



**Defense Dissects Philip Short's Credentials,  
Methodology, and Biography of Pol Pot**  
By Mary Kozlovski<sup>1</sup>

After a lengthy examination by prosecutors and civil party lawyers, defense lawyers at the Extraordinary Chambers in the Courts of Cambodia (ECCC) began their cross-examination on Wednesday of British author and journalist Philip Short, 68, an expert witness<sup>2</sup> in Case 002. Mr. Short's well-known biography *Pol Pot: The History of a Nightmare*<sup>3</sup> includes interviews with defendants Khieu Samphan and Ieng Sary, who died in March this year at the age of 87. Mr. Short's testimony was delayed earlier this year after Ieng Sary fell ill.

In the morning, 300 students from Kampong Cham province attended the court hearing, while 150 villagers from Takeo province arrived at noon. There were also 20 civil parties from Kampot province present. Khieu Samphan was present in court all day, while his co-defendant Nuon Chea observed proceedings remotely from a holding cell due to his health problems.

***Prosecution Continues Examination of Expert Witness Philip Short***

Picking up the thread of yesterday's examination, International Senior Assistant Co-Prosecutor Tarik Abdulhak referred to Standing Committee meeting minutes from March 1976 that included reports from three sector secretaries. He inquired as to why Khieu Samphan attended the meeting. Mr. Short replied that while Khieu Samphan was not a Standing Committee member, he attended the great majority of committee meetings because he was in a special position at the

---

<sup>1</sup> Cambodia Tribunal Monitor's daily blog posts on the ECCC are written according to the personal observations of the writer and do not constitute a transcript of the proceedings. Official court transcripts for the ECCC's hearings may be accessed at <http://www.eccc.gov.kh/en/case/topic/2>.

<sup>2</sup> For more information on expert witnesses at the ECCC, see ECCC Internal Rule 31. The ECCC Internal Rules can be accessed at <http://www.eccc.gov.kh/en/document/legal/internal-rules-rev8>.

<sup>3</sup> There are several editions of Mr. Short's biography of Pol Pot, which was also published with the title *Pol Pot: Anatomy of a Nightmare*. According to Mr. Short, the book was published in Britain and the U.S. in 2004 and later published in other languages.

center of power, though he did not belong to that center. The witness speculated that Pol Pot saw Khieu Samphan as potentially taking on more leadership duties, which did not occur for various reasons, including the fact that Khieu Samphan was not a leader.

Turning to the evolution of purges in 1976 and 1977 detailed in Mr. Short's book, Mr. Abdulhak requested that the expert witness describe the significance of an explosion outside the Royal Palace and the arrest of soldiers and of Chan Chakrey and Chhouk that followed. Mr. Short responded that it was another stage in the evolution of the "paranoid mindset" of the leadership of the Communist Party of Kampuchea (CPK), whereby an event would trigger suspicions in many directions – in this incident toward the Eastern Zone, leading to the arrests of Chan Chakrey, Chhouk, and people connected to them in "ever-widening circles." "That was the pattern which happened in all the zones thereafter," he said.

Mr. Abdulhak quoted an excerpt from Khieu Samphan's 2007 book<sup>4</sup> in which he described Pol Pot remarking at an October 9, 1975, Standing Committee meeting that Chan Chakry was new and had his position because of Vietnam, which was "responsible speech." "[Pol Pot] was speaking as a party secretary who had been monitoring Chakry for a very long time," Khieu Samphan was quoted as writing. In response to the prosecutor's question, Mr. Short expressed uncertainty about whether Khieu Samphan had written the passage because he believed there was a plot by Chan Chakry and others or because he was justifying the purges. Mr. Short recalled that Ieng Sary had essentially described Pol Pot as excessively suspicious and most so-called plots as figments of his imagination. The expert witness said he would have thought Khieu Samphan would have drawn similar conclusions, and he was uncertain whether there was any basis for Pol Pot's suspicion of Chan Chakry. The prosecutor then asked Mr. Short to expand on a comment in his book that the Standing Committee's concerns about an assassination attempt at a planned – later postponed – summit between Cambodia and Vietnam was "preposterous." Mr. Short replied that he could not recall any instance where a country invited the head of a neighboring state to a summit and arranged their assassination.

### ***Testimony on S-21 and Confessions***

Citing a passage from Mr. Short's about S-21,<sup>5</sup> Mr. Abdulhak inquired as to why the expert witness had described the facility as the pinnacle and concentrated reflection of Pol Pot's slave state. Mr. Short responded:

In the dystopian vision that the Communist Party of Kampuchea had, freedoms were equated with individuality and were suppressed throughout the country, and the place where freedoms were most completely suppressed, including eventually the freedom to live, was Tuol Sleng. In that sense it was the apex of that pyramid.

However, Mr. Short said, S-21 was not unique and compared it to French prisons in Algeria, adding that no one in France – which is among countries financing the ECCC – has been brought to trial for the same kinds of offenses committed at S-21. Mr. Short told the court his reference to institutions "associated" with S-21 referred to district prisons under the direction of district chiefs, where people in collectives whose loyalty was doubted were sent. "In most cases, those

---

<sup>4</sup> This text written by Khieu Samphan was not named in court but is believed to be *Considerations on the history of Cambodia from the early stage to the period of Democratic Kampuchea*.

