng subdistrict. During the DK regime, it was a threshing terrace and a meeting place for the entire subdistrict. A manmade pond and a 10-meter deep well were transformed into mass graves at this site.

Touch Heang, the owner of the well, said that his well was covered by straw and full of rotten corpses; they smelled so bad he could not stand near it. In 1980, the well was excavated. Sar Lorn described how victims were executed there. He learned of a meeting of cooperatives in Trapeang Chorng. The meeting's agenda included a variety of issues pertaining to the enemies: the CIA and Vietnamese. After the meeting finished, those attending were made to stay, and all of them were arrested and killed. Sar Lorn confirmed that some time later, he went to see the well and the pond, where he found some traces left by the Khmer Rouge killers after the executions. He estimated that about 900 people died at the meeting; their bodies were placed in the pond. Ouch Heang claimed that there were 70 to 100 bodies in the well.

Execution Site of Kaun Tnaot in Rum Lich Village
Geographical Code: 150101-150102

North Latitude: 12º36'00"38—12º35'54"82
East Longitude: 103º40'55"76—103º41'37"88

The Khmer Rouge used three manmade ponds in Kaun Tnaot village, Rum Lich subdistrict, Bakan district in which to bury the victims of the Khmer Rouge. Chhuong So, age 54, the subdistrict chief, estimated that the ponds hold 400 bodies. He said that a mix of people—men and women, young and old—were brought here to be killed. The victims were ordered to stand together and were then strafed. The corpses were buried immediately, and were placed under and next to a tree near a path running from the village of Rumlich to Ta Lo subdistrict in Bakan district. The last step was to gather and throw the corpses into the ponds.

Wat Chanraing Sei Rasmei Rumlich
Geographical Code: 150103
North Latitude: 12º36'01:47"
East Longitude: 103º41'48": 17

After January 7, 1979 the monastery committee of Wat Chan Raing Sei Rasmei Rumlich, in cooperation with local authorities, built a memorial to preserve the remains of the victims who died under the Khmer Rouge. This wat, which is 15 km from the Bakan district office, is located in Rum Lich village. The remains here were collected from execution sites at Kaun Tnaot, west of a school and football field in the village, and from Pralay Rum Deng, in Rum Lich subdistrict.

Venerable Monk Thach Sokh guided the DC-Cam mapping team to the broken wood memorial. He said that almost all the remains had been destroyed by cattle.

Execution Site at the Football Field
Geographical Code: 150104
North Latitude: 12º36'23:16"
East Longitude: 130º42'05:38"

The Khmer Rouge used the football field in Pralay Rum Deng village as a burial site for their victims. Chuong So stated that the corpses were scattered all over the field, which is now unused, and that the field held from 100 to 150 pits. The victims included people who had feigned sickness or were found to be lazy. The pits also contain bodies taken from hospitals in Rum Lich subdistrict. In total, about 500 people were killed at this field.

5) Pursat District

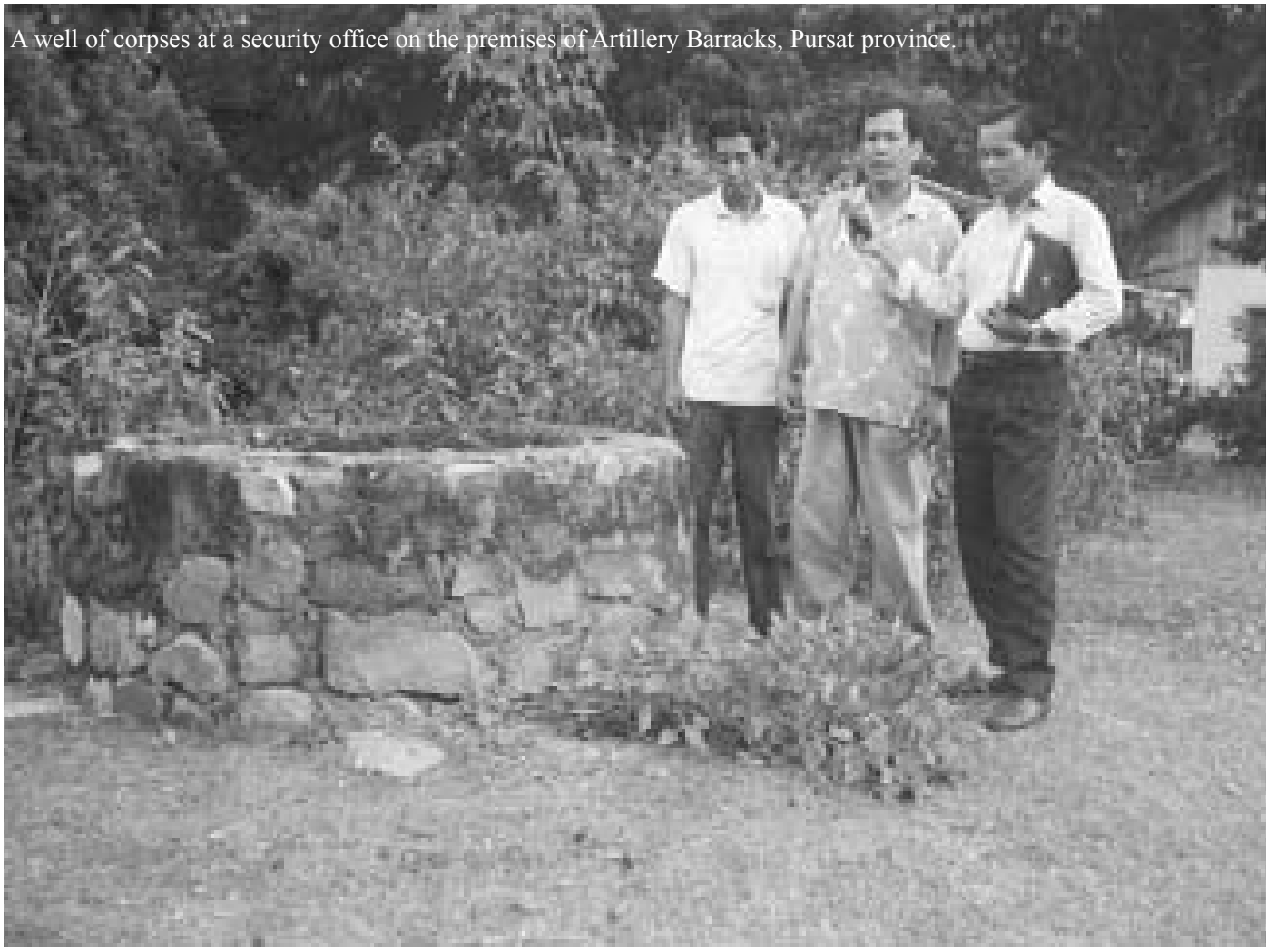
Execution site and security office of Banteay Ateary (Artillery Barracks)
Geographical Code: 150501
North Latitude: 12º32'20:35"
East Longitude: 103º55'22:36"

Banteay Ateary is located in Prey Nhy village, Prey Nhy subdistrict. This headquarters was constructed by the Khmer Rouge in 1976 and controlled by them until 1978. The headquarters was surrounded with a manmade pond, five wells and one basin. The killings here began early in 1976, and doubled by 1978. Houses of soldiers from the French occupation were transformed into detention centers. The first victims taken here were mostly April 17 [eople; later base people, government employees, soldiers of the Khmer Republic and thieves were arrested and killed here. The last victims were Khmer Rouge cadres who had been accused of treason. None of the prisoners here are known to have escaped death.

Based on the estimates of three witnesses—Yun Voeun, a lieutenant general who works at the barracks, Uk Savuth, deputy bureau chief of culture, and Um Salatt, provincial chief of culture—this site holds over 700 bodies. The mass graves at this site were discovered in 1979 when people found cuffs scattered around it. Hundreds of people were said to come here. Some were searching for jewelry, while others were searching for the bodies or clothing of their missing relatives. A well at the site still contains some remains of unknown victims.

6) Krako District

Krako district is 32 kilometers from the provincial office of Pursat, bordered on the north by Kampong Thom and Siem Reap provinces, on the south by Kampong Speu, on the west by Sampeou Meas district of Pursat, and on the east by Boribo district of Kampong Chhnang. Krako consists of 13 subdistricts and 98 villages, and contains 3 known execution sites.


A well of corpses at a security office on the premises of Artillery Barracks, Pursat province.

Security Office and Execution Site of Tuol Liep
Geographical Code: 150301,2
North Latitude: 12º32'25:86"
East Longitude: 104º01'57:58"

Tuol Liep village is located in Boeng Kantuot subdistrict. Commonly known as the Tuol Liep Security Office, it is located about 17 kilometers from the district office of Krako, and was used by the Khmer Rouge as a security office and execution site. No physical evidence remains at this site. The security office was built in 1976-1978. The execution site is located approximately 100 meters from the security office.

Nhem Dul was a prisoner at Tuol Liep. For two months, he was responsible for cremating bodies, and was the last person to be given that assignment. He said that Tuol Liep is two hectares wide and three hectares long. Nhem stated that the there were 400 to 500 pits for bodies; each could hold 1 to 7 people. He estimated that 4,000 prisoners were killed here. Nhem claimed that some bodies were taken from Tuol Liep Security Office, while others came from different places. The victims included April 17 people, base people, civil servants and soldiers of the Khmer Republic, and Khmer Rouge cadres who allegedly committed wrongdoings. Nhem said he saw truckloads of prisoners being taken to Tuol Liep to be smashed.

Security Office and Execution Site of Tavet
Geographical Code: 150303.4
North Latitude: 12º31'47:24"
East Longitude: 104º05'00:43"

Situated in Boeng Kantuot village, Boeng Kantuot subdistrict, "Tavet" was a security office and execution site located about 15 km from the district office of Krako. The people detained here had been screened out from all of the district's cooperatives and included base people, April 17 people, clergymen, noble families, ethnic Chinese, Vietnamese, and Cham Muslims. The killings took place at night in an attempt to keep them secret.

Nothing remains of Tavet Office and the site is unused today. Nhem Dul said there were about 50 to 60 killing pits around the office containing the bodies of 100 to 150 victims.

Security Office and Execution Site of Andaung Tapak
Geographical Code: 150305.6
North Latitude: 12º31'46:09"
East Longitude: 104º12'44:36"

Andaung Tapak is situated in Samraong village, Kbal Trach subdistrict. It is a little over one km from the district office of Krako. Today, this former Khmer Rouge security office is a district hospital. Hundreds of people were detained here. After they were killed, the victims' bodies were thrown into one of two wells. Each well was more than three meters across and six meters deep. In Savy, chief of district culture, described the way the Khmer Rouge killed people at Andaung Tapak. He said he witnessed the killings with his own eyes while he was climbing a palm tree about 300 meters from the scene. He claimed that the Khmer Rouge took people out to be killed after 10 p.m. He estimated that 100 to 150 people were killed here.

Conclusion

Deaths occurred in Pursat in various ways, ranging from starvation, over work, lack of food, torture, and the execution of those who were said to disobey Angkar's regulations, including stealing food to stave off hunger. April 17 people were not allowed to live because the Khmer Rouge considered them a "network of imperia-lism." The Maoist-inspired socialism of Pol Pot, coupled with the paranoia that infused the regime, resulted in the deaths of people at all levels of Cambodian society. The Cambodian people will remember the actions of the Khmer Rouge for the rest of their lives.

Several of Democratic Kampuchea's leaders are living happy lives in Cambodia and traveling abroad, not acknowledging their crimes. Who will ensure that justice is done? An impartial trial of the Khmer Rouge leaders has become the hope of every Cambodian. If a trial is held, the victims who died more than twenty years ago can finally rest in peace.

Rasy Pheng Pong is the team leader of the Mapping Project of the Documentation Center of Cambodia. He is currently assisting the Center's Forensic Team.

List of Foreigners Smashed at S-21

Prepared by Nean Yin

(Continued from the July 2003 issue)

No.	Name	Nationality	Occupation	Place of Arrest	Date of Entry	Date of Execution
65	Samsion Avieng	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
66	Pheng Chan Sen	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
67	Charoun Nokrase	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
68	Charieng Nokrase	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
69	Manet Chuychemsai	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
70	Sophann Pavongsa	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
71	Montry Sichhanak	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
72	Roy Net Nokrase	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
73	Lattsy Raphan	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
74	Moulsun Charaen aka Tai	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
75	Mong Khun	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
76	Kov Vid	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
77	Det Den Yim	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
78	Samkhit	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
79	Tham Malak	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
80	Sota Prongnero	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
81	Vichhay aka Phung	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
82	Sahatt aka Peak	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
83	Srit Kav aka Soeng	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
84	Yuth Phung Saing Reang	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
85	Chhaet Im Thang	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
86	Thoamarat Kephang	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
87	Vichhai Umphanan	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
88	Samboun Sethbopha	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
89	La Simkha	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
90	Intrei	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
91	Pheatry Sopheakmony	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
92	Saruon	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976

93	Pak Phan	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
94	Seut	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
95	Tinat	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
96	Samsy	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
97	A Nop	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
98	Pheng	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
99	Man Nort	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
100	Charoun	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
101	Sophann	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
102	Bontry	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
103	Charieng	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
104	Loy Lot	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
105	Latt	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
106	Moun	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
107	Bun Lieng	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
108	Chhut Ta	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
109	Vichhai	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
112	Chan Som	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
113	Srit Kav	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
114	Khoem	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
115	Pheng	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
116	Yut Phong	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
117	Chheut	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
118	Lak	Thai	Fisherman	Kampongsom	May 7, 1976	May 24, 1976
119	Sapp Va	Thai	Student	Kampongsom	Nov 27, 1976	Jan 28, 1977
120	Hiev Tonghan	Thai	Student	Kampongsom	Nov 27, 1976	Jan 28, 1977
121	Vinh Yaing Taim	Vietnamese	?	Kampongsom	?	April 28, 1978
122	Ngou Yang Loi	Vietnamese	One-star sergeant	Kampongsom	?	April 28, 1978
123	Vinh Philang	Vietnamese	?	Kampongsom	?	April 28, 1978
124	Nguyen Yang Va	Vietnamese	Bin Nhi bandit	Kampongsom	April 18, 1976	April 28, 1978
125	Trong Yang Thong	Vietnamese	Binh Nhi bandit	Kampongsom	April 18, 1978	April 28, 1978
126	Nguyen	Vietnamese	Binh Nhi bandit	Kampongsom	April 18, 1978	April 28, 1978

(Continued in the September 2002 issue)

Nean Yin is the team leader of the Microfilm Project of the Documentation Center of Cambodia.

Khmer Rouge Guerilla Training

(Document D21931)

(Continued from the July 2002 issue)

29) Bayoneting

1) Raise the weapon in the manner of a military salute.

2) Wave the gunpoint forward, while moving the left foot forward along with the weapon.

3) Hold the weapon with both hands. Move the right foot forward to join the left one. If another thrust is required, move the left foot forward one more time.

30) Hand Signals

1) When seeing one person, raise your left hand.

