



### **Ny Kan, Brother of Son Sen, Testifies Before the ECCC**

By Kelley Dupre Andrews, Legal Intern – Northwestern School of Law, Center for International Human Rights

Proceedings in Case 002 against accused Nuon Chea, Ieng Sary, and Khieu Samphan resumed at the Extraordinary Chambers of the Courts of Cambodia (ECCC) on Monday, May 28, 2012, after being postponed Wednesday, May 23 due to Ieng Sary's poor health. The Court was bustling with more activity than usual. Over 300 school children, fresh in blue trousers and skirts, stood restlessly in line, anxious to be let into the public gallery. A few Western tourists queued up as well, their brightly colored sundresses in stark contrast to the sea of blue uniforms around them. Chatting energetically with one another, the day's visitors exuded a sense of excitement and anticipation that had been lacking the last couple weeks.

Once admitted and settled in their seats, Neth Pheaktra, Press Officer at the ECCC, delivered a brief statement to the full public gallery, providing visitors with a contextual background of the day's forthcoming proceedings. Given the complexity of such a unique tribunal, the cursory overview was appreciated by both students and tourists alike.

#### ***The Court Begins Testimony of Witness CW487, Ny Kan***

Trial Chamber President Nil Nonn called the Court to order shortly before 9:15am. After being informed that all parties were present save accused Ieng Sary, who was participating remotely from his holding cell, President Nonn announced the Court's ruling on an evidentiary matter

before calling the day's witness to the stand. The Statute of the Youth League of the Communist Party of Kampuchea (CPK), a document the prosecution intended to use during examination of Ny Kan, became an issue the previous week due to allegations that it had not been properly submitted before the Court. President Nonn announced to the Court that the document had been properly submitted and was therefore admissible for use during witness examination.

President Nonn called the witness into the Chamber, greeted him warmly, and gave him instruction for the forthcoming examination. Before turning the floor over to Senior Assistant Prosecutor, Dararasmey Chan, President Nonn asked the witness a few preliminary background questions. The witness informed the Court that his name was Ny Kan, alias "Kan"; he is 69 years of age, currently living in Sampov Loun district, and working as an advisor for the Ministry of National Defense. He stated he had no relation with any parties including the accused.

After informing Mr. Kan of his right to refrain from answering any question he felt could be self-incriminating, President Nonn handed the floor to Prosecutor Chan, who began his examination with a series of questions about the witness's family.

Mr. Kan informed the Court that he had two brothers, Son Sen and Son Chhom. Son Chhom, he continued, was an ambassador to Korea, but he could not recall what years his brother served in that capacity. Mr. Kan was initially unable to recall the occupation of his older brother, Son Sen. When asked whether he could remember anything, Mr. Kan said, "He was leading the army back then [during Democratic Kampuchea ("DK").]" Pressing further, Mr. Chan asked if the witness could recall what zone. Mr. Kan did not answer the question; instead he replied, "during the time we fought the American Imperialists." After Mr. Chan directed him back to the subject of his brothers' involvement in DK, Mr. Kan responded, "As indicated I only know their general roles – they were leading the army movement."

Receiving as much information on the subject as he could for the moment, Mr. Chan moved on to Mr. Kan's educational background. Mr. Kan informed the Court that he had graduated from Sisowath High School in Phnom Penh in 1965, after which he became a teacher at a primary school in Siem Reap Province.

Enquiring about Son Sen's influence over the witness's decision to join the revolution, Mr. Kan said that his older brother "encouraged him to do good things...in good faith." Confirming that Son Sen did influence his decision to join the revolution, Mr. Kan added, "Back then the movement was a common one all across the country.... We felt it was good...so we joined them." The basic tenants of the movement – "to fight the enemy who invaded our country, to protect the sovereignty of our country, and to promote the living conditions of our people" – he felt to be good and honorable. When asked to clarify who these enemies were, Mr. Kan said the Americans and Lon Nol's people. In response to why they were considered enemies, the witness stated, "It was a common sentiment across the country."