<sup>5</sup> S-21 is also referred to as Tuol Sleng. It was located at a school building in central Phnom Penh.

sent to S-21 were people who had some responsibility under the regime,” he testified. “Ordinary peasants who were regarded as expendable or should be killed were killed *in situ*. Those who needed to be interrogated were brought to S-21.”

The prosecutor quoted Mr. Short’s book as saying that Ney Sarann and Keo Meas were arrested in 1976 after being accused of conspiring to create a Vietnamese-backed worker’s party, which Pol Pot knew did not exist but of which he claimed to have “documentary proof,” along with attempts on his own life listed in confessions. When asked about the significance of “documentary proof” to the regime, Mr. Short asserted that it was “justification after the event” as the CPK could not be mistaken and confessions had to be extorted to prove that they were right to high-level cadres, who heard some confessions read out in study sessions. “There is a real question whether, and to what extent and in what way, the top leadership and, indeed, people like Duch<sup>6</sup> believed or placed any credence in the confessions being extorted,” he said.

Mr. Short told the prosecutor he believed the essential purpose of confessions was to provide justification; Pol Pot may have been interested in the content and extracted information from them. The expert witness stated that it was a rule within the foreign ministry that a person was not arrested unless mentioned three times in confessions, but as the volume of interrogations and confessions increased the number of mentions necessary before a person came under suspicion increased to five. He added that such things demonstrated a cynicism about the nature of confessions. Additionally, Mr. Short testified that Pol Pot’s method was apparently to “obtain maximum information” before announcing decisions, based on his interviews with Khieu Samphan.

Mr. Abdulhak inquired about Khieu Samphan’s comment in his 2007 book that evidence provided by Mr. Short about Vietnam’s support for the Khmer Rumdoh justified Pol Pot’s monitoring of cadres who had “cooperated with the Viet Minh.” Mr. Short replied that it was a “classic” Khmer Rouge/CPK explanation, which became a self-fulfilling prophecy, as they were convinced the Vietnamese wished them ill and therefore saw reasons to take measures against them, to which Vietnam responded. The expert witness said there were “understandable” historical reasons for such paranoia, but it worsened the situation. He commented:

It was that paranoia which fuelled the purges and separately, I would not say mass murder, but it was the same paranoia that was responsible for the determination to push the country to its limits, to build itself up in order to be able to resist Vietnam, causing death from overwork, starvation, exhaustion and so on.

Mr. Short told the court he knew of two cases where Ieng Sary and Khieu Samphan read confessions at closed party meetings. He further stated that fear was an important instrument of CPK rule, partly because there were few of them on the ground – party membership was never higher than about 14,000 – in a country of several million. Fear was used to instill discipline, control the population and above all keep the party in line, Mr. Short emphasized.

---

<sup>6</sup> Kaing Guek Eav, *alias* Duch, was the sole defendant in Case 001 at the ECCC. More information about Case 001 can be found here: <http://www.eccc.gov.kh/en/case/topic/1>.

Mr. Abdulhak inquired if Pol Pot's increasing trust of Khieu Samphan was relevant to his consultation with Khieu Samphan on the most important arrests, as cited in Mr. Short's book. Mr. Short replied that he was told by a source he regarded as reliable that during a particular period Pol Pot used Khieu Samphan for missions into the provinces, during which Khieu Samphan evaluated the situation and reported back. To his understanding, Pol Pot would decide whether or not to arrest certain people partly on the basis of those reports, Mr. Short averred.

Detailing regional purges, Mr. Short stated that one of Pol Pot's problems was his inability to unite the armed forces, which remained under different warlords. The most important were Ke Pauk, So Phim, and Ta Mok, with Pol Pot increasingly relying on the latter, he said. In the last years of the Khmer Rouge regime when provincial leadership and cadres fell under suspicion Ta Mok's troops were sent to arrest and replace them with cadres perceived as loyal, Mr. Short added, with Ke Pauk doing the same in certain areas. He told the prosecutor that an April 15, 1977, anniversary speech by Khieu Samphan that discussed perceived enemies, should probably be read as a coded warning to Vietnam and an internal call for vigilance.

### ***Internal Democratic Kampuchea (DK) Structures Explored***

Mr. Abdulhak requested that Mr. Short expand on the role of Doeun, described in a document as the chairman of the political office of 870 and by Mr. Short in earlier testimony as key. Mr. Short replied that the political office of 870 would in other countries be called the general office of the Central Committee, which implements decisions reached by the Standing Committee. "It's the transmission belt and as such obviously plays an absolutely crucial role," he said. Mr. Short added that he was uncertain if there was a formal replacement for Doeun in that position after his arrest, but it was reasonable to assume that Khieu Samphan had an important role. He suggested that Khieu Samphan's role in Office 870 and his presence at Standing Committee meetings went hand-in-hand, but it was difficult to say which was the cause of the other.



In response to queries from the prosecutor, Mr. Short testified that he was fairly sure Pol Pot, Nuon Chea, Ieng Sary, Khieu Samphan, and Vorn Vet lived together at the "bank buildings" in Phnom Penh. He emphasized that many Standing Committee and Central Committee members were provincial leaders and not based in the capital and stated that Thiounn Mumm – whom he interviewed – recalled working with Khieu Samphan on accounting and pricing of products for the Ministry of Commerce. Additionally, Mr. Short told the court that a messenger office attached to Office 870 transported confidential messages to provincial leaders and he believed it controlled the passage of information.