2) When seeing two or three persons... (no explanation).

3) When seeing cattle, raise your left hand upward with the elbow parallel to the shoulder.

4) When seeing a vehicle or ox-cart, raise your left hand making a spiral.

5) When seeing a route, raise your left hand stretching straight forward.

6) When you want to move forward, raise your left hand forward.

7) When calling for a machine gun, raise your left hand, bending it upward and downward.

8) When stopping, cross your hands.

9) When moving back, raise your left hand, bending it backward.

10) When seeing a house or fortress, raise your left hand and bring it up to the shoulder.

31) Seven Ways to Signal, Whistle, Trumpet, and Drum

1) Wake up _____ _____ _____

2) Meeting _____ ● _____ ● _____ ●

3) Dining ● _____ ● _____ ● _____

4) Emergency ●● _____ ●● _____ ●● _____

5) Praying _____ _____ ●

6) Sleeping ● _____ ● _____

7) Calling the boss or chief ●●● ___ ●●● _____

32) Using Words to Signal

When going out in search of enemies, the chief must inform his men about the signals so that we can be clearly distinguished from the enemy. However, the passwords have to be changed each day. In this way, the enemy could not trick us by usinga password that we have already used. So, before going on patrol or to the battlefield, you must use a verbal signal, i.e., "Foreigner." We respond, "National"; only then can we recognize our members.

33) Seven Ways of Guarding

1) Stationary office

2) Military post

3) Chief on duty

4) Officer on duty

5) Guard

6) Original regulations

7) Other regulations.

The chief is a person of higher rank or more intelligence. In the absence of the chief, his assistant is required to take over his duties, overseeing the original regulations and other regulations concerned.

34) Regulations for Guarding

1) No smoking, no eating, no drinking.

2) No sleepiness or sitting.

3) Wrapping a piece of cloth around the ears is not allowed.

4) Laying a weapon too far from reach is not permitted.

5) No moving more than 15 m from the post-either to the left, right or to the front.

6) No talking with friends or women, unless there is a real need to stop them for information and there is permission from the chief. Stand 50 m away from

strangers with a nightstick by your waist and your gun pointed forward.

7) No leaving your post without permission from the chief on duty or the guard officer.

8) In case of business, there must be permission from the chief or officer on duty.

9) Observe trees or other materials around you.

10) Salutes must be given according to hierarchy.

35) Guarding During the Day

There are two people at the guard station. One stands on the ground, while the other sits in a treetop, from which he can maintain regular surveillance over the enemy. When seeing the enemy, he must go down and tell the standing guard immediately so that the standing guard can pass this information to the group or squad chiefs at the back. When the standing guard sees that the enemy is near, he must open fire on the enemy to alert our comrades. Be responsible for those entering and leaving, and strictly adhere to the procedures for checking them to search for materials subject to seizure, especially weapons or explosive devices.

36) Guarding During the Night

There are two guards, each of which is subjected to a two-hour shift during night duty. One stands in position, while the other patrols and looks for enemies with a distance of 15 steps, to the left, right and front. Observe the trees around you to make sure that the enemy cannot move closer and catch us. Do not make a fire or smoke. Remember that guard is the first line of defense an army. The army's progress or failure depends on the guard.

37) Guarding in the Jungle

A large mound or tree must be used as a hiding place one km from the squad. The same distance can be applied to the standing guard in the fortress. When seeing the enemy about 20 or 100 meters away, shout to have him/her stopped. If we fail to call on time, we must aim and fire at the enemy to alert our forces. After that, run to join the unit. Do not approach from the front; come from the left or right or from the back. Doing so will prevent the enemy from knowing our real position. At a distance of 200 or 300 meters, signals must be used to make sure who is an enemy and who is our member. When seeing the enemy, call the military chief and shout to stop him at a distance of 50 meters. Ask him to drop his weapons and raise both hands. Place your weapon by your waist with its point directed forward before going to check the enemy.

The way to check is to go from the left or the right hand side. Two soldiers (guards) must raise their weapons and aim them at the enemy's chest. At night, when we see an enemy approaching us at a distance of 50 km, we must communicate. If the correct response is given, take another step, that is, ask him more. If the enemy's answer does not seem right, open fire immediately. Aim your gun at the enemy, telling him to drop any weapon he has and not move or jerk. If the enemy does not follow our instructions, we have to fire at him since we do not trust him.

Guarding Offices

Direction of the enemy

Position of the chief Way to withdraw

If there is a person walking at this direction, we must signal

comrades on the right hand side **Guard** comrades on the left hand side

Inform the chief on duty. Don't open fire. Before doing so, make sure that our target is really an enemy.

38) Three Ways of Challenging while on Night Duty

When seeing any person coming, we must challenge them in the following ways:

1) Stop!

2) Stop! Don't come any closer!

3) Stop! Don't come any closer! Otherwise you will be shot!

39) Patrolling

There are thirteen patrollers assigned to carry out

a patrol in front of the squad or group. Before departing, there must be six persons acting as guides, paving the way in advance. When patrolling in the forest, there must be a distance of 50 m and an open space of 100 m. Look around, here and there. When you see something, inform the chief or signal by shooting in an emergency. Guides shall also be assigned to look at the back to see whether there are enemies moving from the back.

The guides at the back have to position themselves 5 to 10 meters from each other. They must not talk loudly and are not allowed to smoke or burn anything. In case of fight, they must deploy as a network. Standing up to shoot is not advisable. Sit or crawl based on the self-reliance strategies we have learned.

40) Ten Patrolling Duties

1) Knowing when to go
2) Knowing when to come
3) Knowing the way out
4) Knowing the way in
5) Knowing our signals
6) When seeing any enemy, ask one person to inform the chief. Hide yourselves completely
7) In case we cannot hide, we must shout as a signal, telling our members to deploy as a front line
8) When we manage to hide ourselves, we should determine how many people are there and where the ones leading the way are going
9) When our forces outnumber them, we must surround and catch them following our rules.
10) Don't speak loudly, either during the day or night.

41) How to Fight

Soldiers are required to undergo military skills training to create favorable conditions and have the advantage over enemies. As for enemies, they should not trouble us. There are twelve ways to prepare for fighting.

1) Screaming
2) Exercising
3) Traveling
4) Settling
5) Deploying
6) Weapons
7) Surrounding and arresting
8) Hiding
9) Changing position
10) Crossing creeks, streams and rivers
11) Climbing up and down (mountains)
12) Keeping the enemy from surrounding.

42) Two Ways of Screaming

One is for exercise, while the other one is used in war.

43) Seven Ways of Screaming During a War

1) Half a squad deploys as a front line, 50 m forward

2) Half a squad on the left and right hand sides

3) Squad deploys from left to right

4) Squad deploys on the left and right hand sides

5) Squad deploys 50 m from each other

6) Squad deploys in rows

7) Squad deploys in rows 500 m from each other.

For a group, we must shout "a three-pronged group" or take a position 50 m wide and long.

44) Explaining

1) With half a squad, the squad deploys 50 m in front of the enemy, directed at the enemy without comrades on the left or right. The chief must stick by his messenger, while the squad chief stays by the machinegun operator(s).

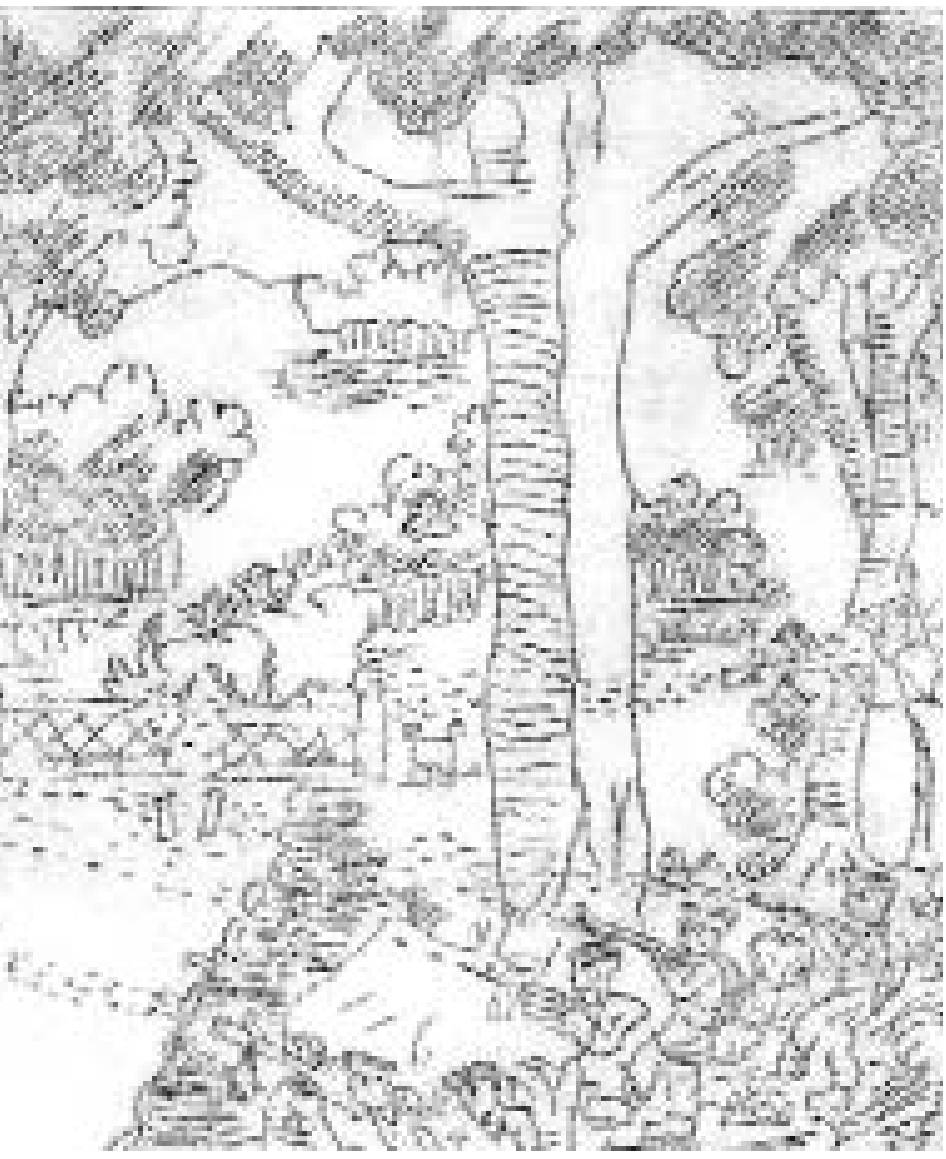
2) Half a squad on the left and half on the right hand sides (within 50 meters of each other) when crossing bushes, forests or ponds.

3) The squad deploys to the left and right when encountering creeks, streams, paths or enemies.

4) The squad deploys 50 m from each other in lines when we are to encircle enemies inside fortifications.

5) The squad deploys 50 m apart in rows when we walk in the open space with comrades on the left and right hand sides.

6) The squad moves in rows when walking in a huge forest with a narrow path and comrades in the front.



7) The squad takes a 50 m wide and long position when there are comrades on the left and right hand sides.

45) A Triangle Group

One or two squads move forward. The second squad moves forward, while the first squad goes to the left and the third to the right and back. The first squad and the third squad come forward, catching the second squad in the middle and at the back. Each soldier has to walk 5 or 10 meters apart. The squad or group deploys in lines in the front.

46) Following

Assigned guides walk 50 or 100 meters ahead, while the first, second and third squads follow them 50 or 100 meters behind (in a forest). The soldiers them-selves have to walk 5 meters apart from each other. If the guides and the first squad come under attack, the second squad moves to the left and the third to the right. However, the first squad must be informed about the arrival of the second and third squads, which must come forward together with the first squad before opening fire.

47) Groups in the Same Position

There should be 50 to 100 meters between squads. Soldiers should follow each other at a distance of five paces. The three squads must walk in parallel—the first squad on the left, the second in the middle and the third on the right.

a) All squads deploy in lines and move forward

b) All squads move to the middle

c) Each squad member has to move up one by one.

48) Diverting Groups

First squad position: 50 m on the left

Second squad position: 50 m in the middle

Third squad position:

(50 m on the right, deployed in lines)

49) Guides

Guides must stay with the deputy chief. When moving ahead, they have to look at all corners—left and right—in order not to get lost. They must walk 10 or 20 meters apart from each other. When seeing a bush, they must be careful and check to see if enemies are hiding there.

1) When encountering a bridge, guides must examine it thoroughly to make sure that enemies are not standing on the bridge, if it is already to collapse because the pillars have been cut, or if explosives are attached to it. On the other hand, if we hear gunfire from any direction, we must tell our messenger to inform the group chief and then go further to determine whether it is our side or the enemy. If there are enemies, find out how many there are and where they are going.

2) Stay next to large bushes to avoid being seen by the enemy. When sighting bushes, forests, streams, or ox-carts, you must signal. Look often at our comrades. If they stop, we stop too. When we stop, we must lie on the earth.

50) Encountering Enemy Infantries

When we walk and see enemy infantries along the forest, our chief has to shout or signal our soldiers to deploy in lines—on the left and right—at a distance of 5 meters apart. We must stay together. Don't move more or less than our members. Then ask someone to inform all squad chiefs. If our group is far from the enemy barracks, we must crawl further in order to shoot or throw grenades more easily. Before opening fire, we must have received orders from our chief and make sure that we are coming together. If so, the chief will order an immediate attack.

51) Encountering Vehicles

When seeing any vehicle along the way, the squad must be deployed in groups and lines. Keep hiding behind bushes, dikes, and mounds, and stay 5 meters away from each other. Hiding far from a path is not advisable. The closer we are, the better able we are to struggle. And then wait for the chief's gunfire to signal an attack.

52) Encountering Planes

When seeing any airplane flying, the chief must blow a whistle to let the soldiers know to take refuge behind or under big tree, sparse forest, or thin bushes that can cover our bodies. If we decide to stay in the open, we must lie on the earth. Don't move; stay still like a cut trunk. This way, the enemy cannot recognize us. If we have two or three trees, we have to deploy our members accordingly. Rush to the tree that is closest to you. If you cannot run, stay still. If there is creek, stream or river, take refuge and wait until the chief blows a whistle. Then gather together and count our members to make sure that no one is missing. If there is, determine what happened to him.

53) In Emergencies

When sleeping, resting, or eating, we must not stay together. Instead, we must divide our members into three parts. In an emergency, for instance, when the enemies open fire, our chief has to shout as a signal for our troops to divide and turn toward the enemies. Lie on the ground (two or three people in one place) at a distance of 5 meters from each other. If the space is too small, separate. But stay in parallel lines. Don't move further, while realizing that our chief and comrades are on the right hand side.