Mr. Kan told the court he had little information on his brothers' whereabouts during the period of American bombardment and the Lon Nol regime. "That information," he asserted, "was classified."

Regarding his personal involvement, Mr. Kan said he joined the revolution immediately after Lon Nol's coup d'état in 1970 and continued to be a part of it until the end of the war. The witness informed the Court that he was a part of the revolutionary front; because of his "capacity as a teacher," the front needed him to "proselytize to the people." When asked to clarify what he meant by the "front," Mr. Kan explained that the front represented a national unification of both senior-level officers and low-level soldiers who came together to go to war in the name of a common cause. He went on to explain that he was not a part of the Revolutionary Youth but a member of the "progressive mass" and a part of the "propaganda team." Unlike the revolutionary youth that concerned upper-level authority above the average citizen, the progressive mass concerned lower-level citizens. His role as a member of the propaganda unit was to develop the front by garnering support for the army from the common people.

Although he joined the revolution in 1970, Mr. Kan explained that he was not declared an official member of the Communist Party of Kampuchea ("CPK") until late 1974. When asked why he became a member, Mr. Khan responded, "I did not want to be a member, but it was not up to me – it was up to Angkar." He went on to explain that there was a party branch in each locality, the senior members of which were known as Angkar in their respective areas. These senior members, he continued, discussed internally what were the necessary qualifications to become a member of the party.

Regarding his own path to membership, Mr. Kan stated that he received political indoctrination and training before being inducted into the party. The main purpose of the training, he explained, was to teach the people to become "self-reliant and to proselytize people to go to war." His trainer during these training sessions went by the name of Sang.

Mr. Chan then asked the witness if he had ever heard of *Revolutionary Flag*. Mr. Kan responded, "*Revolutionary Flag* was a letter issue. Those who conducted our training extracted portions of the document to introduce to us – portions that were compatible with our roles in the revolution."

Moving on to his role in the revolutionary movement after April 17, 1975, Mr. Kan stated that he was in charge of propaganda based on the fact that he could read and write; later he was transferred to the Ministry of Foreign Affairs. Mr. Kan did not know the reason for the transfer. "At that time," he explained, "information was highly secretive. Whatever the upper authority decided, we dared not go against them."

Going back to his early experience as a member of the propaganda committee, Mr. Kan stated he was initially working around the province of Siem Reap but was subsequently moved to Sector 15 to educate the people "to attack American Imperialism." This decision was decided by Angkar, he asserted. Sector 15, Mr. Kan continued, was "the battlefield near the northwest." When asked when he arrived at Sector 15, the witness stated he believed it was some time around 1974. Although he was not privy to Angkar's reasons for his transfer, Mr. Kan stated, "I think the reason behind this, in short, was because of the war. When people were evacuated [from urban areas around Siem Reap to Sector 15], I had to be with them."

Moving on, Mr. Chan asked the witness what the revolutionary army did after the liberation. Mr. Kan responded, "I remember clearly that the army joined the people to do farming, digging, in

making canals and dams.” When asked who had the authority to order this, Mr. Kan said such an order “could have only come from the upper echelon – to promote a policy of self-mastery.”

Returning to the subject of the evacuees during the war, Mr. Kan explained that the evacuees made their own decisions regarding where they wished to go. They had been evacuated for security reasons, out of fear of being bombarded by air raids. Mr. Chan asked the witness about the issue of food. “People were afraid of food shortage,” he responded, “however food was shared though, they did not have enough to feed the influx of evacuees.” When asked if this sharing was voluntary or forced, Mr. Kan replied inarticulately, “It is a normal norm – that instruction – but must be rendered by Angkar.”

Regarding class divisions by the party, Mr. Kan stated, “As a person in charge of propaganda, I do not recollect being given such information. I was only given information relating to my task, which was to insure people were united and building solidarity.”

Mr. Chan returned to the previous discussion of Sector 15, where the witness was located during 1974 up until the time of the liberation in April of 1975. Responding to the inquiry on the fate of Sector 15 after the war was over, Mr. Kan recalled that Sector 12 was “integrated” into Sector 32 under supervision of the West Zone. The integration, he continued, occurred some time in late 1975. Mr. Kan stated, however, that he did not understand the policies underlying the decision to integrate the sectors.