### ***Testimony Homes in on Khieu Samphan's Role***

When asked about Khieu Samphan's role in propaganda, Mr. Short said propaganda came under Yun Yat – Son Sen's wife – but all leaders at various levels had responsibility for study sessions, in which Khieu Samphan had an important role and felt at ease with. During their interviews when the DK period was raised, Mr. Short testified that Khieu Samphan told him they probably

should not continue as it was delicate for him. He concurred with the prosecutor that Khieu Samphan's appointment to the Central Committee in 1971 was reflective of his trustful relationship with Pol Pot but stated that Khieu Samphan did not go into detail on the period between 1970 and 1975 in their interviews.

Mr. Abdulhak mentioned a meeting at Office B-5 in early April 1975, described by Phy Phoun in his testimony<sup>7</sup> as attended by Pol Pot, Nuon Chea, Khieu Samphan, and military leaders, where the three men agreed on the decision to evacuate Phnom Penh. Mr. Short informed the prosecutor that he was unaware of the meeting but surmised that Pol Pot and Nuon Chea would have taken the decision. When asked about the significance of Khieu Samphan's speeches, Mr. Short responded that it was part of Khieu Samphan's role as public face of the FUNK (National United Front of Kampuchea), and specifically its communist core, and he was there to reassure and convey certain messages, like the broadcast about only the "seven traitors"<sup>8</sup> being executed when the city was liberated. The court then viewed part of a lecture given by Mr. Short at the University of California Los Angeles (UCLA) in March 2005, after which Mr. Abdulhak asked the expert witness if he would include Nuon Chea and Khieu Samphan among leaders he had described as thinking in line with Pol Pot. Mr. Short concurred.

Finally, Mr. Abdulhak read an extract from the testimony of Professor David Chandler in July 2012,<sup>9</sup> in which Prof. Chandler said he would alter a passage in his book *The Tragedy of Cambodian History* that described the regime as being ruled by "Brother Number One" and "Brother Number Two"<sup>10</sup> by 1977. According to the transcript, Prof. Chandler testified that after 22 years he would revise that passage slightly because, based on evidence seen since, he had come to believe the DK leadership was more collective than he had thought based on evidence he used in 1990. When asked for his views on Prof. Chandler's comment, the expert witness replied that he was unsure to which evidence Prof. Chandler was referring but his own impression was of an appearance of collective decision-making that Pol Pot perhaps manipulated to get his own decisions accepted. "Fundamentally, the decisions which were made were those of Pol Pot and to an extent Nuon Chea, and that extent we don't know," he said. Upon receiving this response, the prosecution concluded their questioning of Mr. Short.

### ***Civil Party Lawyers Proceed with Questioning of Philip Short***

National Civil Party Co-Lawyer Moch Sovannary began civil party lawyers' questioning by asking Mr. Short whether the Khmer Rouge policies of criticism and self-criticism affected new people living in cooperatives. The expert witness replied that criticism and self-criticism occurred systematically within official organs and the party, but there were ideological study sessions for new people in their collectives in the countryside. If somebody was denounced for doing something they should not have they would be expected to self-criticize, Mr. Short asserted, though it was often judged insufficient and they would be perhaps be taken to a prison

---

<sup>7</sup> Phy Phoun, also known as Rochoem Ton, testified in Case 002 at the ECCC in July and August 2012. Cambodia Tribunal Monitor's detailed accounts of his testimony can be accessed at:

<http://www.cambodiatribunal.org/blog/archive/201207> and <http://www.cambodiatribunal.org/blog/archive/201208>

<sup>8</sup> The so-called "seven traitors" are Lon Nol, Sirik Matak, Son Ngoc Thanh, Cheng Heng, In Tam, Long Boret, and Sosthene Fernandez.

<sup>9</sup> Cambodia Tribunal Monitor's accounts of Prof. Chandler's testimony can be found at: <http://www.cambodiatribunal.org/blog/archive/201207>.

<sup>10</sup> "Brother Number One" and "Brother Number Two" refer to Pol Pot and Nuon Chea, respectively.



and killed for breaking rules laid down by the party. He added that he understood new people did not take part in systematic criticism or self-criticism sessions.

### ***Lawyers Return to the Evacuation of Phnom Penh***

Noting Mr. Short's descriptions in his book of young Khmer Rouge cadre, Ms. Sovannary inquired whether teenage Khmer Rouge soldiers truly hated city dwellers or had been indoctrinated. Mr. Short testified that Khmer Rouge ideology played a part but there was a deeper thread, as many past peasant revolutions involved hatred of the city. He affirmed that the Khmer Rouge recruited many young soldiers from the poorest and remotest areas who were wholly unfamiliar and uncomfortable with city life, which they regarded as alien and hostile. Khmer Rouge ideology and the anti-urban sentiment of people from remote areas reinforced each other, Mr. Short said. He told the court Khmer Rouge soldiers looted Phnom Penh after arriving and, as they were charged with evacuating people as quickly as possible, herded them into processions to the countryside regardless of their condition. Pregnant women and hospital patients had to leave and though there was kindness by some soldiers who attempted to alleviate peoples' distress, most carried out orders more or less brutally and some conducted exemplary killings, Mr. Short continued.