(Continued in the September 2002 issue)

List of Prisoners Smashed at S-21 (Tuol Sleng)

Compiled by Nean Yin

(Continued from the July 2002 issue)

No.	Name	Role	Place of Arrest	Date of Entry	Date of Execution	Others
436	Sophan Bavongsa	Fisherman	Kampong Som	May 7, 1976	May 24, 1976	
437	Muntry Sichanak	Fisherman	Kampong Som	May 7, 1976	May 24, 1976	
438	Roynet Nokrase	Fisherman	Kampong Som	May 7, 1976	May 24, 1976	
439	Lattsy Raphan	Fisherman	Kampong Som	May 7, 1976	May 24, 1976	
440	Moul Sun Charaen aka Tai	Fisherman	Kampong Som	May 7, 1976	May 24, 1976	
441	Mong Khun	Fisherman	Kampong Som	May 5, 1976	May 24, 1976	
442	Kov Vid	Fisherman	Kampong Som	May 7, 1976	May 24, 1976	
443	Det Denyim	Fisherman	Kampong Som	May 7, 1976	May 24, 1976	
444	Samkhit	Fisherman	Kampong Som	May 5, 1976	May 24, 1976	
445	Kham Malak	Fisherman	Kampong Som	May 7, 1976	May 24, 1976	
446	Sota Prong Nero	Fisherman	Kampong Som	May 7, 1976	May 24, 1976	
447	Vichhay aka Phung	Fisherman	Kampong Som	May 7, 1976	May 24, 1976	
448	Sahat aka Peak	Fisherman	Kampong Som	May 7, 1976	May 24, 1976	
449	Sreut Kav aka Soeng	Fisherman	Kampong Som	May 7, 1976	May 24, 1976	
450	Yuthphung Samran	Fisherman	Kampong Som	May 7, 1976	May 24, 1976	
451	Chhaet Imthang	Fisherman	Kampong Som	May 7, 1976	May 24, 1976	
452	Thoamrath Kephang	Fisherman	Kampong Som	May 7, 1976	May 24, 1976	
453	Vichhai Umphanann	Fisherman	Kampong Som	May 7, 1976	May 24, 1976	
454	Sombaun Set Bopha	Fisherman	Kampong Som	May 7, 1976	May 24, 1976	
455	La Simkha	Fisherman	Kampong Som	May 7, 1976	May 24, 1976	
456	Intry	Fisherman	Kampong Som	May 7, 1976	May 24, 1976	
457	Chhatry Sopheakmony	Fisherman	Kampong Som	May 7, 1976	May 24, 1976	
458	Dy Peou	Combatant	Region 25	?	May 24, 1976	
459	Lov Hy	Combatant	Wat Ha	Dec. 25, 1975	May 24, 1976	
460	Suon Vansim	Combatant	Phsar Chass	Feb. 29, 1976	May 24, 1976	
461	Phea Kechsiv	Worker	Textile T-5	May 9, 1976	May 24, 1976	
462	Chhay Sreav	Base person	Phnom Penh	Dec. 15, 1976	May 24, 1976	
463	Suy Kaet	Base person	Region 15	March 23, 1975	May 24, 1976	
464	Prum Sorn	Combatant	Pochentong	March 27, 1976	May 24, 1976	
465	Pham Yang Thengon	?	Kampong Som	May 7, 1976	May 24, 1976	
466	Chaing Than Hoeung	?	Kampong Som	May 7, 1976	May 24, 1976	

467	Le Yang May	?	Kampong Som	May 7, 1976	May 24, 1976
468	Chim Yang Koeng	?	Kampong Som	May 7, 1976	May 24, 1976
469	Taing Ngoc Hong	?	Kampong Som	May 7, 1976	May 24, 1976
470	Le Thak Leuy	?	Kampong Som	May 7, 1976	May 24, 1976
471	Dang Yang Tha	?	Kampong Som	May 7, 1976	May 24, 1976
472	Nguyen Thi Thoeung	?	Kampong Som	May 7, 1976	May 24, 1976
473	Kim Ngoc Tieng	?	Kampong Som	May 7, 1976	May 24, 1976
474	Chang Yang Hev	?	Kampong Som	May 7, 1976	May 24, 1976
475	Nguyen Din Y	?	Kampong Som	May 7, 1976	May 24, 1976
476	Daing Yang Chan	?	Kampong Som	May 7, 1976	May 24, 1976
477	Ya Yang Thann	?	Kampong Som	May 7, 1976	May 24, 1976
478	Nguyen You Lang	?	Kampong Som	May 7, 1976	May 24, 1976
479	Ya Yang Dang	?	Kampong Som	May 7, 1976	May 24, 1976
480	Choeng Yingkve	?	Kampong Som	May 7, 1976	May 24, 1976
481	Saruom	?	Kampong Som	May 7, 1976	May 24, 1976
482	Sam Loy	?	Kampong Som	May 7, 1976	May 24, 1976
483	Bak Phann	?	Kampong Som	May 7, 1976	May 24, 1976
484	Seut	?	Kampong Som	May 7, 1976	May 24, 1976
485	Ti Chheat	?	Kampong Som	May 7, 1976	May 24, 1976
486	Sam Sy	?	Kampong Som	May 7, 1976	May 24, 1976
487	Ga Nop	?	Kampong Som	May 7, 1976	May 24, 1976
488	Pheng	?	Kampong Som	May 7, 1976	May 24, 1976
489	Man Nort	?	Kampong Som	May 7, 1976	May 24, 1976
490	Ca Roun	?	Kampong Som	May 7, 1976	May 24, 1976
491	Sophatt	?	Kampong som	May 7, 1976	May 24, 1976
492	Bun Try	?	Kampong Som	May 7, 1976	May 24, 1976
493	Charieng	?	Kampong Som	May 7, 1976	May 24, 1976
494	Lauy Lot	?	Kampong Som	May 7, 1976	May 24, 1976
495	Latt	?	Kampong Som	May 7, 1976	May 24, 1976
496	Moun	?	Kampong Som	May 7, 1976	May 24, 1976
497	Mong Khun	?	Kampong Som	May 7, 1976	May 24, 1976
498	Bun Lieng	?	Kampong Som	May 7, 1976	May 24, 1976
499	Ko Vid	?	Kampong Som	May 7, 1976	May 24, 1976

(Continued in the September 2002 issue)

Nean Yin is the team leader of the Microfilm Project of the Documentation Center of Cambodia.

(Continued from the July 2002 issue)

In a "livelihood meeting" convened by Chan for S-21 staff in February 1976, Duch himself is recorded as saying to his colleagues: "You must rid yourselves of the view that beating the prisoners is cruel [kho khau]. Kindness is misplaced [in such cases]. You must beat [them] for national reasons, class reasons, and international reasons."

Interestingly, Duch's comment dated from the early months of santebal's operations, at precisely the phase in which Christopher Browning and other students of the Holocaust have recorded the highest levels of hesitation, revulsion, and alarm among those charged with executing people en masse. In the early stages of S-21's existence, a natural reluctance to torture and kill the prisoners, like the one Duch warned against, needed to be overcome. As time went on the workers at S-21, like their Nazi counterparts, insulated themselves from their own behavior, the smell of death, the woeful appearance of the prisoners, and their screams.

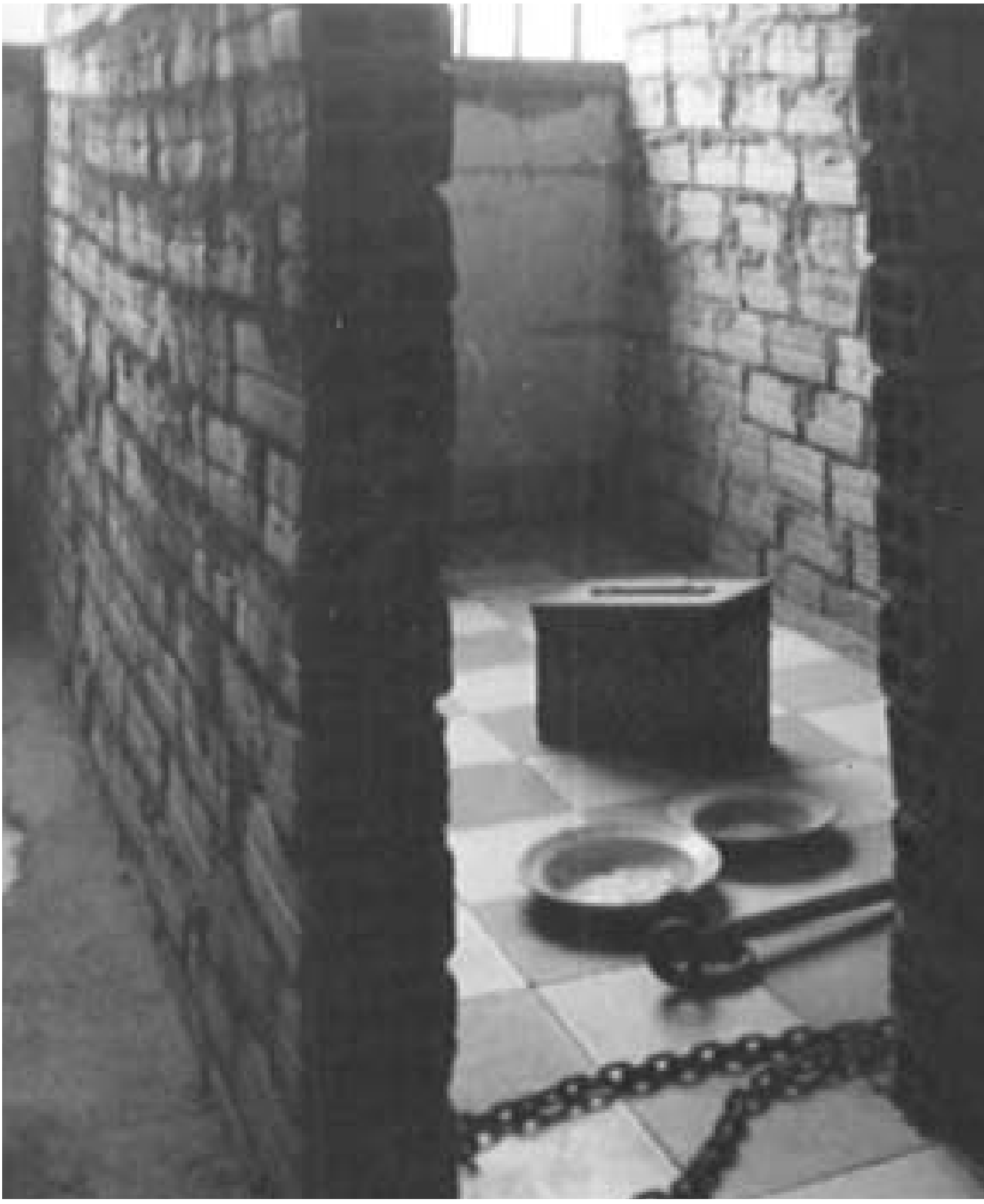
Voices from S-21

Chapter Six: Explaining S-21

David Chandler

Insulation of this kind is understandable, but the perpe-trators' indifference to the pain of others retains a capacity to shock. We wait in vain for hints that what the workers did damaged their relations with each other, jarred their calligraphy, or disturbed their sleep. To Duch and his associates, the prisoners were "less than garbage." Extracting confessions from them was crucial to protecting the revolution and was no more complicated or distressing, it seems, than hosing down a pavement or plowing up a field. The violence that the perpetrators inflicted met with indif-ference from their superiors or was noted with approval, and there is no way of telling when the cruelty so heavily documented in the archive became an end in itself or how much the perpetrators may have come to enjoy what they were doing. None of the former workers at the prison, in their interviews, complained of night-mares after 1979; all the surviving prisoners did.

We can only speculate on how interrogators felt when they were working at S-21 because none of them has come forward. If any of these people were ever to be brought to justice, they would probably argue that they were obeying legitimate orders under wartime conditions and that beatings and torture, however unpalatable, accelerated the discernment of the truth, protected the Party Center, and saved the nation from being swallowed up by "the contemptible Vietnamese consumers of territory." Like Adolf Eichmann, Franz Stangl, and, more recently, the Khmer Rouge defectors Ieng Sary, Nuon Chea, and Khieu Samphan, the former workers might also claim in their defense that then was then and now is now. "Let bygones be bygones," said Khieu Samphan at a press conference in December 1998, in halting English. The cruelty and violence of S-21, they might add, were by-products of the all-consuming war visited on DK from abroad by its enemies and were incidental to the fight for survival of the intrinsically innocent and victimized Cambodian "race." In keeping with this Manichean view of the world, any "mistakes" or excesses committed at the prison must have been the work of "Vietnamese agents." This is the line that Khieu Samphan took in the 1980s and that Pol Pot insisted on in his interview with Nate Thayer. The linguistic armor that encased



workers at the prison and the "upper brothers" remained intact.

Excuses like those offered by Ieng Sary, Nuon Chea, and Khieu Samphan are easy to understand, perhaps, but there are limits to the contextualizing of mass killing and terror. No "context" is spacious enough to contain Son Sen, Duch, and the "upper brothers." No explanations can let the murderers of fourteen thousand people off the hook. Someone or several people acting in the name of the Party Center decided to murder the prisoners held by santebal, regardless of what they had done, so as to ward off potential opponents, protect the secrecy of the operation, and demonstrate the Party's infallibility. Given the way DK was organized, a decision of this magnitude probably stemmed from Pol Pot, or at least met with his approval, even though no written proof of his approval has survived. The "upper brothers" who followed S-21's operations and Son Sen and Duch, who were directly responsible for them, knew what they were doing and chose to do it. Conceivably they might have lessened the suffering of prisoners, released the hundreds of small children imprisoned with their parents, or curtailed the executions had they wished to do so. There were moments during the DK era when such choices could have been made and revolutionary justice been tempered with mercy. Indeed, many survivors of the DK era single out kindly or permissive cadres. At S-21, however, alternatives were never considered. Instead, Son Sen, Duch, and the people working under them inflicted enormous quantities of suffering on the prisoners coolly, systematically, and without remorse.

Writing about the Holocaust and modernity in the context of Milgram's work, Zygmunt Bauman made a humane but devastating statement. "The most frigh-tening news brought about by the Holocaust and what we learned of its perpetrators," Bauman reminded us, "was not the likelihood that 'this' could be done to us, but the idea that we could do it." If the significance of S-21 (or the Holocaust, for that matter) could be reduced to a sentence, Bauman's is the one I would choose. The psychologist Robert Jay Lifton, writing about Nazi medical personnel in the camps, makes a similar point when he remarks that "ordinary people can commit demonic acts."

Explanations for S-21 that place the blame for evil entirely on "evil people," which is to say on others, fail to consider that what all of us share with perpetrators of evil is not a culture, a doctrine, or an innate tendency to kill, but our similarity as human beings and, in particular, our tendencies toward acculturation and obedience. Most of us, I suspect, could become accustomed to doing something (such as

torturing or killing people) when people we respected told us to do it and when there were no institutional constraints on doing what we were told. For many of us the task would be made easier if the victims were branded as outsiders. Writing of his experiments, Milgram remarked: "A person is in a state of agency when he defines himself in a social situation in a manner that renders him open to regulation by a person of higher status." The implication is that what is permitted, or commanded, however awful, is usually what occurs; resistance is rarer than compliance, and immorality, as Bauman cogently suggests, is often socially conditioned. Acts of defiance or uncalled-for mercy, on the other hand, stem from individual choices that run against the grain and are therefore rare. As Staub has reminded us in another context: "The courage that is required to limit violence is frequently not physical courage, the willingness to put one's life on the line, but the courage to oppose one's group and to endanger one's status in the group or one's career."