Regarding his knowledge of cooperatives, the witness stated that cooperatives did not exist in Sector 15 during the war. Sector 15 did have a “production group” though, which the witness described as “the very low-level group where people would share crops.” Cooperatives on the other hand were “higher level.” Mr. Chan asked “why,” eliciting an exasperated response from the witness. “As indicated time and again,” Mr. Kan replied, “it was the upper echelon that made the decision.” The purpose of the cooperatives however, was “to ensure people could be self-reliant, so we did not have to rely on the foreigners.”

Briefly focusing on the fate of the pagodas at this time, Mr. Kan explained, “During the war all Pagodas across Cambodia were ruined by the aerial bombardments. The army had to take refuge in them, and monks joined the movement and the Pagodas were not more.” Mr. Chan asked the witness if religion had been banned during this period. The witness stated that he had not heard of any directives outlawing the practice of religion. “The fact was,” Mr. Kan explained, “when there were no monks, when they joined the revolution and the army, there were no more Pagodas.” When asked if the monk’s joining was voluntary, Mr. Kan said “the best sons of the

country” joined the revolution – “you had to join the revolution. It was part of the popular mass movement. Everyone – men, women, children – all had to join the common mass movement.”

After a fifteen-minute recess, Mr. Chan resumed questioning, changing topics to the organizational structure of the CPK sector levels. The witness informed the Court that the West zone consisted of Sector 32 and 31 – as for Sector 37, the witness was unsure. Ta Pal was in charge of Sector 32, having assumed the duty at the end of the war. Sector 31, headed by Ta Sarun, was similar in structure to Sector 32, Mr. Kan continued.

Asked to describe the organizational structure of Sector 15 before its conversion into Sector 32, Mr. Kan stated that the structure “was not a smooth one because it was in the midst of the war.” People were assigned to a particular base or particular sessions pronouncements. Pushing the limit of Mr. Kan’s cognitive retrieval abilities, Mr. Chan asked if the witness could name two individuals in charge of each respective unit in Sector 15. The witness replied that because he was transferred to Sector 15, he only remembered the name of Cheng On, the man in charge of the military unit for Sector 15. Mr. Kan was unable to provide any further information on Mr. On but did mention that he heard Mr. On had passed away.

Moving on to Sector 32, Mr. Chan then asked the witness if he was familiar with Sector 32’s committee membership. Mr. Kan replied that Ta Pal and Ta Si were the “key persons” in overseeing Sector 32 after Sector 15 and 32 were incorporated. Ta Pal, he continued, was the secretary of the sector – second in command to Ta Si, who was secretary of the Western Zone. Cheng On, the witness added, was second to Ta Pal.

The prosecutor mentioned a few more names that the witness did not recognize. Mr. Kan did recognize the name Keo, whom he said was in charge of the supply unit of Sector 15 during the war. Mr. Kan was unable to provide much than that.

Realizing Mr. Kan was struggling with the “name game,” Mr. Chan resumed asking context-specific questions. Broaching the subject of security, specifically the individual in charge of security for Sector 32, Mr. Kan stated that the information concerning security was kept “strictly confidential”; because his party role did not involve issues of security, he was not privy to that information.

Mr. Chan continued by asking Mr. Kan a series of questions regarding the management structure of Sector 32. Mr. Kan explained that the Sector level was classified into various parts. He himself was a member of the propaganda committee of Sector 32. Considering other important players in Sector 32 he not mentioned, the witness said a man named Ta Ron played an important part managing Sector 32 after Ta Pal. Mr. Kan was not able to elaborate on Ta Ron’s specific responsibilities but did say he knew Ta Ron was sent by the upper echelon.