Expanding on the phrase "human suffering on a colossal scale" in relation to the evacuation in his book, Mr. Short asserted that in more ordinary circumstances such a population movement would have been carefully prepared, with medical assistance, transport and food supplies along the way, of which there was none during the evacuation. He continued, "The goal was simply to move people, and however unpleasant it was for them during the movement, that was not really taken into account, and – this is a general point - there was consistently throughout the Khmer Rouge period a disregard of human suffering."



Additionally, Mr. Short stated that the resilience of city dwellers was perhaps greater than expected, possibly because some still had links with the countryside. Mr. Short commented that the evacuation was an "extraordinarily wrenching experience" but though it was difficult for city dwellers to move into more primitive environments, such primitiveness was the Khmer Rouge's reason for revolution.

In response to the civil party lawyer, Mr. Short averred that food was used as a means of control by local officials but the Standing Committee had ordered that people be fed properly; these orders were not implemented because the system was dysfunctional. Local officials were caught in a web of contradictions as they tried to follow orders from the center, control their populations, and push people to work hard enough to produce large amounts of rice, thus electing in most cases to apply very harsh policies, Mr. Short said. The expert witness emphasized that Pol Pot and the leadership were responsible for allowing the situation to arise and leaving it unaddressed but they did not directly order that food be used to control the population.

Continuing his testimony, Mr. Short stated that new people from the cities had worse rations at least for the first two years, as from 1978 onwards the distinction between “new” and “old” people was progressively abolished. The initial treatment of new people was partly punishment for not joining the revolution, partly an attempt to motivate them to display loyalty and work their way up to becoming old people and partly a desire to make them understand how hard life was in poor regions of the countryside, he said. “They were fed very badly; they had to work very hard; and over time, more and more of them starved to death,” Mr. Short added.

Additionally, Mr. Short averred, the regime did not want people to starve, and Pol Pot in fact desired people to be healthy so that they could work hard but he and the Standing Committee failed to ensure that people were fed properly. Overwhelmed lower-ranking officials used hunger as a means of control, which ultimately weakened people and caused many to die of starvation, he told the court. “The result was you had fewer people to work, therefore less production, and that was not at all what the leadership wanted,” Mr. Short asserted.

### ***Family Bonds in the Khmer Rouge Era***

When asked to opine on the impact of communal eating in cooperatives, Mr. Short replied that when the freedom to exist as a family and prepare one’s own food is removed, it breaks familial ties; it was another step toward Angkar’s desire for a state in which people had only one family – the collective and more broadly, the organization. He averred that the separation of young children from their parents was a means of atomizing society so that links within families and extended groups were cut and each person was “an atom uniquely dependent on Angkar.” He further suggested that children taken from parents and made dependent on another organization are more readily influenced and it was important for the Khmer Rouge to be able to raise a new generation of Cambodians dedicated to the regime because they had known nothing else.

Another aspect of the policy was to demolish the individuality of all Cambodians, Mr. Short said, though noting that families of senior leaders received special treatment. As an example, the expert witness described Khieu Samphan’s elderly mother being looked after by two helpers in Phnom Penh and his wife and young children living in Phnom Penh. He said he believed Nuon Chea’s mother, in Battambang province, also received special treatment, as did certain senior cadres who were permitted to have their families in the capital. Mr. Short asserted that district cadres also lived with their families in the provinces and ate better than ordinary people. However, he added that Ieng Sary told him that when they lived at K-1, family visits only took place once a week.

Under questioning from Ms. Sovannary, Mr. Short testified that suffering under the Khmer Rouge regime was partly the unavoidable effect of a policy designed to make the country strong and prosperous, which permitted the ends to justify the means. Additionally, he averred, suffering was a way to transform and purify one to become a different and, according to the Khmer Rouge, a better person. The DK leadership believed that suffering had a positive function, Mr. Short said, which is a belief common to other communist systems but taken much further in DK.

At this point, International Civil Party Co-Lawyer Christine Martineau took over the examination of Mr. Short, inquiring if he had interviewed any victims of the regime in his book.

Mr. Short responded that he had deliberately not interviewed victims directly, as there were already a large number of accounts published – from which he quoted – and he wished to attempt to explain the mindset of the regime itself. In response to query about why he had not interviewed Nuon Chea, he replied that Nuon Chea was impossible to approach around 1999 and 2000 when he began researching the biography, it was 18 months before Khieu Samphan agreed to meet with him, and Ieng Sary was also difficult to approach. “Nuon Chea at that time had spoken to no one, would speak to no one,” he said, adding that the accused lived in a small house in Pailin on the Thai-Cambodian border at the time. “It was not for want of trying.”

Under questioning from Ms. Martineau about whether Buddhism guided the Khmer Rouge revolution, Mr. Short testified that every form of communism was to some extent national and he felt it was normal that when Pol Pot and the CPK elaborated a system based on Marxist principles and their knowledge of the French revolution and the Paris commune, it would also be based on Buddhism. He continued:

In order to make communism relevant to a country, it has to resonate with the underlying beliefs of the population, which in Cambodia are Buddhist. So I don't see that as a contradiction, and the fact that they wished to eliminate the Buddhist religion is, again, normal. It happened in other communist societies. No communist regime wants an ideological competitor, which is what religion gives.