Recalling Bauman's melancholy words, therefore, it seems that explanations for the cruelties of S-21, the killing fields of DK, cataclysmic occurrences like the Holocaust, and the massacres in Rwanda, Bosnia, and Indonesia need to be sought not only among those inflicting the pain and giving the orders but also at a more generalized level, as Sereny and Bauman have proposed. In Facing the Extreme, Tzvetan Todorov rebuts charges that Sereny was too sympathetic to Stangl. "To understand all is to pardon all, as the saying goes," Todorov writes. "Is that what we really want? Such reactions reveal the fear that one can feel in discovering that evildoers are not radically different from oneself."

Explanations for phenomena like S-21 are embedded in our capacities to order and obey each other, to bond with each other against strangers, to lose ourselves inside groups, to yearn for perfection and approval, and to vent our anger and confusion, especially when we are encouraged to do so by people we respect, onto other, often helpless people. To find the source of the evil that was enacted at S-21 on a daily basis, we need look no further than ourselves.

The End

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Defining the Enemies of Angkar

Meng-Try Ea

Although the Khmer Rouge regime was brought down over 23 years ago, many questions remain about the actions that led to the deaths of nearly two million Cambodians. Why were so many people murdered? How were the executions organized and carried out?

One of the main reasons for the killings arose from the ideology (and some might say paranoia) of the regime's leaders, who felt that Cambodian society was full of "enemies." The Khmer Rouge believed that one out of every two people living in the country's cooperatives was an enemy. These people were classified as internal enemies. In addition, the regime identified external enemies (mainly, the CIA, KGB, Vietnamese, and their associates). To the Khmer Rouge, both types of enemies were attempting to seize power and destroy the Khmer Rouge revolution, on both the battlefields and the rice fields.

The Communist Party of Kampuchea (CPK) felt that internal enemies caused constant conflict, and "carried out various acts of sabotage to oppose the Party." Acts of sabotage included stealing food to destroy the revolution. For example, a Khmer Rouge manual states: "In growing rice there are two battles. First, the battle with nature. Second, the battle with destructive enemies. The enemy destruction begins with breaking stalks when seedlings are being transplanted; they don't transplant from the stalk and the roots at all, they break the stalks to destroy, they destroy during the harvest, they destroy during transport, and they destroy in threshing. Raising crops is a technical struggle, a class struggle, a struggle between revolution and no revolution." According to Khmer Rouge ideology, internal enemies bored into the party membership and leading cadres. They acted against Angkar by "misdirecting the people in a direction different from the party line."

Those with class and political inclinations were yet another subset of internal enemy. The CPK understood these people to be enemies who had intentions, goals and ideas that would destroy Angkar. For example, having counter-revolutionary ideas led to the expansion of counter-revolutionary forces and the "creation of disputes large and small." As in the theory of cause and effect taught to every Khmer Rouge cadre, "Everything is related. Everything evolves. Everything that evolves goes from low to high, from small to large, both in quantity and quality. Everything involves contradictions."

Each person arrested and brought to a security office during the regime was considered an enemy who had totally opposed Angkar, and the party no longer considered them to be Cambodians. In the minds of security office cadres, the very presence of a person at the security office, "even if unarmed or in shackles, in fact [shows] they are the enemy." The mission of the security office cadres was to resolve the conflict between the revolution and the enemy, and this conflict was life and death. According to Khmer Rouge theory, "Before deciding a cadre's conflict, [you] must first observe his class, which causes the conflict."

The diary of comrade Khin Sophan records a class held to analyze social conflicts in Cambodia. "We see the enemy acting already, but we say 'No matter.' This comes from our instructions in not yet being hot. As when the enemy drinks palm sugar water, and then defecates in the drinking tube. We say that he is lazy, not that he is an enemy. In fact, he is an enemy." Under the party's theory of cause and effect, conflict caused loyal people with minor faults to unknowingly transform into the enemies of Angkar, since everything was interrelated and related to acts of treason. Other activities in this chain that were considered treasonous included breaking a blade while plowing, breaking the stalk of a rice seedling, breaking a spoon, private ownership,

and taking fruits, crops or collectively owned property.

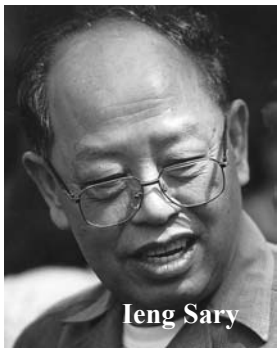
Principles and Methods

The CPK invoked three main principles in solving the life-and-death conflicts between the revolution and its enemies. These were to seek out and discover, interrogate in minute detail, and totally smash them. The mission of seeking out enemies in order to arrest and execute them was the supreme mission of a revolutionary combatant because cadres who did so joined in the cause of "national defense and building the nation." No matter what their other duties, the mission of smashing the enemy was one that every revolutionary combatant had to fulfill, according to the Khmer Rouge slogan: "One hand raises the crops, the other hand attacks the enemy."

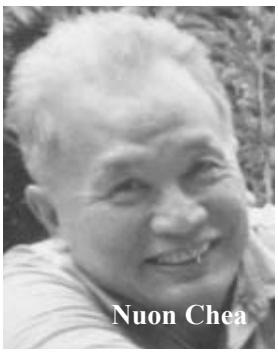
The Khmer Rouge constitution, which went into effect on 5 January 1976, as well as CPK regulations, specified execution for "enemies intending to oppose the revolution and destroy the Khmer Rouge regime as a result." The Party's Central Committee also issued instructions about the Party's enemies, and delegated autonomous decision-making power to smash enemies to all organizations, ministries and offices and zones. The constitution and regulations also specified penalties for opposing the Party. The Committee's instructions were to punish small transgressions by "educational instruction" and to punish serious faults by "elimination" of enemies "completely and intentionally in opposition to Angkar." According to the Khmer Rouge slogan, "Executing ten innocent persons is better than releasing a single guilty one."

Implementation

The Party's plans to sweep clean its enemies were implemented immediately after the victory of 17 April 1975. It began by evacuating people from the cities to the countryside. Comrade Nuon Chea explained the success of those plans when meeting with a delegation of the Labor Party of Denmark: "Right after liberation, we evacuated all the people from the cities. Then agents of the CIA, KGB, and the Yuon [Vietnamese] had to go along to the countryside and were unable to carry out their pre-conceived plans."


Ieng Sary

Comrade Ieng Sary, Khmer Rouge deputy prime minister and foreign minister, revealed that after the evacuation campaign, the Party sought out and found a large quantity of weapons and ammunition that former soldiers and police of the Lon Nol regime had hidden in order to overthrow and seize power back from the Khmer Rouge. Then the Party announced the presence of enemies and its plans for them: keep seeking them out and smash them. According to Ieng Sary, "Throughout the country one to five percent were enemies." And those enemies were acting against the Party everywhere, even in the Foreign Ministry. Ieng Sary stated that all methods must be used to smash internal enemies; they were to be ferreted out step by step by "watching personal histories and lifestyle." This was to be done carefully and rigidly, like "a net, a close-woven net that even a tiny shrimp could not escape through."


Nuon Chea

Nuon Chea understood that the first internal enemies to be executed were the remnants of the Lon Nol regime. He instructed his cadres on the Party's plans for these people: "Don't keep the old soldiers, for they cannot easily abandon their old ideas. So, [we] must smash them all."

The Party's plans to seek out and execute former Lon Nol regime soldiers and policemen were successfully carried out nationwide from 17 April 1975 until late 1978. Toy, former chairman of Kampeng subdistrict, Prey Kabas district, Takeo province, was told about the Party's plans for finding and executing enemies. He personally received the orders and carried them out according to party plans. During mid-1975, Toy

arrested many former Lon Nol regime soldiers who lived in Kampeng subdistrict and sent them to the Prey Kabas district (security) committee.

Another Khmer Rouge cadre named Em Min, called Sen, also received orders from Angkar to find and execute enemies. He explained, "According to Party plans, [we] had to prepare to receive the people evacuated from Phnom Penh and various provincial cities, and keep them under control in one place in the villages and subdistricts of the [base] people. Those that concealed themselves among the people had to be removed to one place for clear evaluation and investigation. If it was found that anyone was an official, they were killed one at a time."

The next group of enemies targeted for execution included Khmer Rouge cadres and people accused of treason against Angkar, those intending to overthrow the Party, and those committing various acts of sabotage. The first CPK tactics against internal enemies were "persuasion and self-criticism and other methods." Next was "sweeping clean," which began by closely inspecting the "original nature" (theat daem) of the cadres, followed by arrest and smashing.

In July 1977, Nuon Chea instructed and trained the army and cadres in the Northern Zone on the Party's plans to "follow by doing personal histories and then sweep clean" the enemies who had infiltrated leadership ranks, especially in the cooperatives and Party. This second method was highly successful, Nuon Chea told the Labor Party of Denmark's delegation: "Doing the cadres' personal histories showed us that a number of our cadres were enemy agents."

Delegating the Right to Smash Enemies

On 30 March 1976, the CPK Central Committee decided to delegate the right to smash enemies to each zone, ministry and office in the country as follows:

◆ In the base framework, the decision was to be with the zone standing committee

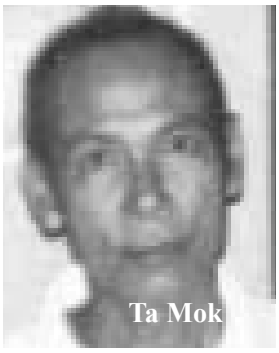
◆ Surrounding central offices, the decision was with the central office committees

◆ For independent regions, the standing committee would decide

◆ For the central army, the general staff would make the decision.

Party principles and methods used against enemies permeated all levels, from the zone down to the sub-district, throughout the country. A security office cadre wrote in his study notebook: "After 17 April 1975, regardless of when you joined the CIA, if you acted in a chain of events without stop to oppose the revolution, you must be punished. As for the Yuon and KGB, that is the same as with the CIA; if after 17 April 1975 [you] did not stop, [you] must be punished." A Party editorial in a special issue of Revolutionary Flag magazine compared internal enemies with "maggots in the flesh," and stated the method to be used against them: "pluck them all out." To comrade Duch, chairman of S-21, internal enemies were "wood-borers," "maggots" and "germs" that festered in the flesh. These enemies were to be absolutely "eliminated" (komchat) by relying on revolutionary class stance (chumhor vannak patewat). Security office cadres were to carry out this duty intensively and uniformly (daoy sosrak sosram) in order to solve the life-and-death conflict between the revolution and the enemy. An S-21 Santebal statistics book records that "Santebal duty is class struggle duty, is the duty to dig out by the roots the oppressor class. This duty is really the defense of the nation and the creation of socialist revolution."

CPK regulations specify that security offices must operate and communicate with one another without any gaps. "All levels of Party organization must implement missions among the masses and must report on the situation and missions that they carry out at specified intervals."


Ta Mok

Comrade Chhit Choeun, known as "Ta Mok" and "Ta 15," Secretary of the South-western Zone, together with his relatives and leading cadres at all levels, efficiently

implemented the constitution and Party regulations on the discovery and smashing of the enemy. Ta Mok was originally named Ung Choeun and was called Achar Choeun. He was born in 1926 in Prakiep village, Trapeang Thom Tbaung subdistrict, Tram Kak district, Takeo province. Ta Mok, and the revolutionaries under his control created security offices at the subdistrict, district, region, and zone levels. There were 250 security offices in the Southwestern Zone, divided into detention offices: 225 at the subdistrict level, 21 at the district level, and 1 at the zone level. All the security offices were created to serve the major goals of detention, interrogation and execution of prisoners. The number of prisoners increased from a few at the lower level to many at the upper level security offices, but the process of torture and interrogation and the rate of execution were highest at the mid-level security offices, namely, the district reeducation offices and the region security offices.

Subdistrict militia offices (munti chhlop khum) were offices to imprison people with minor offenses such as stealing small amounts of fruit, laziness and inactivity. Subdistrict militia offices had two functions: temporary detention sites and hard labor reform sites. The people held in these militia offices typically numbered from three to ten; they were "prisoners of Angkar." The district reeducation office (munti obrum srok) imprisoned people for being enemies of Angkar. They included former soldiers and policemen of the Lon Nol regime, and people seen as having the intention or having had acted in opposition to Angkar. A district reeducation office performed the function of imprisoning, interrogating and executing the district's enemies of Angkar.

The majority of those imprisoned in the region security offices were former soldiers or policemen in the Lon Nol regime or Khmer Rouge cadres accused of committing treason against Angkar. Furthermore, these offices received prisoners sent from the district reeducation offices. This type of prisoner was for the most part categorized as a high-level offender and was considered an enemy involved in a chain of activity to oppose Angkar. The regional security office fulfilled the tasks of detaining, interrogating, and executing the

A former security office of Region 15

region's enemies of Angkar. A regional security office might hold 500 to 800 prisoners. Each region security office was under the control of the region committee and the security office chairman.

The Southwestern Zone security office was located at Sanlong village in Treang district, Takeo province. This office was created in 1976 to imprison former Khmer Rouge soldiers and cadres accused of rebellion and their wives, children and other relatives. It served as a prison and hard labor site. People seen as having committed additional offenses while in the security office, such as stealing collective property, attempting to escape or working at a less than an all-out pace, were imprisoned, interrogated and executed. This office was under the command of the secretary of the Southwestern Zone, Chhit Choeun, known as Mok.

The CPK Central Committee's delegation of the autonomous right to smash enemies to ministries, offices and zones allowed the systematic arrests and executions of people throughout Democratic Kampuchea. Civilians, unit chairmen, village chairmen, subdistrict committees and cooperatives were to report improper acts and enemies to the district committees. After reviewing their reports, the district committee made the decisions to arrest people. Those with minor infractions and who were not involved in class or political trends were imprisoned in the subdistrict militia offices for "re-forging" through hard labor with insufficient rations. Serious perpetrators were sent on to the district re-education offices.

The chairmen of the district reeducation offices were to detain and interrogate prisoners, and send their reports and prisoner confessions to the regional committees. These committees, in turn, issued orders to the district reeducation chairmen to execute prisoners. Prisoners the district committees saw as involved in a chain with the enemy were sent to the regional security offices. The regional security chairmen interrogated prisoners, and sent reports and confessions to the zone committee.

After checking the reports and confessions, the zone committee ordered the regional security chairmen to carry out the executions. Prisoners seen as being involved with the enemies of Angkar were reported to Office S-21. The S-21 committee then checked those reports and confessions, and arranged for S-21 cadres to take custody of zone prisoners. S-21 staff detained and interrogated their prisoners, and sent the reports and confessions to the Party's Central Committee for its inspection.

