

# The Phnom Penh Post

## Dicing with the devil's advocate

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*A documentary screened recently at Meta House examines the dubious life and times of the lawyer set to defend the former Khmer Rouge head of state*

It can be hard to find a good lawyer sometimes. Or, indeed, any lawyer at all.

Just ask local lawmakers Mu Sochua and Kong Sam Onn, who have both appeared unrepresented before Cambodia's courts on defamation charges.

Nobody wanted to speak on their behalf at these politically charged trials, not even human rights lawyers or legal aid NGOs.

Khieu Samphan doesn't have this problem.

The former Khmer Rouge head of state is charged with crimes against humanity and is soon to face the ECCC. There, he will have access to the best lawyers money can buy.

Khieu Samphan will be defended by the notorious French lawyer Jacques Verges, the subject of Barbet Schroeder's 2008 documentary *Terror's Advocate*, which was screened at Meta House recently.

If you're ever charged with terrorism, crimes against humanity, genocide or other violent, barbaric crimes, Jacques Verges is your go-to man.

Schroeder's film paints a detailed portrait of a man driven by fervent political passions and an arrogant disregard for polite courtroom discourse.

His "rupture defence" strategy has been hugely successful in freeing or obtaining dramatically reduced sentences for mass murderers all around the world.

The strategy usually involves Verges' rejecting the premise of the case and the right of the court to judge the defendant, accusing the host country or other political actors of culpability for the same crimes.

He openly taunts judges, mocks the legal process and often uses the international media to build political support for freeing his clients.

Verges first gained international notoriety during the 1959 trial of Djamila Bouhired, an Algerian terrorist bomber.

Bouhired was a beautiful young woman who captured the public's imagination and inspired a generation of Islamic terrorists.

Verges was then a young lawyer with outspoken sympathies for Algeria's liberation movement, and he fell for his client.

Bouhired was facing a death sentence at her trial when they met. Verges managed to reframe the trial, positioning Bouhired brilliantly as a victim of torture at the hands of the French and a martyr for anti-colonial causes everywhere.

He made sure that "the revolution was present in the courtroom", stage-managing the media and orchestrating uproar from the international community in response to her sentence.

Bouhired was ultimately freed.

In *Terror's Advocate*, Barbet Schroeder explores Verges's past as a young, half-Vietnamese man filled with bitter memories of colonial oppression in Vietnam and French Algiers.

His student activist days in Paris evolved into a burgeoning international legal career as he became heavily involved with freedom fighters and liberation movements around the world, defending Palestinian bombers, African dictators and French protesters.

His most famous clients were mass murderers such as Nazi war criminal Klaus Barbie ("The Butcher of Lyon"), Slobodan Milosevic and the Venezuelan terrorist called "Carlos the Jackal".

The film focuses heavily on some of the individual cases handled by Verges and gives only a tantalising glimpse of the man and his relationships with his clients.

His disappearance from 1970 to 1978 is still unexplained, with many assuming he spent this time with Pol Pot, whom he knew in the 1950s, although the Khmer Rouge leader denied it.

The most intriguing aspect of the film is the lawyer's justification of his involvement with murderers and dictators.

Verges is depicted as a pompous, arrogant sociopath with delusions of grandeur, sitting in his regal study, puffing on a huge cigar and clearly enjoying the limelight.

He has written books about himself and performed in a one-man play about his life and

work.

A master of media manipulation, he insists his associations were purely professional, yet he admits to having a strong identification with the political aims of many of his clients.

Already at the ECCC, his few appearances have stirred up controversy.

Unlike Duch's current trial, in which the accused has accepted responsibility for many of the horrors that occurred under his command, Jacques Verges looks set to refute all charges against Khieu Samphan.

He has already declared that there was no genocide in Cambodia, and that the numbers of dead during the Khmer Rouge period are grossly exaggerated.

He is, as usual, attempting to reposition the case within the broader context of US embargoes, the Vietnam War and repeated bombings of Cambodia in order to minimise Khieu Samphan's personal responsibility.

His "rupture defence" is under way.

In *Terror's Advocate*, Verges appears to live in a strange, moral vacuum in which he only comprehends the political struggle of those who are oppressed.

He seemingly has little grasp of the horror wrought on society and the personal devastation caused by the loss of innocent lives at the hands of those he defends.

When asked whether he would have taken on the case for the ultimate war criminal - Hitler - he reveals much about himself and his philosophy: "I'd even defend Bush. But only if he pleaded guilty."