When pressed about his description of the “slave state” alongside the different treatment of various people under the Khmer Rouge regime, Mr. Short affirmed that people were all slaves, despite minimal distinctions in the extent of their enslavement. The regime did not want “new people” killed but transformed into willing and useful servants of the regime, he said. “There was no rationale for the leadership to wish to destroy all the new people because the leadership needed them,” Mr. Short added.

Replying to further queries about the second population movement, Mr. Short testified that one of the hallmarks of the DK regime was its incompetence and incapability, with the lack of planning and organization of the second transfer being an example. While affirming that he did not wish to downplay the suffering, Mr. Short commented that along with Khmer Rouge incompetence, cadres in the countryside were often illiterate and only able to receive oral instructions and new people were considered “expendable” in the sense that it was not seen to matter if many of them died. “They were not regarded as being intrinsically of any worth, they were of worth for what they could produce,” he concluded.

Finally, Ms. Martineau inquired if Mr. Short had been told by Khieu Samphan or seen documents suggesting that problems in the provinces should have been, or were, obvious to him. Mr. Short replied that he did not hear such things from Khieu Samphan, but there were other accounts. “I think Khieu Samphan would have justified to himself, as the leadership did, whatever collateral suffering was taking place as necessary to reach the end which they wished to achieve,” Mr. Short asserted. “I don't think he would have asked himself very many questions about it.”





### ***Nuon Chea Defense Inspects Philip Short's Credentials***

Following the conclusion of questioning by civil party lawyers, International Co-Lawyer for Nuon Chea Victor Koppe began the defense's cross-examination of Mr. Short. In response to questions from Mr. Koppe about his professional and educational background, Mr. Short told the court he worked for the British Broadcasting Corporation (BBC) in Africa, Moscow, Beijing, Paris, Tokyo, and Washington, D.C. He said he was in Moscow for three years from the beginning of 1974 to the end of 1976, then in Beijing from 1977 to 1981. He confirmed that he had no formal academic training as a history professor or lecturer and was not an academic expert in communism. "I would not pretend to be, nor would I wish to be," he said.

Mr. Short testified that he had been asked to peer review articles for academic journals regarding the theoretical foundations of communism but had not written them himself. His first book on communism prior to the biographies on Mao and Pol Pot was a comparison of evolution of the Chinese system after Mao and the Soviet system after Stalin called *The Dragon and the Bear*, he said. He concurred that many of his sources of knowledge were gleaned from his years as a correspondent in those cities; while he had read Soviet press and Russian academic studies,<sup>11</sup> it was more observation in China because he was there when the communist apparatus was evolving in the post-Mao period.

Continuing to detail his experience, Mr. Short confirmed that he had not been in Cambodia prior to 1975, came to the country first in 1991 for about three weeks, and again in 1999 when he began working on his biography of Pol Pot. He testified that he spent about five years between 1999 and 2004 working full-time on the book and had followed events in DK closely while working as BBC's Beijing correspondent in the 1970s, which was a good vantage point given that China was a DK ally. He said he did not speak Khmer, which was limiting in some cases but not others as he had, for example, conversed with Khieu Samphan and Ieng Sary in French.

### ***Defense Examination of Pol Pot Biography***

At this juncture, Mr. Koppe described Mr. Short as making "sweeping statements" about Khmer culture and behavior, such as characterizing the Khmer as lazy and having inferiority complexes, while invoking Theravada Buddhism as an explanation. This question prompted Mr. Abdulkhak to object that Mr. Koppe's own question made a sweeping statement about Mr. Short's work and such questions should be posed by referring to specific sections of his book. Mr. Koppe replied that he was attempting to expedite the proceedings, but Trial Chamber President Nil Nonn told Mr. Short he did not need to respond.

After Mr. Koppe rephrased the question, Mr. Short testified that he could not recall if he used the term "inferiority complex" but acknowledged that it was a way of describing Cambodia's particular historical vulnerability vis-à-vis its larger neighbors. The expert witness clarified that he had not called Khmer people "lazy," though he had quoted others who took that view, and remarked that there were different interpretations to be had. "Doing only as much work as you needed to live can be laziness to some but wisdom to others," Mr. Short commented. He confirmed to Mr. Koppe that the DK leadership felt it was difficult to move the Khmer people to work, which partly explained their harsh methods.

---

<sup>11</sup> Mr. Short testified that he reads Russian.

Citing prior research on the pre- and post-1975 periods by scholars such as David Chandler, Stephen Heder, and Ben Kiernan, Mr. Koppe asked if Mr. Short had established anything in his biography of Pol Pot that was based on his own research. Mr. Short replied that he disagreed with a great deal of what Mr. Kiernan wrote, believing it to be misguided in many respects. He felt Chandler had done early, but sound, work, which nevertheless had gaps where events were unclear. The expert witness stated that he was able to fill some of those gaps by speaking to former Khmer Rouge officials. “My book is not a history of DK; it is a biography of Pol Pot,” he said, adding that the difference between his work and that which preceded it was that earlier works were written from sources other than the Khmer Rouge.