No Hing Raya was arrested at the South Vietnamese border after having been identified as a spy and organizational contact of Chao Ying. She was arrested on 26 October 1975. After she was interrogated for a month at the Region 25 security office, No Hinh Raya was sent by car to Office S-21 on November 25, 1975. Another prisoner, Sisowat Butsara, called Chroeng, age 33, was imprisoned at the Region 25 security office on 3 February 1976. Chroeng was sent to S-21 on 4 March 1976. Comrade Duch reported to the Party Central Committee that Chroeng was "removed" on 8 October 1976.

Brahim, a lieutenant colonel during the Lon Nol regime, was arrested and sent from the Koh Thom subdistrict militia office to the Koh Thom district reeducation office, and then to the Region 25 security office and finally to Office S-21. His confession states that he reached S-21 on 24 April 1976. A Lon Nol regime senator named Yahya was arrested at Kohe village, Rokar Kaong subdistrict, Muk Kampul district, Region 25 at 10:00 p.m. on 26 December 1975. After being sent from one security office to another, he died at Office S-21. Like Brahim and Yahya, Him Man, a fishery cadre in Region 25, was arrested and sent to various security offices until he reached S-21. He was sentenced by the Party Central Committee and executed at Boeng Cheunk Ek.

Meng-Try Ea is a co-author of* Victims and Perpetrators?: Testimony of Young Khmer Rouge Comrades. *Phnom Penh: Documentation Center of Cambodia, 2001.

Amnesty and Pardons

Elizabeth van Schhaack

Amnesty and pardon serve different purposes. Amnesty involves the abolition and forgetting of an offense, such that both the crime and the punishment are abrogated. In contrast, a pardon merely sets aside the punishment for a crime. "Amnesties are usually addressed to crimes against the sovereignty of the state (e.g., treason, sedition, rebellion), [and] to political offenses, forgiveness being deemed more expedient for the public welfare than prosecution and punishment... [Pardon] condones infractions of the peace of the state."

The primary objective of amnesties is to reestablish internal public order. Amnesties are useful tools for prison administrators and political negotiators because they provide a technique of internal control and political leverage. If the elite and substantial numbers of the rank-and-file of one side anticipate that a result of a peace agreement may be their prosecution for acts undertaken in the course of the conflict, they may not be disposed to lay down their arms. Amnesties allow for the reintegration of former military oppressors into civilian life. That transition is encouraged by Article 6(5) of Additional Protocol II to the Geneva Conventions, which provides that: "At the end of hostilities, the authorities in power shall endeavor to grant the broadest possible amnesty to persons who have participated in the armed conflict, or those deprived of their liberty for reasons related to the armed conflict, whether they are interned or detained. Arguably this does not apply to gross violators of human rights."

Significant public order costs are attributable to amnesties. Surrendering the military persona of a previous regime is easier than disarming security forces. The terms of amnesty may also result in a perceived license for future abuses, and lead to further social unrest. Victims may remain in fear. Even in those circumstances where they are reasonably assured of a non-violent future, survivors may demand more than a return to public order. They may instead seek at least token retribution.

Failure to provide this retribution suggests that it will not be possible to pierce the impunity under which the previous regime operated. Amnesties may therefore fail to sustain the expectations of judicial effectiveness in the minds of all other potential violators. Dictatorships, after all, freeze political life; at the moment of overthrow, the same political divisions and ideological polarizations exist as before the repression began. Amnesties expedite political transitions but rarely prescribe a new way of living without violence.

Several Latin American nations have recently enacted laws granting amnesty to security forces and military personnel allegedly engaged in human rights violations. In many cases, these laws insulate the military from both criminal and civil prosecution, even for grave human rights abuses. In several cases, international bodies charged with the duty of supervising state compliance with multilateral treaty obligations have challenged these amnesty laws. For example, challenges to the amnesty laws in Argentina, El Salvador, Surinam, and Uruguay have been lodged with the Inter-American Commission on Human Rights of the Organization of America States.

These challenges are based upon assertions that the obligations inherent in certain human rights treaties to prosecute violations are not derogable as a matter of jus cogens. The assumption is that non-derogable rights must be enforced. A 1985 UN Special Rapporteur suggested that amnesty should not be granted to those guilty of crimes against humanity. This position was echoed by the UN Resolution and Declaration of Basic Principles of justice for Victims of Crime and Abuse of Power.

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Defrocking the Monks: The Crime of Religious Persecution

John D. Ciorciari

When the Khmer Rouge seized power in April 1975, the vast majority of Cambodia's inhabitants practiced some form of organized religion. However, the Demo-cratic Kampuchea (DK) regime and its program to return to "Year Zero"—demolishing links to the past and the outside world—quickly brought a drastic curtailment of religious freedoms. To most historians and survivors of the Pol Pot era, it is beyond doubt that the Communist Party of Kampuchea (CPK) persecuted religious groups and individuals between 1975 and 1979. However, finding senior DK leaders responsible for the crime of religious persecution requires meeting a number of specific legal requirements. This article briefly introduces the elements of religious persecution, discusses some legal ambiguities surrounding the offense, and highlights some evidentiary means to prove that CPK leaders were guilty of the crime.

The Law on the Establishment of Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed during the Period of Democratic Kampuchea (hereinafter the "KR Tribunal Law"), signed by King Norodom Sihanouk in August 2001, sets forth the provisions apt to govern trials of former CPK leaders. The KR Tribunal Law identifies religious persecution as one of eight crimes falling under the tribunal's juris-diction, along with torture, genocide, war crimes, crimes against humanity, destruction of cultural property, and breaches of the 1961 Vienna Convention on Diplomatic Relations. The KR Tribunal Law draws its definition of religious persecution from Articles 209 and 210 of the 1956 Cambodian Penal Code, which collectively prohibit offenses against the life or person of a monk, either during the monk's religious practice or on the basis of that practice.

The Act Requirement

Like all crimes, religious persecution is composed of two principal elements—an act requirement and an intent requirement. The 1956 Cambodian Penal Code provides a very narrow and skeletal legal formulation of the act requirement, prohibiting offenses or attacks (attentats in the original French text) against the life or person of a monk. Article 3 of the KR Tribunal Law nevertheless describes Articles 209 and 210 as encom-passing the crime of "religious persecution," a crime that has been developed more extensively in international law than in the Cambodian domestic context. The KR Tribunal Law therefore suggests a somewhat broader formulation of the crime than one finds in the 1956 Penal Code.

Protected Groups

Curiously, the 1956 Penal Code protects only monks who practice a religion "recognized by the Cambodian government" (emphasis in the original text.) Under both the 1947 and 1972 constitutions, although Buddhism was pronounced the official state religion, broad freedom of religion was likewise ensured. Nevertheless, notes

to the text of the 1956 Penal Code suggest that only Buddhist monks were protected from persecution under Articles 209 and 210. For offenses against non-Buddhist monks, the statutory notes refer readers to Articles 495 et seq., which include crimes of general applicability, such as homicide and torture.

The apparent omission of minority religious groups, such as Muslims and Christians, from the 1956 Penal Code leaves a gaping hole in the KR Tribunal Law. As of 1975, international law on the subject was also unclear. No convention existed to prohibit religious discrimination, and it was not until 1981 that the UN General Assembly adopted GA Res.36/55, the non-binding Declaration on the Elimination of all Forms of Intolerance and of Discrimination Based on Religion or Belief.

The best argument for including individuals other than Buddhist monks under the KR Tribunal Law lies in an analysis of customary international law. The UN Charter, Universal Declaration of Human Rights, and International Covenant on Civil and Political Rights prohibit religious discrimination, enshrining the freedom of religious belief as a core human right. Most scholars agree that religious persecution thus violated international law long before the DK era. According to this line of argument, the 1981 UN Declaration merely restated a pre-existing customary norm against religious persecution. Thus, even if Cambodian law shielded only Buddhist monks from persecution as of 1975, a strong argument exists that customary international law protected other groups and prohibited other types of religious discrimination conducted by the CPK.

Defining Persecution

Under Articles 209 and 210 of the 1956 Penal Code, the act requirement for religious persecution also requires attentats against the life or person of a monk. No definition of attentats is given, but by referring to the crime as "religious persecution," attentats re prohibited. Although "persecution" has no fixed legal definition under international law, it normally encompasses a broad spectrum of ill treatment, from extermination to the denial of basic rights of citizenship. The International Military Tribunal at Nuremberg defined "persecution" to include arrest and confinement; beatings; torture; confiscation of property; deportation; forced labor; denial of the rights to practice a profession, marry freely, or pursue education; and killing. (See 22 IMT Trial at 491-96). Steven Ratner and Jason Abrams argue that "persecution" probably encompasses additional acts as well, such as the destruction of private property and the closure of religious institutions.

Interpreting the Act Requirement

The KR Tribunal Law and 1956 Penal Code leave considerable ambiguity regarding the act requirement for the crime that it labels "religious persecution." Legally, the breath of the act requirement for religious persecution is extraordinarily important. A definition that is too broad would risk violating the universal legal principle of nullum crimen sine lege, which prohibits convicting an individual of a crime that did not exist at the time of the act in question. If certain types of religious persecution were not criminal during the 1975-1979 period, it would violate the rights of a Khmer Rouge defendant to hold him criminally liable for those acts today.

Conversely, a definition that is too narrow risks failing to provide justice for the victims of the DK regime. According to historical accounts and available documents, Pol Pot's campaign to "wipe out religion" entailed abusing religious civilians, Muslims, and Christians between 1975 and 1979, not only Buddhist monks. In addition, abuses ranged widely, from murder and imprisonment to the denial of basic civil rights and liberties. If the KR Tribunal defines the crime of "religious persecution" narrowly, some of the DK regime's religiously motivated abuses may be punishable as genocide, homicide, torture, destruction of cultural property, or crimes against humanity. However, certain acts of persecution will not fit neatly into other criminal categories. With a narrow definition, some abuses could go unpunished and would have to

be adjudicated else-where, if at all.

Judges will have considerable flexibility in interpreting the KR Tribunal Law, both with respect to the definition of "persecution" (or attentats) and with respect to the protected groups. That flexibility derives both from the uncertain status of customary international law during the 1975-1979 period and from the judges' power to interpret the tribunal's jurisdiction. Even if judges agree that the customary law governing "religious persecution" encompassed a wide range of offenses during the Pol Pot era, they may decide to limit the tribunal's jurisdiction to just a fraction of those offenses. Other criminal acts will be left for another judicial forum.

The Intent Requirement

In addition to the act requirement discussed above, the crime of religious persecution requires that the defendant intentionally persecuted the victim on the grounds of the victim's religious practice or beliefs. The wording of the 1956 Penal Code suggests that normal standards of intent apply. When the required act occurs during the monk's religious practice, it needs only to have been deliberate, meaning that the defendant knew he or she was attacking a Buddhist monk at worship. When the alleged persecution happened outside of the monk's worship, one must prove that the defendant persecuted the victim on the basis of the latter's religious practice. To the extent that the KR Tribunal adopts a broader definition of the crime, the same intent require-ment is likely to apply for victims other than Buddhist monks.

Proving Religious Persecution

To prove former CPK leaders guilty of religious persecution, evidence of both the acts of persecution and the required intent are necessary. Many survivor petitions and interview transcripts from throughout Cambodia affirm that Buddhist (and Muslim) religious practices were banned, temples were destroyed, and monks were defrocked or otherwise abused. Documents from the 1979 People's Revolutionary Tribunal for Pol Pot and Ieng Sary corroborate many of the survivor accounts derived from other sources, even if the issue of potential political bias clouds their evidentiary value. In sum, the existing documentary evidence points to a wide range of abuses against Buddhist monks and other religious communities.

Assuming that the KR Tribunal also considers religious persecution against non-Buddhists, existing biographies, confessions, and interview transcripts describe widespread CPK practices persecuting Muslims. For example, interview transcripts provide evidence that by 1976 the CPK banned fasting and Islamic prayer. Interview transcripts, petitions, and documents from the controversial 1979 trials also include evidence of a CPK policy in Kampong Cham and elsewhere of forcing Muslims to eat pork, care for pigs, and use the Qur'an as toilet paper.

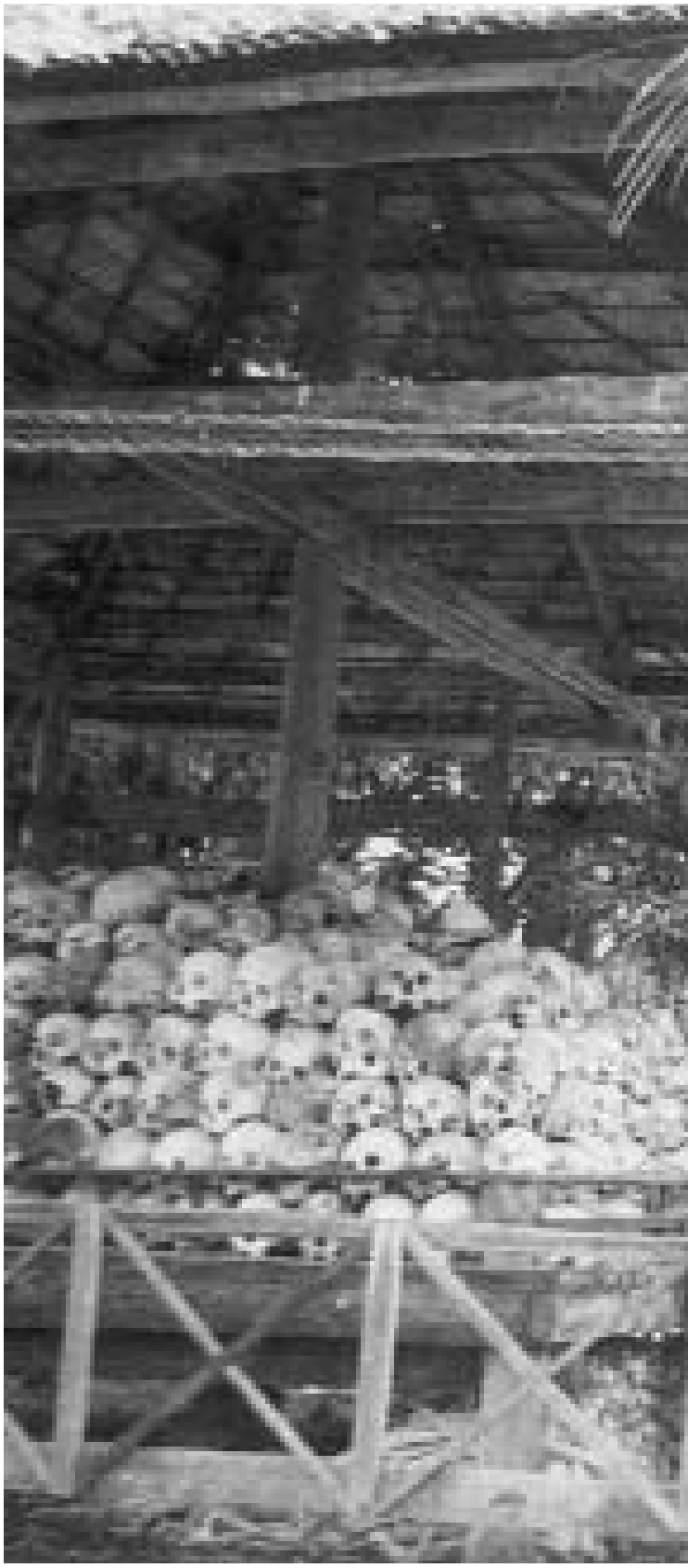
Although Buddhist monks and other religious groups were quite clearly persecuted during the DK period, it remains necessary to prove that the abuses described above were perpetrated on religious grounds. There exists compelling evidence that top leaders did intend to persecute religious groups, especially the Buddhist monkhood. Article 20 of the 1975 DK Constitution states that: "all reactionary religions that are a detriment to Democratic Kampuchea and the Kampuchean people are strictly prohibited." "Reactionary religions" are not defined, but subsequent evidence suggests that Buddhism, Islam, and Christianity were all targeted. Transcripts of Ben Kiernan's interviews with former DK officials Heng Samrin, Sin Song, and Kun Chhay confirm that top CPK leaders directed subordinates to "wipe out," "defrock," or "kill" Buddhist monks at the May 1975 Party Congress. According to Samrin, Pol Pot and Nuon Chea also said that monks were a "special class, "the most important to fight. Pol and Nuon insisted that monks, religious festivals, and wats would no longer be permitted and summed up the directives as meaning "no more religion." The following year, in Item 6 of the 1976 Resolution, the CPK Center

ordered that "the Armed Forces demolish" the Christian Cathedral.