Asked how he maintained contact with Ta Si, the witness said that at the time there was no telephone, that people “implemented their tasks according to the hierarchy.” When asked to elaborate upon which methods of communication were used, the witness stated that only the military used telegrams. These messages, he explained, were initially delivered on foot; later on, however, they were delivered by motorbike. Later Mr. Kan added that he personally reported to

Ta Pal, as dictated by the organizational hierarchy. Regarding specific instructions he received from Ta Pal, Mr. Kan stated once again that he was charged with educating people on agricultural production, the ultimate goal being self-reliance through self-mastery.

Mr. Chan wrapped up his examination of the witness with a series of scattered questions. He asked whether the witness knew the names of the members of the sector committees. The witness provided a one-sentence response, informing Mr. Chan that generally the secretaries of the districts were members of the sector committees. Moving on, Mr. Chan inquired about the structure of both Section 31 and Section 37. Mr. Kan said he was not very familiar with either.

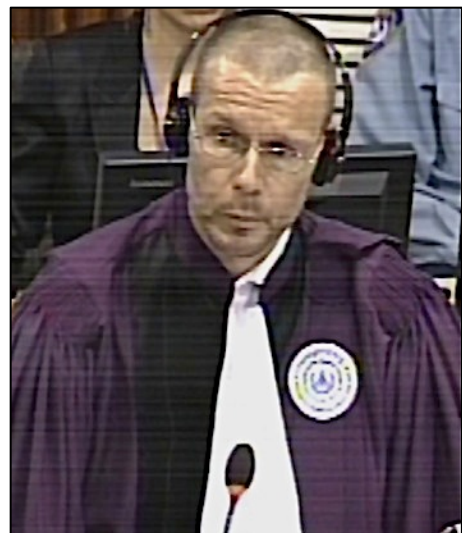
In a last effort to retrieve something of substance, Mr. Chan asked the witness if he was aware of the attacks planned on Phnom Penh in April 1975. Mr. Kahn replied vaguely (his expected modus operandi by this point), “It was a common plan, a common effort to seize Phnom Penh. We had to mobilize forces. But other than that, it was beyond my knowledge.”

### ***Where is The Meat? Mr. de Wilde Struggles To Find Substantive Value***

After Mr. Chan concluded his questioning, International Co-Prosecutor Vincent de Wild, took control of the floor, beginning his examination with an attempt to clarify the witness’s duties as a member of the propaganda committee. Mr. Kan informed the prosecutor that his committee was “mobile” and “always on the move.” During the war, his job as a member of the propaganda committee was to garner support for the army, a duty requiring them to physically follow the movement’s armed forces. During this time, Mr. Kan elaborated, sector-training sessions occurred in forested areas to escape from aerial bombardments. After the war, his duties as a member of the propaganda committee involved educating the people on agricultural issues.

Changing topics, Mr. de Wilde asked the witness if he was familiar with the members of the special zone committee. Mr. Kan responded with an unsurprising “no,” reemphasizing the intense secrecy cloaking the party leadership. Hoping Mr. Kan might still have some inside knowledge of the leadership committee because of his brother Son Sen’s role in the military, Mr. de Wilde was disappointed yet again when Mr. Kan replied that he had no knowledge of his brother’s role within the special zone. Not yet giving up, Mr. de Wilde asked the witness which sectors belonged to the special zone. Mr. Kan ended the discussion with the following: “I was in Sector 15. I only knew Sector 15. I didn’t know about other sectors belonging to the special zone.”

Realizing he could go not further, Mr. de Wilde changed topics completely and embarked upon an ambitious request to form a coherent timeline of the witness’s activities between the years 1966 and 1979. Mr. de Wilde began asking the witness what he did in between 1967 and 1970, after he taught primary school for a year but before he joined the revolution. Mr. Kan replied, “I did not do anything significant. I was merely in charge of propaganda and I was tasked with garnering underground forces for the revolution movement.”



Appearing more confused, Mr. de Wilde asked the witness if that meant he began to work for the revolution in 1967, to which the witness replied no. Mr. Kan explained that he was merely involved in a “movement” but that there was no clear intention – not until the coup d'état took place in 1970. Mr. Kan was unable to recall the precise moment he joined to revolution but again reiterated that before the coup d'état he did not “seriously participate” in the revolution.

