

The End of Duch
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Could the tribunal spur a Cambodia renaissance?

When I saw Comrade Duch sentenced to life in prison at the Khmer Rouge Tribunal here, it was like the end of a very weary story, that began in April, 1979, when I was one of a group of six foreign journalists permitted to fly into Phnom Penh for a day after its liberation by the Vietnamese army on Jan. 7 of that year.

I seem to have been living with Duch, the 'revolutionary' name for former mathematics teacher Kaing Guek Eav, since the time 33 years ago when I found his picture on the floor of the former Tuol Sleng school, which had become S.21, the most notorious torture and interrogation center in the country, with congealed blood on the concrete, and a feeling as if the last desperate scream still hung in the air.

The whole awful place stank of death, fear and neglect, and when I went back some months later, I heard how in one terrible day 160 babies and children - the offspring of prisoners being tortured - had been flung from the third storey to their deaths on the concrete ground, because 'they were a nuisance.'

It was a picture of the then bat-eared Duch, with his wife and two children with other grinning torturers at Tuol Sleng, standing for a group portrait. I learned then that his family had come from the town of Stoung, north of the great Tonle Sap Lake. I also saw documents signed by Duch, including one giving the names and ages of a group of nine Khmer Rouge soldiers who arrived at S.21 - the youngest was nine. "Eliminate every last one," Duch had scrawled in Khmer script.

In Phnom Penh that day in 1979, I slipped away from an official reception and speech-making by the new Vietnamese-imposed regime meeting at the old French colonial HQ near the Tonle Sap river that joins with the Mekong here, and saw Cambodians in rags kneeling on the ground picking up individual grains of rice.

This pathetic group of skeletons smiled shyly at a couple of foreigners, before hauling themselves to their feet and tottering off, as if they felt their suffering was an eyesore for us, and they didn't want to bother our sensitivities with such a sight.

A few months later, People's Republic of Kampuchea officials gave me a visa for a longer stay, and I was driven with a few other journalists and government minders around the great Tonle Sap lake, staying the night in a deserted but famous Siem Reap hotel, said to be haunted because it had been a Khmer Rouge torture center, and seeing Angkor Wat

with an armed escort of what were then known as 'Heng Samrin' troops.

Heng Samrin was a pint-sized commander and former Khmer Rouge who had joined the Vietnamese army, which had invaded Cambodia in December, 1978, and ousted Pol Pot and his dreadful cohorts. Comrade Duch, I learned at Tuol Sleng, was one of the last people to escape the city, seen by two of the seven survivors at S.21, out of 14,000 souls, spared by their skill in painting Pol Pot portraits, or repairing cars and other machinery.

In Stoung, I located Duch's family and spoke to his mother, who resembled her son down to her ears. She had not known Duch had two of a family now until I showed her the picture of her grandchildren at Tuol Sleng.

She recalled that under Khmer Rouge rule, the dutiful son had sent a Jeep to pick her up and take her to Phnom Penh for a brief visit. "I couldn't understand why the city was empty, and completely without power at night," the baffled woman told me.

It was not until 2006 that the Khmer Rouge Tribunal was established, and I saw Duch at last in court. He had remained at large for more than 20 years until he was found working for a Christian aid agency on the Thai-Cambodian border by the Irish photographer, Nic Dunlop, who always carried his picture (Duch may have had cosmetic surgery because his ears looked almost normal now). He was soon taken into custody by the regime of strongman prime minister Hun Sen, who had eased out Heng Samrin from the top job, and was ruling with an iron hand.

These days, visitors can see Hun Sen's portrait with national assembly president Heng Samrin and senate president Chea Sim, both former Khmer Rouge, by this time forming a triumvirate with Hun Sen; their picture together is displayed in every town and village, adapting Orwell's 'Big Brother' into the 'three Big Brothers.'

In late July, 2010, I watched the former commandant of Tuol Sleng sentenced to 35 years in prison for war crimes and crimes against humanity. He was, taking into account the time he'd already served and other considerations, likely to serve 19 years, which left the distinct possibility that he could live to see freedom again, and this brought chagrin to many.