The foregoing evidence demonstrates the clear intent of the CPK central leadership to persecute Buddhist monks and other religious groups. Given that almost all leading CPK officials attended the 1975 Party Congress, and absent evidence that any DK officials dissented from the CPK directives, a prosecutor before the KR Tribunal should be able to prove that most (and perhaps all) former CPK leaders satisfied the intent requirement for religious persecution. Even those who did not specifically order or commit acts of religious persecution—giving rise to direct criminal responsibility —are likely to be found liable through the doctrine of command responsibility for knowing of such Party directives and practices and failing to take countervailing action.

Conclusion

Given the strength of existing evidence, prosecutors should be able to establish the guilt of former CPK leaders for religious persecution between 1975 and 1979. However, as this article highlights, the scope of the crime, as set forth in the KR Tribunal Law, is very much in doubt. Abuses against Buddhist monks will certainly be punishable, but the types of abuses covered will depend on the tribunal's definition of what constitutes "persecution." Convictions for the persecution of non-monks, Muslims, Christians, and others will further depend on how judges interpret the 1956 Penal Code, customary international law, and the scope of the court's jurisdiction. These conclusions all serve to underscore that trials of former DK leaders will depend not only on untangling complex webs of facts, but also on grappling with complex problems of law.



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Great-Power Posturing and the Khmer Rouge Tribunal

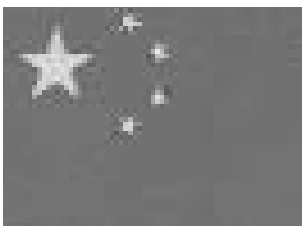
John D. Ciorciari

For the past several years, most media treatment of the proposed Khmer Rouge (KR) tribunal has focused on negotiations between the United Nations and the Cambodian government. The focus on UN officials is unsurprising, since they have been the most visible international participants in the process of shaping a tribunal. However, UN diplomats are only the front-line representatives of large international bureaucracies, which in turn are heavily influenced by the world's most powerful states. This article investigates the role that some of the most powerful members of the United Nations have played in promoting or frustrating recent efforts to establish a KR tribunal.

The UN Legal Department and its current head, Hans Corell, are certainly not mere puppets of the great powers. The personalities and belief systems of UN representatives have doubtlessly influenced their conduct of negotiations with the Cambodian government, as have bureaucratic politics within the United Nations. Nevertheless, UN negotiators never operate free of the constraints of great-power interests. In the case of Cambodia—long a site for strategic, political, and ideological rivalry-great-power politics have left a particularly strong historical imprint on UN policies. Although the Cold-War deadlock of the 1980s ended with the withdrawal of Vietnamese forces and the Paris Peace Accords, contemporary politics surrounding the Khmer Rouge tribunal show that Cambodia remains the subject of rivalry among the world's most influential states.

Since the relative Soviet withdrawal from Indochina in the late 1980s, the two most powerful military and political actors in mainland Southeast Asia have been China and the United States. During the latter years of the Clinton Administration, the U.S. government pushed—considerably, if not wholeheartedly—for a KR tribunal, while China adamantly opposed trials of former Communist Party of Kampuchea (CPK) leaders. The proposed KR tribunal became one of many fronts along which Beijing and Washington struggled over perceived issues of national sovereignty and human rights. Under the Bush Administration, and especially since the attacks of September 11, U.S. support for a KR tribunal has receded, while the People's Republic of China (PRC) remains staunchly opposed. With the world's largest country against a tribunal and its most powerful country ambivalent, the likelihood of credible trials for CPK leaders is clearly diminished.

Chinese Stonewalling



China has been the most consistent and outspoken opponent of an internationally managed or supervised tribunal for former Khmer Rouge leaders. PRC opposition has been explicit and direct, based on the argument that an internationally controlled tribunal would infringe upon Cambodia's national sovereignty. There appear to be several reasons for the strong PRC position against

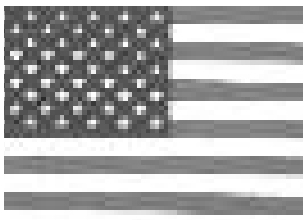
an international tribunal. First, China's strong support of the CPK during the 1975-1979 period makes the crimes of the DK regime a sensitive matter to Beijing. Trials of former CPK leaders would almost certainly reopen discussion about China's role in sustaining the Khmer Rouge and elicit strident international criticism.

Secondly, an international tribunal would undoubtedly draw attention to the Maoist and Communist features of the Pol Pot regime. Trials could provide a public opportunity for Western powers and Communist dissidents to attack the ideological enterprise of Communism and threaten the ideological prestige of the Chinese Communist Party (CCP) leadership in Beijing. Some of the intended parallels between Mao's Great Leap Forward, the 1966-1968 Cultural Revolution, and Angkar's "Year Zero" program would be difficult for domestic and international observers to miss.

A third basis for Chinese opposition is that a tribunal under international (and primarily Western) leadership would represent a major affirmation of the principle that human rights abuses sometimes justify first-world encroachment into the traditional "sovereign sphere" of developing nations. China's recurring disputes with the United States and others relating to human rights make it extremely sensitive to such precedents, especially when a Khmer Rouge tribunal would take place in its houyuan (backyard) of Southeast Asia. Beijing has long perceived the Western human rights agenda as a thin veneer for neo-imperial power politics and is suspicious of any process that would underscore its own vulnerability to human rights critiques.

Finally, the idea of an international tribunal with heavy Western influence offends China's sense of the balance of diplomatic power in Southeast Asia. Beijing regards mainland Southeast Asia as a traditional area of Chinese influence and perceives strong Western power in the region as a "hegemonic" affront to its legitimate regional ambitions. Further, Beijing suspects that Western military, economic, and diplomatic engagement in the region form part of a new strategy, led by the United States, to engage in post-Cold War "containment" to preserve continued U.S. dominance of the lucrative and strategically critical maritime sea lanes of Southeast Asia. The formation of a Western-led KR tribunal would signal continued U.S. primacy in a strategically and economically prized region where China feels historically, culturally, and geographically entitled to leadership.

American Ambivalence



The role of the United States in the tribunal negotiation process has been more ambiguous, as opinions in Washington have been considerably more varied than those expressed in Beijing. Outwardly, the U.S. government has consistently supported the creation of a tribunal under strong international supervision. However, Washington has been unwilling to lend the full force of its diplomatic arsenal against Phnom Penh to bring an international tribunal (or a mixed tribunal with internationally accepted safeguards) to fruition.

If China has frustrated the prospects for a tribunal via opposition, the United States has hindered the process more through insufficient support or relative inaction. While many U.S. political leaders, activists, and voters support the formation of an international tribunal, Washington has been wary to push the issue too forcefully. There appear to be a number of reasons. First, like China, the United States has been widely criticized for its activities in Cambodia, beginning with support for the Lon Nol regime and the bombing campaigns of 1970-73 and continuing through the 1980s, when the U.S. government supported a Coalition Government of Democratic Kampuchea including the Khmer Rouge. Trials could refocus international attention on U.S. Cold War policies in Indochina, and reopen the political wounds of the Vietnamese War era, adding up to a serious deterrent to many U.S. leaders. Republican supporters of the Nixon administration, which carried out the bombing campaign of 1970-73, are particularly

sensitive to the possibility of reopening the Cambodian issue.

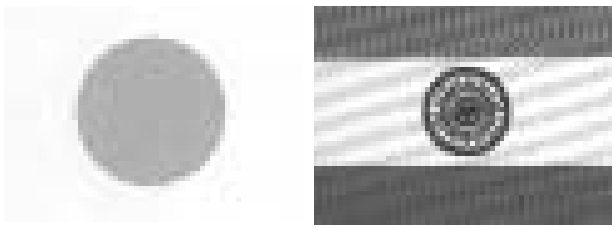
In addition, some leaders in Washington are unwilling to support a process that could inure to the benefit of Hun Sen, who has no shortage of political adversaries in the United States. Many members of the U.S. Congress and executive administration are veterans of the Vietnam War, and almost all lived through an era in which Moscow, Hanoi, and their Cambodian allies formed Washington's mortal strategic and ideological adversaries. Other U.S. leaders oppose Hun Sen for different reasons, citing his alleged human rights abuses and authoritarianism. Senator Jesse Helms and Congresswoman Dana Rohrabacher even proposed a resolution that would put Hun Sen on trial for war crimes rather than the aging leaders of the Khmer Rouge.

U.S. leaders are also conscious that pushing for an international tribunal carries diplomatic costs. Offending China is only one of the costs. Washington must also be concerned about the effect that its actions have in other developing states, where leaders fear unwanted U.S. intervention. The Bush Administration appears less willing to expend political capital on issues like the KR tribunal since the War on Terrorism began in Autumn 2001. The anti-terrorist agenda threatens to override other diplomatic issues and push them under the rug, just as Cold War considerations did during the 1980s, as Washington prioritizes winning support from foreign governments in the fight against militant Islamic extremism.

Finally, vocal U.S. leadership in an international tribunal would also be problematic in an era when Washington has become the world's most prominent critic of the new International Criminal Court (ICC). Many American political leaders have reservations about the United Nations and, more specifically, believe that encouraging international trials will soon render U.S. leaders and servicemen vulnerable to politically motivated prosecution. Washington has already been widely accused of hypocrisy in its stance toward the ICC, and insisting upon an international KR tribunal would likely intensify those accusations.

Of course, many American leaders and activist groups remain committed to bringing former CPK leaders to justice via an internationally managed or supervised criminal tribunal. Human rights groups and prominent members of both political parties have advocated the proposed trials, with the Democratic Left providing the most consistent vocal support. Nevertheless, the overall U.S. position can only be described as ambivalent. While China had openly lobbied the United Nations and major states to avoid international trials, U.S. pressures have been a blend of public and private encouragement and opposition.

Japanese and Indian Tip-toeing



American ambivalence and strong Chinese interests against a KR tribunal have left the issue open for other major powers to step into greater roles in shaping the process. Both Japan and India have expressed interest in the Khmer Rouge trials, although both of these Asian powers have approached the matter with caution. India is eager to assume a greater leadership role in the diplomacy of Southeast Asia, as evident from its improved relations with Vietnam, Indonesia, and other regional actors. New Delhi's offer to support a mixed KR tribunal if the United Nations permanently withdraws reflects an interest in the accountability process and in assuming a higher profile in Southeast Asian diplomacy. However, India is currently preoccupied with the conflict in Kashmir and is loath to offend Beijing, a longtime ally of Pakistan. New Delhi is also concerned about the re-emergent U.S.-Pakistani alliance and will continue to approach the KR tribunal carefully, avoiding steps that would threaten its critical relationship with Washington.

Japan has likewise expressed interest in funding

the Khmer Rouge tribunal and has offered consistent normative support for an international legal proceeding against Khmer Rouge leaders. Nevertheless, like India, Japan is constrained by its relations with other major states active in the Asia-Pacific region. Its alliance with the United States remains Japan's dominant international security relationship, and Tokyo has seldom taken diplomatic action in the region that would create tension with Washington.

Japan has also been wary of diplomatic initiatives that would offend neighboring Asian countries, whose acute memory of Japanese imperialism and the "Greater East Asia Prosperity Sphere" is evident in continued rows over history textbooks, Japanese war memorials, and the like. The opposition Japan faces in asserting diplomatic leadership in Southeast Asia was epitomized by Lee Kuan Yew, who once exclaimed that allowing Japan to participate in the UNTAC peacekeeping mission was "like giving chocolate liquers to an alcoholic." Asian suspicions of Tokyo help to explain why Japan has relied heavily on financial support, and not military or political muscle, to exert its diplomatic influence in Asia. The KR tribunal is likely to be no exception.

In sum, both Tokyo and New Delhi have interests in assuming greater leadership in the KR tribunal process, but both are cautious to avoid tension in their relations with China or the United States. Neither India nor Japan is likely to pursue an aggressive accountability campaign without a green or, at the very least, a blinking yellow light from Washington.

Conclusion: A Great-Power Muddle?

To conclude, the impact of great-power politics on the search for accountability in Cambodia has been mixed. During the late 1990s, the balance of great-power influence was tipped in favor of a tribunal, but enthusiasm was never unanimous. In the past year, the most powerful and relevant state in the greater Asia-Pacific region—the United States—has shifted to a more ambivalent position, and a divided Washington has arguably hindered the emergence of Khmer Rouge trials as much as its has promoted them. The more enthusiastic policies of India and Japan are promising, but their realization may well depend on renewed U.S. interest.

Without stronger great-power backing, UN negotiators may possess insufficient diplomatic leverage to break their current impasse with the Cambodian government. Facing only moderate pressure, Hun Sen and his negotiators have been unwilling to meet UN demands for added procedural safeguards designed to ensure the fairness of the trials. Cambodia's recent receipt of $600 million in bilateral aid—$200 million more than it asked for—shows that Hun Sen's alleged intransigence on the tribunal issue has cost him little. If the past is any indication, the great powers will need to apply considerably more pressure if the Cambodian government is to accept trials that comply with international (i.e., UN) demands.