Progressing farther along the witness’s chronological timeline, the prosecutor moved on to Mr. Kan’s activity between 1970 – the year of Lon Nol’s coup d'etat – and 1974 – the year the Khmer Rouge took control of Lon Nol’s military regime. Mr. Kan explained that he had worked predominantly in the province of Siem Reap until the war became full scale; at that time he moved to sector 15. From 1967 to 1970 he was doing propaganda work in Siem Reap. However, Mr. Kan concluded, he never played a role in the military; his participation in the revolution was always as a civilian.

***Witness Struggles To Recollect 2004 Interview With Writer Phillip Short***

Mr. de Wilde initiated his second major topic of discussion – a 2004 interview between the witness and British writer and former BBC correspondent Phillip Short – shortly before the Court adjourned for lunch. When asked if he remembered such an interview, Mr. Kan responded that he did not recall meeting Mr. Short. Hoping to refresh his memory, Mr. Wilde mentioned Mr. Short’s book *Pol Pot: Anatomy of a Nightmare*, in which Short quotes Mr. Kan directly. After the prosecutor read a few passages from the book to the witness, Mr. Kan stated, “I was interviewed on one occasion, but I don’t recollect the person that conducted the interview.”

Mr. de Wilde chose another excerpt that originated from the 2004 interview, reading the following passage to the Court: “Son Sin’s younger brother, Ny Kan, remembered that the messengers hid the written messages in cakes or bottles... or in bamboo tubes to prevent them from being discovered by Sihanouk’s police.” From another passage, he read, “The description of how the printing center was operated can be attributed to Ny Kan who worked there from ’67 to ’68....”

The prosecutor asked the witness if he spoke to Short or a foreigner about how documents were delivered. Mr. Kan replied, “This was what was heard through the grapevine, and during the interview I just told him so.”

Just before adjourning for lunch, Michiel Pestman, co-lawyer for Nuon Chea, informed President Nonn that his client wished to follow the afternoon proceedings from his cell. Waiving his right to be present for subsequent proceedings, Nuon Chea was granted permission to participate remotely for the remainder of the day.

The afternoon session progressed slowly, and the quality of the testimony seeming to decrease with the attention span of the students in the public gallery. While the morning was characterized by an unusual buzz of excitement, the afternoon was characterized by the lull of boredom. Despite the broad spectrum of questions put forward by Mr. de Wilde, the prosecution’s exhaustive attempt to extract new information from the witness showed little fruit for their labor by the close of court at 4:00 p.m.

Mr. de Wilde began the afternoon session continuing the discussion of Mr. Kan's 2004 interview with Phillip Short. Before responding to further questions and directing his statements to President Nonn, Mr. Kan informed the Court that he did not remember the details of the interview and that many of his statements in it involved information he simply "acquired through word of mouth." He concluded, "The interview was conducted in private, and my response was more private as well."

Undisturbed by the witness's brief address to the court, Mr. Wilde continued his examination, referring to one of the passages read from Short's book and requesting the witness to clarify his role concerning printing documents in the period before the 1970 coup d'état. The witness responded that he was in charge of writing, meaning he helped with the printing. He was not, however, responsible for writing the text. That job, he said, was given to someone with fine penmanship. This printing job, he continued, was done in the Central Zone in the Kampong Cham province near the Northwest Zone.

Asked what kind of documents were being printed and delivered, Mr. Kan said they were documents obtained from the "upper echelon," passed down to sectors, and disseminated to the appropriate audience. Many of these documents, he clarified, concerned educating the people on agricultural matters in order to promote goals of self-sufficiency.

Still attempting to extract information on the party leadership from the witness, Mr. de Wilde asked Mr. Kan where the CPK leaders took refuge between 1967 and 1970. Reiterating a now standard response, Mr. Kan said he did not know – sensitive information of that kind was "part of the secrecy that had to be kept."