Mr. Short commented that there was much material in his book that had not appeared before, and he believed he was the first person to interview Ieng Sary at length, but it was for the reader to judge whether he had fundamentally different insights to scholars such as David Chandler, Stephen Heder, and Ben Kiernan. Mr. Short recalled that both Prof. Chandler and Mr. Heder read the manuscript of his biography prior to its publication, which Prof. Chandler described as “a masterpiece, which Steve Heder should have written but had not done so.” He told the court that Mr. Heder picked out elements that he objected to and that he and Heder disagreed fundamentally over whether the Khmer Rouge revolution was more Cambodian or more communist.

In response to a query from Mr. Koppe, Mr. Short said he could not recall if he had read Mr. Heder’s book *Cambodian Communism and the Vietnamese Model* but he had a copy of *Seven Candidates for Prosecution*.<sup>12</sup> As a distinction, the expert witness remarked that while scholars such as Prof. Chandler, Mr. Heder, and Mr. Kiernan for a time had devoted their energies to studying Cambodia, his qualifications were having looked at and lived under different communist systems in China and Russia and trying to understand different systems and cultures.

### ***Philip Short’s Methodology Prodded by Defense Lawyer***

When asked if the secrecy of the Khmer Rouge that he alluded to had hindered his work, Mr. Short responded that while Ieng Sary and Khieu Samphan were reticent about the DK period, they did reply to some questions. Secrecy was a key facet of the Khmer Rouge *modus operandi* but not unique to them, he continued, and the handicap was more people’s reluctance to discuss contentious issues. Under questioning about his conclusions in the book given the inability to interview certain figures including Pol Pot and Nuon Chea, Mr. Short commented:

Any biographer who pretends to know what is in the mind of his subject is deluding himself. A biography is an attempt to get close to a personality. At the time at which I was writing, which was just after the end of the guerrilla war, I think I got as close as anyone could reasonably hope to do, but surely it’s like any book, an inadequate attempt, and I say that not as a self-criticism, but it’s the nature of writing biography.

Mr. Koppe stated that he had not heard such reservations on the part of Mr. Short in his testimony about events or thoughts of leaders, using the example of the expert witness’s comment that Nuon Chea was something of an “alter-ego” of Pol Pot. Mr. Short replied that he

---

<sup>12</sup> *Seven Candidates for Prosecution* was co-written by Stephen Heder and Brian D. Tittmore.

had frequently qualified his answers – “my understanding is” – but that assessment of Nuon Chea was based on interviews with mid-level cadres who had direct contact with Pol Pot and Nuon Chea and were in a position to judge how they operated. After Mr. Koppe sought further clarification, Mr. Abdulhak objected that the question was broad and vague, suggesting that defense counsel put specific passages to the expert witness.



As an example, Mr. Koppe inquired whether Mr. Short believed there was enough evidence to support his statements about the treatment and killing of Lon Nol soldiers and officials under DK, or if it was a conclusion he had drawn. Mr. Short told the court that based on abundant testimony and some Khmer Rouge statements, it was a fact that Lon Nol soldiers of a certain rank and high-ranking officials were executed, unless able to dissimulate their rank. “My book is based on my judgments ... based on what was said either in documents or in interviews, by those I spoke to,” he added.

Still pressing the issue, Mr. Koppe sought concrete evidence and sources for Lon Nol soldiers being executed in Udong in 1974 as part of an implemented policy. In response, Mr. Short said that his principle source was Phy Phoun, along with a book by an American historian, *Réalités Cambodgiennes*, and discussions with villagers. He told the court he verified that his information was consistent with other sources, but a historian or biographer is not a judge in a court of law and the standards of proof “happily are not the same.” Additionally, Mr. Short testified that he did not write that there was a policy laid down from the top, only that soldiers were executed after leaving Udong and to his knowledge, there was no written document instructing people to execute former Lon Nol officers and high officials. He elaborated:

The zone leaders would meet from time to time when you had congresses or central work conferences or Central Committee meetings and they would go back with their understanding of the policies to be followed ... and it was followed irregularly. It wasn't absolutely uniform – not every Lon Nol soldier was skilled, not every high official was killed – but in general that was the outcome throughout Cambodia.

After Mr. Koppe endeavored to pose a similar question, Mr. Abdulhak objected that it was repetitious and had already been answered. The defense lawyer agreed that he was repeating himself because he had not heard a convincing answer. President Nonn instructed Mr. Short not to respond to the question. Shortly afterward Mr. Koppe swiftly withdrew a question about whether Mr. Short deemed his writing about Udong reliable for his book but not a court, when he observed Mr. Abdulhak standing from his chair.

Mr. Koppe cited a comment attributed to Hou Youn in Mr. Short's book, when he apparently told Nuon Chea that the evacuation was not normal or reasonable and the Standing Committee had done the wrong thing. The defense lawyer asked why Mr. Short had included the comment, to which he answered that it was the sole example he had come across of a member of an influential group like Hou Youn remonstrating with a senior CPK leader. Mr. Short commented that the source of the comment was Ping Say to whom Hou Yuon had related the conversation;

he further asserted that it would have been difficult to find a corroborating source. The expert witness testified that he had spent many hours over a period of weeks interviewing Ping Say, who gave essentially the same account of events. “I found it credible too because it gelled with everything that I knew about Hou Youn and about his attitude to the radicalism of the Khmer Rouge set of policies,” Mr. Short concluded.