To be sure, there are many individuals in each of the great powers, along with variable fractions of each state's leadership, who support a tribunal on moral or ideological grounds. However, evidence to date suggests that perceptions of national self-interest have been at least as important as considerations of justice in shaping the policies of the major powers, and those self-interests have contributed to the absence of justice for the crimes of the CPK.

While great-power politics are by no means the only factors holding up a KR tribunal, they may become the most determinative variable as the negotiating process moves forward. As the country with the greatest power resources and the most shifting position toward a trial, the United States is probably the critical hinge. To achieve credible justice in Cambodia, U.S. policymakers will have to overcome their concerns and commit themselves to the promotion of the same human rights so fundamental to the American political and ideological tradition.

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Agents of Death: Explaining the Cambodian Genocide in Terms of Psychological Dissonance

Alex Hinton

(Continued from the July 2002 issue)

While the arrival of Buddhism significantly altered many aspects of Cambodian society, this "warrior heritage" was retained and even reinforced. By asserting that the king was the defender of dharma, for example, Buddhism legitimated the use of force against enemies who threatened social order. This norm was reinforced by Cambodian proverbs, didactic poems, and folk-tales that encouraged people to act in accordance with their station. From a young age, children learned about the virtues of "warriors" who gained honor by distinguishing themselves through bravery, fulfilling their duty, and heroically fighting the enemy. This type of "Cambodian machismo" was premised upon an honor code, which held that those who dared to kill a sociopolitical enemy in battle gained face, while those who did not were ashamed.

One of the most popular stories was the Reamke, the Cambodian version of the Ramayana. Set in a Brahmanical world of violence and duty, this epic also reflects Cambodian ideals about virtuous behavior within a known community and against a sociopolitical enemy. Thus, Komphâkar displays proper respect and obedience toward his elder brother and king, Reap, while at court. On the battlefield, however, he bravely fights his adversaries to the death in accordance with his duty as a warrior. In each domain, a different ethic predominates. Like the followers of Sihanouk, Lon Nol, and Pol Pot, Komphâkar was disposed to engage in acts of ruthless aggression against those defined as sociopolitical enemies.

Psychosocial Dissonance in the DK Killing Fields

Festinger asserts a person can reduce cognitive dissonance by 1) changing given cognitive elements; 2) changing her or his behavior; 3) circumspectly adding new cognitions that bridge the gap between the dissonant cognitions; or 4) changing the situation in which given cognitions are salient. These dissonance reduction strategies can also, by extension, be used to reduce psychosocial dissonance. For example, a person experiencing PSD might 1) change one of her or his cultural models; 2) change the behavior that one of the cultural models entails; 3) add new, lower-level schemas that bring the dissonant cultural models into consonance; and/or 4) alter the context in which the given cultural models are salient. This latter strategy is often difficult, since an individual rarely has the power to single-handedly change her or his environment. Totalitarian states, however, often do. While PSD reduction ultimately takes place on the individual level, a totalitarian state helps transform people into "agents of death" both by: 1) promoting an ideology that modifies existing cultural models; and 2) changing the context in which the given models are salient.

Psychosocial Dissonance I: The State-Level Response

When the Khmer Rouge victoriously entered Phnom Penh on April 17, 1975, their first order of business was to evacuate Phnom Penh and the provincial capitals. This dispersal of the urban population was designed to control the citizenry, level class distinctions, create a strong labor base for the new agrarian, communist society, and weed out opposition. Leading military and civilian officials from the old government were rounded up and often executed. There was also a campaign to identify other potential traitors (e.g., teachers, students, bureaucrats, technical workers, and professionals).

While some of these "class enemies" were killed, others were sent to be reeducated in special camps or through rural peasant life. At least one to two hundred thousand people died in this first wave of DK killing. Having dealt with these potential sources of opposition, the Khmer Rouge instituted a number of social and ideological reforms that served to facilitate genocide by altering the en-vironment in which "agents of death" perpetrated their deeds.

DK Social Transformations: The DK regime introduced a number of radical changes that undermined the "gentle ethic" that had previously characterized communal interactions. Whereas Cambodian life had formerly revolved around the village, cooperatives became the fundamental socioeconomic unit in DK. Economic and ecological conditions that had previously necessitated cooperation were rendered irrelevant. In contrast to the polite and friendly relations Cambodians had developed through kin/friendship networks and years of communal association, interactions between "old people," "new people," soldiers, and local DK cadre in the cooperatives were often characterized by fear and suspicion. While people had previously observed patterns of etiquette that both regulated and diffused conflict, they were now told that everyone was equal and that obedience was due only to "the Organization" (Angkar).

Intergroup harmony was further eroded by the destruction of Buddhism. Many of Cambodia's leading monks were executed immediately after the revolution, and the rest of the religious order was eventually forced to resume a secular life. Temples were often physically destroyed or desecrated, sacred texts were burned, and statuary was defaced. If a Cambodian child had previously received her or his earliest lessons on morality at the temple, she or he was now indoctrinated into an ideology that glorified revolutionary violence and blood sacrifice. Communism replaced Buddhism as the new "religion."

Whereas the family had previously constituted the primary social unit in Cambodian life, its bonds represented a threat to the DK regime. Consequently, the Party attempted to diminish the importance of the family by eliminating its social and economic functions. Family members were systematically separated by housing restrictions, relocation, communal meetings, and long work hours in sexually segregated work teams. Such separation was part of a larger movement to redirect familial attachment to the state. In accordance with their official policy of egalitarianism and with their high valuation of children as the future of the revolution, the Party subverted patterns of etiquette that had traditionally governed interactions between family members. Indoctrination sessions informed children that they no longer had to act deferentially towards their parents. Mothers, father, children, and neighbors were all "comrades" now.

DK Ideology: As the gentle ethic was being undermined, the violent ethic was ideologically legitimated at the local level and began to inform everyday communal relations. While the leaders of the old regime had been eliminated and socioeconomic transformation begun, the DK regime was determined to bring the "spirit of combative struggle" to the cooperatives. Khmer Rouge ideology frequently employed the word tâsou ("to fight/struggle bravely") to reference the warrior spirit. Everyone was expected to enlist in the revolutionary fight to "build and defend" the country. The first battleground was the work site. Daily activity was reorganized along military lines. "Squads, "platoons," "companies," "battalions," and "divisions" of workers were sent to plant and harvest crops, to clear land, and to dig irrigation dams and canals. Like the military, this economic army was subject to strict discipline, harsh living conditions, and long work hours.

National security constituted the second battlefield. In addition to feeling threatened by external enemies like Vietnam, the DK regime feared internal foes. Everyone was enjoined to seek out "traitors" who could potentially sabotage and/or co-opt the revolution. Initially, this command entailed mounting an offensive

against "class enemies" and secret agents of foreign countries who were likened to a "sickness" that needed to be "treated or "cut out." Following economic failures, a possible coup attempt, increased hostilities with Vietnam, and internal fights within the Party, a second wave of killings began at the end of 1976. In the brutal purges that ensued, high-ranking DK officials were tortured at the infamous interrogation center at Tuol Sleng; their families and subordinates, guilty by association, often followed. In the Eastern Zone alone, over one hundred thousand people having "Khmer bodies and Vietnamese minds" were killed in 1978. Such terror was glorified "in the name of the revolution". Violence became a virtue. Waging war became presti-gious. So did smashing the enemies of the party.

If the battle to "build and defend" the country was to succeed, all Cambodians had to adopt a proper revolutionary spirit. This new mentality required both complete obedience to the DK leadership and the renunciation of material goods, reactionary attitudes, and previous loyalties. Since the Party represented the people, any sign of disobedience was tantamount to treason. As in war, such enemies of the state were subject to summary execution. Because local officials were commanded to root out these internal "microbes" without criteria for how to do so, a great deal of local-level variation in the pattern of violence ensued. In some areas, hard-line cadre would execute suspected traitors without hesitation. In other locales, officials were relatively moderate in their actions. No doubt many of these individuals would have experienced a great deal of PSD when given orders to kill that came into conflict with the "gentle ethic" (i.e., an emotionally charged cultural model that prohibited them from harming fellow members of their community) that had been such an integral part of their social identity. We will now examine how these "agents of death" dealt with their PSD.

Psychosocial Dissonance II: The Individual-Level Response

How do people become genocidal killers? As we have seen, one factor in this conversion process comes from a "state-level response." In the case of Cambodia, the DK regime helped to reduce PSD by altering the environment (i.e., by undermining the gentle ethic and bringing the violent ethic to the local level) and by providing an ideology that could be used to modify these two cultural models (e.g., redefining the "enemy," ordering the execution of "traitors," promoting re-volutionary violence). Ultimately, however, psychosocial dissonance occurs and is reduced on the individual level.

This "individual-level response" will vary for each person. Based on her or his life history, an individual will need to take certain steps to become an "agent of death." Some people may just require a suitable environment to enact potentialities that they have already actualized. Others may have to undergo one or a series of transformations to become a killer. Still others may refuse to participate in a genocidal regime. Most genocidal killers probably fall into the middle category. This section will thus be concerned with delineating several of the cognitive "moves" such individuals may make to reduce their PSD to a point at which they are transformed into an "agent of death." In particular, I will argue that the "genocidal self" emerges in situations in which an actor is able to: 1) dehumanize victims; 2) employ euphemisms to mask her or his deeds; 3) undergo moral restructuring; 4) become acclimated to killing; and/or 5) deny respon-sibility for her or his actions. I will deal with each of these dissonance reduction strategies in turn.

Dehumanization: A group of Stanford social psychologists once initiated a mock prison experience in which college student subjects were randomly assigned roles as "prisoners" and "guards." Six days later, the planned two-week study had to be halted after the guards exhibited increasingly abusive behavior toward the prisoners. This experiment illustrates two

interrelated aspects of the dehumanization process that facilitates genocidal killing: exclusion and devaluation. "Exclusion" refers to the process by which people lose their personal identity and are viewed in terms of a group category that is differentiated from the larger social community. "Devaluation" refers to the way in which such groups of people are increasingly marginalized from humanity. Exclusion and devaluation both contributed to the extreme dehumanization that took place in DK.

In an attempt to erase hierarchical and class distinctions, the Khmer Rouge set out to divest the populace of "individualistic" qualities associated with a "capitalist" mentality. Personal property was abolished; work and eating were communized. Everyone was required to wear identical black garb, to cut their hair short, to adopt stereotypical patterns of "appropriate" speech and behavior, and to divest themselves of individualistic traits that precluded a proper revolutionary "consciousness." The ostensible goal was to create a homogeneous society in which the individual was subsumed by the state.

In reality, this homogeneous mass was divided along several lines. First, a clear distinction was made between the "true" Khmer who were a part of Angkar and those who were its "enemies." Since Angkar represented the people, any opposition to it was treasonous. Local-level cadres were ordered to root out these "class enemies" who were attempting to subvert the Revolution. The first people to come under suspicion were "new" people: the urbanites and rural refugees who had been expelled from the cities and were suspect for having (in)directly supported the Lon Nol forces that the Khmer Rouge had defeated. Their very exposure to foreign influence and imperialism suggested that new people were not "real Khmer" and were thus enemies who should be treated in accordance with the violent ethic. This group was sharply distinguished from both Khmer Rouge cadre and soldiers, and the "old" people who had lived under the Khmer Rouge during the difficult war years. From the very beginning, the relocated "new" people were "outsiders" who were treated more harshly.

In addition to being excluded from normal communal life, "new" people and other suspected enemies were subjected to dehumanizing practices. "New" people spoke of being crammed into trucks for many hours during later relocations. Often they had to defecate or urinate where they stood; the trucks didn't stop, even if someone died of suffocation. "We were being treated worse than cattle, the victims of methodical, institutionalized contempt...we [were] no longer human beings." People were also required to work like animals. Not only were they expected to labor obediently for extremely long hours, on starvation rations, but they did so under the watchful gaze of armed soldiers and/or supervisors who had the power to have them executed. Many people have recounted the miserable living conditions in DK. "We were hungry, too tired to wash or clean our clothes, and we lost all sense of hygiene. We didn't care what we ate... where we had a shit, or who saw us. Disease spread through the village—cholera, malaria, dysentery, diarrhea and skin infections."

These dehumanizing practices were mirrored by Khmer Rouge ideology. People were instructed to be like oxen--"Comrade Ox never refused to work. Comr ade Ox was obedient. Comrade Ox did not complain. Comrade Ox did not object when his family was killed." A soldier told one "new" person that it was better that her mother had died "than a cow...[cows] help us a lot and do not eat rice. They are much better than you pigs." Part of this extreme devaluation stemmed from the fact that new people were often regarded as "war slaves." "Many times we heard soldiers shout, 'Prisoners of war! You are pigs. We have suffered much. Now you are our prisoners and you must suffer.'" While sometimes tolerated, such "enemies" were expected to work hard and to be obedient. If they committed an offense, their execution would be no

loss to DK. When explaining why his commune leader, Comrade Chev, both killed and ordered the execution of so many people, Haing Ngor notes: "We weren't quite people. We were lower forms of life, because we were enemies. Killing us was like swatting flies, a way to get rid of undesirables."

Such Khmer Rouge were indoctrinated into an ideology that instructed them to have no feeling for the enemy. As one cadre told me, "We were brainwashed to cut off our hearts from the enemy, to be willing to kill those who had betrayed the revolution, even if the person was a parent, sibling, friend, or relative. Everything we did was supposed to be for the Party." This ideology of cutting off one's sentiment toward a now excluded and dehumanized "enemy" helped many Khmer Rouge reduce PSD both by redefining who was to be included in the new communist society and by creating a target group onto which they could project any anxiety-producing feelings. Because the revolutionary struggle continued in the cooperatives, Khmer Rouge cadre had little problem invoking the "violent ethic" to execute these hated enemies who were threats to the revolution, not "true" Khmer, and less than human.

Euphemism: By using euphemisms, perpetrators of violence are able to mask the true nature of their actions with expressions that made them seem benign or even respectable. In Nazi Germany, for example, Jews were referred to in terms of a medicalized vocabulary that made their elimination seem like a public health decision. Jews arriving at Auschwitz were prepared for "special treatment" in which "disinfection squads" would pour cyanide into their shower/gas chambers. Such linguistic maneuvers provide genocidal perpetrators with a sanitizing "discourse in which killing [is] no longer killing; and need not be experienced, or even perceived, as killing."

As one might expect in a culture in which indirect speech is extremely common, a similar euphemistic discourse was prevalent in DK. As in Nazi Germany, much of the violence was described in a medicalized manner. The elimination of enemies was justified as a necessary "cleaning of "diseased elements." This purification process continued throughout DK. In late 1976, Pol Pot stated: "there is a sickness in the Party...We cannot locate it precisely. The illness must emerge to be examined....If we wait any longer, the microbes can do real damage." The race to eliminate this "infection" led to increasingly violent purges both on the local level and within the upper echelons of the party itself. In the Eastern Zone bordering Vietnam, for example, many individuals—particularly the new people—were executed because they were suspected of being "infected" or "contaminated" by a "pro-Vietnamese virus."