Returning focus to Mr. Short's book, Mr. de Wilde read another passage that stated Mr. Kan had spent three months hiding in the countryside of Kampong Cham around 1968. Confirming this, Mr. Kan explained that he was trying to escape the "crisis" (the coup d'état by Lon Nol forces). "As a person in charge of propaganda," Mr. Kan continued, he could have been implicated. Mr. de Wilde clarified that the witness was not talking about post-1970 but about 1968. Mr. Kan responded that even before the coup d'état there were "rumors" about the movement, and people such as himself, whose identity could be discovered by the Lon Nol regime, had to go into hiding.

The prosecutor then asked if his time in hiding was a way for the party to test his loyalty and commitment to the revolutionary cause. Mr. Kan contended, "My loyalty to the party was not much known for me. I was sure I was loyal to the nation. I joined the front movement for the nation. I was not loyal to the party at that time because the party's name did not exist."





*Son Sen (middle, wearing glasses) appears in this undated photograph with (left to right) Pol Pot, Nuon Chea, and Ieng Sary. (Source: Documentation Center of Cambodia)*

In another unsuccessful attempt to use Son Sen's military position within the party to extract information from the witness on CPK leadership, Mr. de Wilde read another passage from Short's book where the witness was quoted as describing time he spent with his brother. Mr. Kan reiterated that he did not know what specific position his brother held within the military. Mr. Kan continued, saying he never saw any CPK leaders during the period of fighting against Lon Nol's forces because military affairs were not within his scope of duties.

Mr. de Wilde then probed Mr. Kan's knowledge of the evacuations of local inhabitants in the combat zones to avoid the bombardments. Mr. Kan told the Court that the evacuation "occurred on a temporary basis. When the situation returned to normal they would bring the people back." During this time, Mr. Kan continued, there was no segregation of the people because the military needed the people for support, such as to deliver food supplies to the front.

The prosecutor read another extract from Short's book discussing the Khmer Rouge's takeover from Phnom Penh; the extract was a segment of Mr. Kan's interview with Short where he described his feelings about the takeover. In response, the witness commented, "I was responsible for propagandizing the people, and we followed the armies because we had to proselytize to the people to support the army." When asked if he came into Phnom Penh on April 17, 1975, with a special force provision, Mr. Khan replied that he had; as he previously stated, he was following the army and propagandizing at the time.

Mr. de Wilde referred to another passage in Short's book, this one describing the witness's belief that the Khmer Rouge victory in April 1975 meant the Cambodian people would soon have a better life. When asked why he had believed that to be so, Mr. Kan said that was what the propaganda he was in charge of teaching said. One of the propaganda's goals, Mr. Kan repeated, was to promote better living conditions for the people.

Concerning the evacuation, Mr. de Wilde asked the witness about the population in Phnom Penh when Mr. Kan entered the city in April 1975. Mr. Kan said he could not draw any conclusion because “the situation was real chaotic.” He stated that people were coming from various directions, and he could not differentiate between those who were peasants and those who were not. In response to whether he noticed any other classes of people besides peasants, he replied, “During the war time when we captured certain locations, there was no such thing as class determination.”

Regarding the issue of “the class struggle,” Mr. Kan stated that he had heard of it but that was not the primary issue of the time. The primary issue, he said, was improving the living conditions of the people. “We garnered support from people from all walks of life... We were focusing on reuniting our country at that time... At that time there was no such thing as a class struggle,” he asserted.

***Mr. Kan Recollects the Phnom Penh Evacuation***

Mr. Kan’s stated that his part in the evacuation was to put up banners notifying people to leave the city to escape the coming bombardment. He did not know details about other people’s specific tasks in the evacuation. Mr. Kan explained that his Sector leader gave him the task of putting up these banners; since the instruction came from a superior party leader, he was bound to obey. Nevertheless, Mr. Kan stated, he had believed the evacuation of Phnom Penh was meant to be temporary; he believed the people would be allowed to return when the danger of bombardment had passed.

Asked whether the soldiers treated certain evacuees differently from others, Mr. Kan replied that the slogan of the time was that “all people had to be received and food had to be offered. Whether there was enough food or whether people were properly received, that is beyond my knowledge. But no one was regarded as an enemy at that time. That is what I have heard.”