Moving on, Mr. Koppe quizzed Mr. Short on how he was able to avoid falling into the trap of a “dominant Anglo-American, French narrative” of the DK period. The expert witness responded that he did not read much that had been written earlier about the period until he was a little way into his research in order to avoid preconceptions. He said while he did not have the same interpretations as Prof. Chandler and Mr. Kiernan, there is some truth in the idea that a biography tells you as much about the writer as the subject, and he brought a different perspective than writers in the field. “One of the problems is that the Vietnamese narrative today and the Chinese narrative today is not that different from the Western narrative,” Mr. Short remarked, adding that he was nevertheless able to draw some comparisons based on knowledge of Chinese history.

### ***Philip Short Compares DK Ideology with Other Communist Regimes***

Under questioning from Mr. Koppe about the differences between DK ideology, and communist ideology in Vietnam, China and the former Soviet Union, Mr. Short replied that in the classic Marxist-Leninist model, when a revolution triumphs there is a period – described by Mao as “new democracy” – where there is an attempt to attract forces not actively opposed to the revolution and radicalization came later. This was never a consideration in DK, Mr. Short averred. “The other really major difference ... was that in China and in Russia proletarian ideology, the ideology of the working class, was held to be fundamental,” he said. Mr. Short remembered Khieu Samphan telling him that Pol Pot and Nuon Chea were of bourgeois origin but had transformed their thinking and thereby become communists and revolutionaries, which was a step that everyone else had to take. He stated that this was a “non-standard” interpretation of Marxism and expanded:

It goes back in some respects to the French revolution which was an alliance of peasants and intellectuals, peasants and bourgeoisie, and that’s fundamentally what you had in DK. The Leninist model was not followed. ...There was no attempt to unite with those who were outside the very narrow Khmer Rouge ranks. That is a fundamental difference. You may say it’s a difference in practice, but behind the practice there was a difference in theory, which is: we cannot trust anyone who is not part of our core.

After a short break, Mr. Koppe read several excerpts from Mr. Heder’s book *Cambodian Communism and the Vietnamese Model*<sup>13</sup> and posed a question about whether Mr. Short agreed with Mr. Heder’s main argument that CPK ideology was in essence modeled on Vietnamese ideology. Mr. Short replied that Mr. Heder was correct to negate claims that the CPK was not communist – “they were not led astray by a handful of intellectuals, they did owe a lot to foreign models and it was not essentially Maoist”. However, Mr. Short remarked that Mr. Heder believed the CPK should be seen as a communist party among others, whereas he believed the form taken by the CPK reflected Khmer culture and its Buddhist antecedents, which is not present in other communist parties, even in Burma. “We disagree over the extent to which the CPK took the Vietnamese party as its model,” he concluded. Continuing on the same subject,

---

<sup>13</sup> Mr. Short commented that he was now fairly sure he read it after writing his book.

Mr. Short agreed that the Vietnamese mentored the CPK from its inception and it was a Vietnamese creation up until the late 1950s and early 1960s. Mr. Short testified that Pol Pot's visit to Hanoi in 1965-66 marked the moment when Pol Pot decided the Vietnamese wished to assume control of the CPK and the divergence between the two parties became more pronounced. He concluded, "If you argue that CPK policy was essentially modeled on the Vietnamese worker's party policy, you have to explain why after 1975 one set of policies was carried out in Cambodia, in DK, and a very different set of policies in Vietnam because they were very different."

When asked to expand on the crucial theoretical difference between CPK ideology and Vietnamese, Chinese or Soviet ideologies, Mr. Short stated that where theory stops and practice begins is contentious. He told the court that the Vietnamese party had been in power in the north since 1954 and therefore had extensive experience based on the working class, or industrial proletariat, while the CPK was based on the peasantry. "In theory and in practice, a party which is based on an alliance of peasants and intellectuals, is fundamentally different from an orthodox Leninist party based on the working class such as the Vietnamese Worker's Party," Mr. Short commented, arguing that there were close parallels up until the evacuation of cities pre-1973.

Focusing on the influence of Chinese communism, Mr. Koppe inquired whether the CPK drew inspiration from the Great Leap Forward and the Cultural Revolution. Mr. Short asserted that the Great Leap Forward was something the Khmer Rouge wished to do better than the Chinese but the Cultural Revolution was antithetical to everything that occurred in DK, and he had not seen anything to suggest the Khmer Rouge understood or wished to emulate the Cultural Revolution, which was akin to a civil war. "They certainly didn't want to set one group warring against another for ideological rectitude," he remarked. Additionally, Mr. Short said ideas that the countryside must surround the city and that a revolution could be based on the peasantry were reinforced by Chinese experience, but Mao had nevertheless argued that the industrial proletariat formed a reliable backbone for any party, which was absent in CPK.

After Mr. Koppe noted casualties as a result of the Great Leap Forward and Cultural Revolution, and commented that it seemed unfair that former Chinese leaders were not on trial when DK leaders were, he asked Mr. Short about the differences between actions of Chinese leaders in the 1950s and 1960s and DK leaders. Mr. Abdulkhak interjected, arguing that it was inappropriate for Mr. Koppe to comment on who should and should not be on trial in what country. President Nonn instructed Mr. Short not to answer, as the question was irrelevant.