Local-level DK cadres used a variety of other euphemisms to mask their genocidal deeds. People were sometimes threatened with being taken "into the forest, "to the field behind the village," or to "work on the mountain." In Cambodian culture, these places were associated with the "wild," the feared non-civilized domain in which violence took place. Before being led off to be tortured, imprisoned, and/or executed, people were often told that they were being taken "to learn" or "to see Angkar." Such palliative expressions served to disguise and legitimate the acts of violence that the Khmer Rouge cadres were committing.

(Continued in the September 2002 issue)

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Analyzing the Buddhist Instruction:
"Vindictiveness is Ended by Not Being Vindictive"

Sophearith Chuong

Buddhism has been regarded as the state religion for many generations of Cambodian society. The national motto in the 1993 constitution of the Kingdom of Cambodia is "Nation, Religion, King." Article 43 of chapter 3 states that "Buddhism is the state religion." Buddhism has long had deep roots in Cambodian culture.

During the Democratic Kampuchea regime, the freedom of religious belief was deprived from Cambodians. Those who went through this regime know that the Khmer Rouge brutally oppressed religious practices.

"Religious persecution" is one of the crimes covered by the Khmer Rouge tribunal law. The Law on the Establishment of Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed during the Period of Democratic Kampuchea was signed by King Norodom Sihanouk in August 2001. Chapter one, article one of this law clearly states that "the purpose of this law is to bring to trial senior leaders of Democratic Kampuchea and those who were most responsible for the crimes and serious violations of Cambodian penal law, international humanitarian law and custom, and international conventions recognized by Cambodia, that were committed during the period from April 17, 1975 to January 6, 1979."

Because of their strong Buddhist belief, some Khmer people who live in the countryside are not aware that the acts of the Khmer Rouge between 1975 and 1979 were serious international crimes. In addition, some victims do not want to talk about their tragic past, and rather, they silently bear the grief and suffering all by themselves, in fear. Also, some of our senior fellow citizens rationalize to themselves by using the idea of "vindictiveness is ended by not being vindictive," and that justice for the Khmer Rouge atrocities is not to be sought.

At the same time, some former Khmer Rouge cadres argue that the Khmer Rouge's acts toward Cambodian people should not be stirred up, since it happened long ago. Khieu Samphan, former president of the state presidium of Democratic Kampuchea, said at a press conference in December 1998, "Let the past be forgotten."

Letting the Khmer Rouge's past crimes slip away from justice does not mean not being vindictive. For if we do not wash away the sins of the Khmer Rouge, the cycle of vindictiveness will continue.

The term pear (vindictiveness) means "one's anger that leads one to harm or to take revenge on people who harmed him/her." The word pei has a similar meaning. In Khmer, this word was used together with the word tos (offense or crime), such as tospei meaning tos and pear or tos as pear.

Buddha taught, "Vindictiveness is ended by not being vindictive." He meant that walking walk away from the cycle of vindictiveness is to solve the core problem; otherwise, it will continue.

Is bringing Khmer Rouge leaders to trial an act of vindictiveness? Tep Vong, the supreme head of the Sangha of Mohanikay of the Kingdom of Cambodia, explained, "No, unless the tribunal is conducted unjustly. Khmer Rouge leaders should be prosecuted according to the seriousness of their crimes. If you owe someone four, you must pay them back four, and it's over. If you pay ten, then the cycle of debt will continue."

Despite this, some top Khmer Rouge leaders, like Son Sen, Pol Pot and Keo Pauk have already died. Khieu Samphan, Nuon Chea, Ieng Sary, Ieng Thirith and Ta Mok are still alive. These people have to be responsible for what happened under their leadership.

Should the Khmer Rouge leaders be brought to trial for their crimes or should we just regard the tragedy as our own sin? Tep Vong answered, "We cannot depend on vindictiveness. Everything must be tried. But the prosecution must be fair and in conformity with religion. …there should be no intimidation or mistreatment [of the Khmer Rouge], or the cycle of vindictiveness will continue."

Buor Kry, the supreme head of the Sangha of the Thommayut Nikay of the Kingdom of Cambodia, said, "According to the teachings of Buddha, Buddha had sympathy, pity, no jealousy, and a centrally focused mind. No matter what people were, Buddha's attitude toward each of them was unchanged. Even his enemies who endeavored to assassinate him were allowed to visit him." He continued, "Let's consider the old Khmer culture. Our ancestors stated, 'One can't cut water or disown a close relative, or he/she will get hurt.' Another slogan goes 'Taking relationships into consideration means moving away from the law.' Our society utilizes both slogans. We are concerned about law and kinship. We care about both."

Both slogans are true. It is extremely difficult and painful to disown a close relative. There is nothing in this world that cannot be solved; the problem is time. In order to develop a country, we need to go through a great many obstacles. Enduring difficulties and pain in a period is better than allowing those difficulties and pain to stand in our way forever. It is true that if we pardon a relative because of affection, we will violate the law. This will result in the reduction of the law's power.

Buor Kry explained that "the term ah phey (pardon) means bringing people back to do good deeds, just like Ang Kuli Mear. After stopping him from committing evil acts, Buddha ordained and educated him. But it does not mean we want Khmer Rouge leaders to become monks. We educate them in appropriate ways so that we can live together. It is not pardon and neglect. Bring them into the society and advise them to walk in our ways, to live with us."

In 1994, the Royal Government of Cambodia outlawed the Khmer Rouge, but at present, they allow

Ampil Bei pagoda in 1979

the Khmer Rouge to live among us and even gave a pardon to Ieng Sary, who was condemned by the revolutionary court of the Kampuchean people in 1979. The Khmer Rouge tribunal law is a way of solving "vindictiveness," which conforms to the Buddhist advice: "vindictiveness is ended by not being vindictive."

Asked whether the massacres carried out during the Pol Pot regime were the fault of humans, Tep Vong said, "According to my serious consideration, the answer has to be vague. Why? Because lives are full of suffering. 'Sin' refers to what one does. I am not sure whether Pol Pot is the one who initiated the cycle of sin. If he is not, the suffering and loss of lives are sins from the past."

Have the former Khmer Rouge leaders suffered for what they did? Buor Kry replied, "…they are receiving it now. …the world hates them, outlaws them. These are the consequences of their sins that they should receive. The urge to prosecute them by the UN is also a result of their sins. If they were good people, who would try to do that to them?"

Buor Kry said that we have sin within us. "If we do not have sins, we will not be born. We are born, alive and dead because of sins." He added, "Buddhism does not use the word 'accidental.' There is no chance happing. In Buddhism nothing happens by chance. Our previous acts decide what we are in the present. If we do not believe in an act and its result, we will not live in peace in our lives."

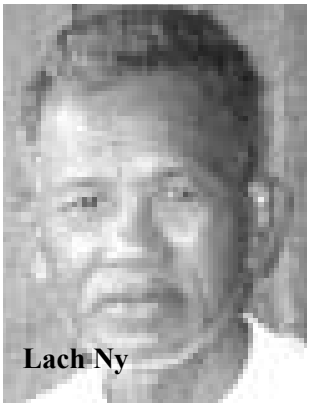
All acts of the Khmer Rouge cannot be regarded as accidental. They were all intentional. If the Khmer Rouge do not admit that the genocide and other crimes against humanity were their acts, they will not be able to live in society. The only solution for them is to face a trial for the sake of justice and social advancement.

Buddhism and the law share the same view. Those who do bad deeds will receive proportional results. The law will punish people who violate it. All people have equal rights before the law. If law provides genuine justice, vindictiveness will cease to exist. Bringing top Khmer Rouge leaders to trial is an act of "vindictiveness ending by not being vindictive." Trying them does not mean taking revenge on them, but justice, which is accepted by all people.

Sophearith Chuong is a staff-writer of the Searching for the Truth magazine.

Without Justice, the Past Prevails

Dany Long


Lach Ny

Lach Ny's life was filled with suffering. He insisted, "Unless I die, I cannot forget my wife and my children. As long as my shadow exists, I will be preoccupied with my wife and my children." Lach Ny's wife and seven children were executed by the Khmer Rouge in July 1977.

Lach Ny is the native of Po Chendam village, Svay Antor subdistrict, Prey Veng district, Prey Veng province. Under the Sangkum Reastr Niyum regime, he enjoyed a higher standard of living. He was a vendor at Svay Antor Market. He was able to pursue his studies in the provincial town of Prey Veng and in Phnom Penh, and reached grade five.

In 1960 Lach Ny worked for the Ministry of Cadastre. In 1962 he married a girl named Sum San, a native of Chroy Changva, Phnom Penh. Sum San's father was Cambodian-Chinese and her mother was Vietnamese.

After their marriage, Lach Ny's wife worked as a cook for an Indian import-export company on Calmet Street. Lach Ny then resigned from his post. In 1963, he applied for a position as a French language assistant with the company. The couple worked together until 1968.

Lach Ny then began teaching French language at a private language school in Dei Et subdistrict, Kien Svay district. After teaching for six months, Cambodia became unstable. He decided to stop his career and brought his family to his hometown of Prey Veng.

With support from his parents in Po Chen Dam village, Lach Ny managed to have his wife start a business. She sold vegetables at Svay Antor market. Lach Ny held two jobs: teaching and buying vegetables from Neak Loeung or Oreang Ov for his wife to sell. Lach Ny's and his wife's income gave the family a high standard of living.

Lach Ny recounted that his wife was friendly and full of sympathy toward neighbors. She was very helpful. Sum San always helped people in times of shortages or hardship. "My wife was an excellent head of the household, providing happiness for the family and love to the neighbors. My family never had any quarrels with the neighbors."

Unfortunately, Lach Ny's family happiness vanished on April 17, 1975. Under the Khmer Rouge regime, Lach Ny was assigned to teach children. He was supposed to teach two hours a day (after lunch). The rest of the time he was to send children to work in the fields and other places assigned by the upper level. His wife and their young children were assigned to work in a "Unit of Aunts" in charge of transplanting, harvesting and tending vegetation nearby the village.

Before the Khmer Rouge took his wife and children to be killed, the subdistrict chief, Loek Chhem called Lach Ny to see him. He asked, "Is your wife Vietnamese or Khmer?" Lach Ny replied, "She is Khmer. Her father is of Chinese descent." Chhem argued, "No. She is Vietnamese. Thus, she has to be sent back to Vietnam." No matter how hard Lach Ny tried to convince him, Loek Chhem could not be budged. He gave the order: "Take his wife and all of this children except his eldest daughter named Dalida, working in the Mobile Unit." He told Lach Ny that if the father of the children was Vietnamese, the children would be protected from execution, but that if their mother was Vietnamese, her children would be killed. Loek Chhem explained, "Genetically, a woman produces children. The female mouse is also the cat."

Upon returning home, Lach Ny did not dare inform his wife that she would be killed. Instead, he told her, "My dear, you and our children will be sent to Vietnam." After that, she could not sleep well, waiting for her day of death. On the day before she was taken away, she told her husband, "My dear, please take care and live a happy life." In July 1977, the Khmer Rouge took his wife and children to be killed.

Six of Lach Ny's children were taken away by horse cart. The eldest, his 13-year daughter Dalida, was not around. She was busy with her mobile unit working in the fields. A day before the arrest, Dalida was asked to return home. On that night she slept at her grandparents' house west of the district office of Prey Veng. She didn't sleep, but cried through the night, Lach Ny recounted. She said she would not go. She would stay with her grandparents. Lach Ny said, "My daughter knew she would be killed. When the morning came, militiamen came and caught my daughter like a pig. My daughter ran through the village, begging for help. We were so terrified." Dalida was taken away by bicycle to be killed together with her mother, brothers and sisters.

Lach Ny was detained for two months. After his release he was notified about the execution of his wife and his seven children. Lach Ny became crazy, calling for his children. He confirmed, "My head was up and down. The earth was swinging. I didn't know where the east was, and where the west was. I walked through the village, hugging villagers' children."

Lach Ny was then forced to marry another woman. Nineteen marriages were arranged at the same time as his. After the marriage, Lach Ny's new family, including his parents and other relatives, was evacuated to Ang Tum Leng and Thlok Trapeang villages in the Svay Daunkeo district of Pursat. The Khmer Rouge told the evacuees that the soil around these villages was fertile and good for growing rice and fruit trees. Actually, they were re-education camps. Many of the inmates there died each day as a result of overwork, food shortages and execution.

After the collapse of the Khmer Rouge in 1979 Lach Ny returned home and learned that his wife and children were killed in Kraing Kor village. Kraing Kor was the largest security and execution site in Prey Veng district. Thousands of victims were killed at Kraing Kor. The victims were not only Vietnamese, they also included ethnic Khmers and Buddhist monks.

Despair has colored Lach Ny's life ever since. Although the Khmer Rouge forced him to marry another woman, he still cannot forget his wife. He said, "It is really tragic for me to live alone without my wife and children who were killed. At times when I miss my wife and my children, it seems that they are coming to sit in front of me."

Lach Ny hops that he will feel relief if an independent tribunal is ever established to prosecute the Khmer Rouge leaders. If this comes to pass, justice will be obtained for his wife and children as well as the other victims who died unjust deaths under the Khmer Rouge regime.

Dany Long is a staff-member of the Project to Promote Accountability.

KHMER ROUGE SLOGANS

◆ Continue to eliminate privacy in equipment, authority and morals.

◆ Absenteeism, disorderliness, uncertainty, unreasonableness, and irresponsibility must be eliminated from leadership and work behaviors.

◆ Determine to practice modern agricultural methods in 10 to 15 years' time. (Cited from Revolutionary Flag magazine)

◆ Pay as much attention to work tasks as to political and ideological tasks. (Cited from notebook number 076)

Letter from the Reader:

The Confession of My Father

Dear Mr. Director:

I am one of the readers of your monthly magazine, Searching for the Truth, of the Documentation Center of Cambodia. Reading such material reminds me of the considerable suffering of my parents experienced, as well as all Cambodian citizens who lost their lives due to the barbarous, disgusting reign of the leaders of Democratic Kampuchea.

Recently, I have searched for my father named Ping Kim Sea, a former medical doctor in Battambang, who was tortured to death by the Khmer Rouge monsters at Tuol Sleng. Fortunately, through the CD produced by the Documentation Center of Cambodia, I found a mug shot (with identification number 02572) and some information about him as attached herewith. However, I could not find his forced confession.

Therefore, please Mr. Director, allow me to have a copy of his "confession" so that I could know more about the cause of his death.

Thank you in advance for your respected generosity. Wishing you continued success in the research and documentation of genocidal perpetrators to be brought to justice very soon.

Sea Kosal

Poeung Kim Sea

Before 17 April 1975, he was a chief of Health Office in Battambang province and he ran the state-owned Provincial Hospital of Battambang. He graduated from a University in Paris, France.

The Documentation Center of Cambodia would like to appeal to governments, foundations and individuals for support for the publication, *Searching for the Truth*. To contribute, please phone (855) 23 21 18 75 or (855) 12 90 55 95 or Email: dccam@online.com.kh. Thank you.

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