Regarding the organization of the evacuation, Mr. Kan told the Court that he had already said the justification given to the people was to escape aerial bombardments. Elaborating, Mr. Kan stated that the people were not forced to go somewhere they did not desire to go; they were allowed to return to their home villages.

Mr. Kan responded nonchalantly to the question of whether transportation was provided for the sick, elderly, and pregnant women, stating that he had heard there were no other means than to “move about by themselves.” Repeating what had seemed to become the phrase of the day, Mr. Kan again asserted, “The situation was very chaotic.”

Focusing on that chaos for a moment, Mr. Wilde asked the witness why the evacuation was not more organized, but Mr. Kan was unable to provide an intelligible response. When asked about the Khmer Rouge’s plan for providing food and/or drinks to the evacuees during the hot month of April, Mr. Kan replied that those “specific details” had not been discussed.

***The Statute of the CPK Youth League***

Mr. Wilde then asked President Nonn’s permission to present to the witness the document discussed earlier that morning – The Statute of the CPK Youth League. Granting the prosecution

permission, President Nonn instructed the court officer to place the document in front of the witness.

Giving the document a cursory glance, Mr. Kan verified that the document was in fact the Statute of the CPY Youth League, a document he used to propagandize while a member of the propaganda committee. However, Mr. Kan stated, “I had only briefly studied the material and I don’t understand the full content of the statute.”

Regarding the two basic principles espoused in the document – the first being to defend the country, the second being to build the country – Mr. Kan stated he still based his understanding on the old principle that the goals were to attack the imperialists, promote the living conditions of the people, and protect the nation’s sovereignty. “I have no other understanding beyond this,” he concluded.

Changing focus to the discipline policy of the party, Mr. de Wilde asked the witness if his indoctrination technique included discussion of discipline of the masses. Mr. Kan replied that such issues were a part of the internal policy of the party, policy to which no one outside of the leadership was privileged. Mr. Kan added that he focused on what the people should do, not discipline that could result for act they should not do. When pressed further on the issue, Mr. Kan said the moral conduct “in reality varied upon the individual at that time” but the general consensus was that permission had to be granted for essentially anything an individual desired to do. Regarding the implementation of discipline, Mr. Kan said he was not knowledgeable of the relevant policy.

Inquiring about biographies, Mr. de Wilde asked Mr. Kan what the party considered to be a “pure” biography. Those persons considered to have “pure biographies,” Mr. Kan replied, did not take others’ belongings, did not take advantage of others’ poverty, and did not abuse alcohol; in essence, those with pure biographies exemplified the moral standards approved by the party leadership.

Attempting once again to spark analytical reflection on the concept of class-consciousness between 1975 and 1979, Mr. de Wilde inquired what the document meant when it referred to a “good” class. As Mr. Kan had consistently stated, such knowledge was outside his expertise. Summing up what he seemed to have been trying to convey all day, Mr. Kan stated succinctly, “In that period of time people had to mind our own business.... We did what we were instructed to do. We did not go beyond the boundary of what was our responsibility.” Mr. de Wilde responded, “To this day it is difficult for you not to feel somewhat bound to it. Do you feel an obligation to this secrecy even today?” Mr. Kan replied to the contrary, however.

For the final topic of discussion for the day, Mr. de Wilde concluded by asking Mr. Kan to describe the criticism/self-criticism meetings. Mr. Kan stated, “If we were dedicated and patriotic to the nation, then that [providing criticism] is what we had to do.” When asked whether he or any of those involved in the meetings felt fear, Mr. Kan replied that fear was not really the issue. What people found difficult about the criticism meetings, he continued, was the requirement to criticize the performance of friends and neighbors. This created “worry,” he said, but the worry was not from fear so much as from the feeling they were doing something wrong.

Noticing time had passed 4:00pm, President Nonn interrupted to adjourn the proceedings for the day, announcing that the prosecutor's examination of Ny Kan would continue the following morning, Tuesday, May 29, 2012.