### ***Cross-Examination Reverts to Treatment of Lon Nol Officials and Purges***

Citing a passage from Mr. Short's book in which the author describes Lon Nol soldiers being ordered to assemble in fields and killed and other similar massacres on and around April 18, 1975, Mr. Koppe asked why Mr. Short concluded that there was a DK policy of executing former Lon Nol soldiers and officials in the northwest. Mr. Short confessed that he appeared to have omitted the source for that passage, though he was certain it was a written source. He reiterated that he had never seen a document instructing Khmer Rouge forces in different zones to execute Lon Nol soldiers and former high officials, but it occurred similarly throughout Cambodia and indicated harmonization of policy nationwide.

Mr. Koppe pressed Mr. Short further, questioning whether such actions could have been acts of revenge by local cadres on Lon Nol soldiers, to which the expert witness replied that the CPK was characterized by “extremely rigid discipline.” Mr. Short testified that it was difficult to believe individual commanders would have permitted their troops to carry out such thorough revenge without a clear notion that this was what was expected of them. He emphasized that there were cases where Lon Nol soldiers were sent for re-education under harsh conditions that few survived, but the picture nationwide was fairly uniform. “In a regime that disciplined, an army that disciplined, there is a very strong presumption at the least that there was an understanding which resulted from a centralized order, instruction, policy,” Mr. Short said, affirming that there was a great deal of eyewitness evidence. He elaborated:

If a court hears evidence from one witness, everything is consistent with the evidence of that witness and nothing contradicts it ... in the same way as a historian, that evidence is taken to be believable. That’s the judgment I made on the various witnesses and written evidence which I saw, and I drew the conclusion that there was a pattern which presupposed a policy understanding.

When Mr. Koppe queried how such a policy might have been communicated, Mr. Short testified that there were two basic forms of communication: one was coded telegrams; the other was messengers, who were also used after 1975 because telegrams and radio transmissions could be intercepted. In relation to the elimination of so-called counter-revolutionaries Mr. Short remarked that people would often simply disappear, which was a more effective way of instilling fear and obedience. He further commented that it was unlikely any communication about Lon Nol soldiers or officials being killed would have been conveyed to cadres publically. “We know of cases where messages were sent from the Standing Committee general office to the Eastern Zone, for example, to order purges of high ranking official, but these were extremely secret messages,” he said, adding that he would be surprised if low- or mid-ranking cadres heard orders to execute named people.

Mr. Koppe asked if Mr. Short had come across evidence of incidences similar to the alleged luring of Lon Nol officials to a meeting at Tuol Po Chrey in Pursat province where they were told they would be re-educated and perhaps meet the King. In his answer, Mr. Short stated that the same had occurred to officers killed in Battambang province who were told to don their uniforms, as they would be taken to visit the King. However, he told the defense lawyer he was not aware of such schemes occurring outside of the Northwest Zone, while emphasizing that zone commanders had considerable leeway in implementing their objectives.

The expert witness confirmed to Mr. Koppe that Ruos Nhim, the former commander of the Northwest Zone, was a former Issarak who was with the CPK from the beginning in the 1950s and 1960s and the same was true of most zone leaders except Chou Chet – later the leader of the western zone. Mr. Koppe pressed Mr. Short on the distinction he drew between the former Issaraks and the intellectuals in his book, to which he responded that one of the reasons Pol Pot was chosen as CPK secretary in 1963 instead of Nuon Chea was that it was thought he could perhaps unite the two groups. “It never completely happened, and it remained a source of friction right through the DK regime,” he said. “I do remember Khieu Samphan saying to me once that the people who were really responsible for all the abominations were the old Issaraks who had become warlords, the zone leaders in the provinces.” Mr. Koppe inquired whether Ruos Nhim



was one such figure to Mr. Short's recollection, and Mr. Abdulhak objected, stating that Khieu Samphan, not Mr. Short, gave this description.

Following Mr. Koppe's rephrasing of the question, Mr. Short asserted that the aforementioned characterization was Khieu Samphan's and not his own. He testified that there was evidence the former Issarak had quite scrupulously obeyed the policies of the center. Mr. Short said an exceptional case was that of François Bizot, who described Ta Mok saying when Duch released him on Pol Pot's orders that the central leadership did not know what it was doing and Bizot was an American spy. Ta Mok nevertheless released him, Mr. Short said.

In reply to queries from Mr. Koppe, Mr. Short testified that he believed Ruos Nhim was executed in 1978, though he could not recall exactly why. When Mr. Koppe inquired if it was possible Ruos Nhim ordered executions in the northwest in 1978 without permission from the leadership, Mr. Abdulhak contended that the question was inviting the expert to speculate. Eventually, Mr. Short asserted that it would not have been possible for zone commanders to act "against or outside the broad policy consensus" imposed by the center. He continued:

You are not dealing with an army which descends into banditry on a large scale, which takes matters into its own head and carries out massacres. You're dealing with an army which was quite small, not an enormous force, which was very rigidly controlled. Yes, there were individual cases of looting, there were bound to be, but large-scale systematic killings of particular groups – no. I find it inconceivable that that would have happened outside a broad policy consensus which had already been laid down.

Proceedings are set to resume at 9 a.m. on Thursday, May 9, 2013, with the continued cross-examination of expert witness Philip Short by defense lawyers for Nuon Chea and Khieu Samphan.