It seemed, as people noted, too light a sentence for a man 'addicted to the sight of blood,' as one person described him in trial testimony. He admitted himself drawing blood from dozens of bodies, and killing people this way. The tortures at Tuol Sleng, including force-feeding prisoners human excrement, whipping, electric shocks, needles under fingernails and waterboarding, were methods taught to interrogators by Duch, who kept a notebook of torture methods. Later, in the nineties, he claimed to be 'born again' and carried a small Bible, which he may have carried into court last Friday.

Under Duch's directions, ordinary Cambodians and foreign yachtsmen who had fallen into his hands while sailing off Cambodia, were bizarrely accused of working the CIA, KGB, British intelligence and Vietnamese security organs. Children taken to the

Choeng Ek killing fields had their brains dashed out against a strong tree, while adult prisoners dug their own graves, then were hit on the back of the head with a hoe.

Then, last Friday, Duch received, on appeal, a life sentence, and last weekend Cambodia rejoiced that he would never walk out of prison alive. Duch reminds me of nothing so much as another example of the banality of evil. The idea of the banality of evil came originally from Hannah Arendt, in her 1963 work, 'Eichmann in Jerusalem' on the Nazi war criminal.

It described her thesis that the principal wrongs in history generally were not carried out by fanatics or sociopaths, but rather by ordinary people - and Duch was definitely ordinary.

Though three senior leaders of the Khmer Rouge remain to be tried, it seemed the horror of Cambodia that had lasted since the coup in March, 1970, that ousted then Prince Norodom Sihanouk, had a chance of coming to an end at last.

The Khmer Rouge killed those who spoke foreign languages, but they themselves had studied in Paris, Their revolution was a mixture of Rousseau - 'man is born free but is everywhere in chains' - Mao, Jacobin terror and Stalin's kulak massacres in the Ukraine, and Hitler's persecution of Jews and Gypsies (in the Khmer Rouge case, the Muslim Cham minority and the Vietnamese residents of Cambodia, besides 'city people' from Phnom Penh, who were forced out in a massive evacuation on April 17th, 1975, one of history's most infamous deeds.

"The crimes committed by Kaing Guek Eav were undoubtedly among the worst in recorded human history," said Kong Srim, the presiding judge of the supreme court chambers.

Cambodians were still faced with unprecedented challenges in recovering from the tragedies caused by the crimes committed by Kaing Guek Eav, Kong Srim said.

The first time I saw Cambodia was during the American 'incursion' in May of 1970. Flying over the country then in a rickety South Vietnamese helicopter, I beheld a landscape pocked with craters, the result of the secret bombing that had been ordered by President Richard Nixon and his national security adviser, Henry Kissinger, in 1969.

Some commentators have wondered since just how much the American bombings, which killed tens of thousands of Cambodians before being stopped by Congress in 1973, had to do with the ferocity of the Khmer Rouge, under whose rule an estimated 1.7 million people were put to death or died of hunger or overwork.

In the countryside, on the second visit in 1979, I took a brief low-flying Russian helicopter ride over Battambang countryside and saw half-starved oxen pulling wooden carts along mine-laden and bomb-blasted roads; it seemed Cambodia had reverted to the 14th century CE; it looked like the Middle Ages.

In Phnom Penh, mountains of wrecked automobiles stood alongside piles of rusty refrigerators, unacceptable bourgeois toys in Pol Pot's Democratic Kampuchea.' I saw worthless currency blowing in the breeze outside the bombed out national bank.

This week, US journalist Elizabeth Becker, one of the very few Western reporters to interview Pol Pot during Khmer Rouge in late 1978, said after the Duch life sentence that the Tribunal on the Khmer Rouge atrocities here had started what she happily called 'a Cambodian renaissance.'

She told students in a lecture at Pannasastra University here: "Before the tribunal, history seemed off limits here, but now Cambodians are finding their voices, finding it is possible to start talking. The grief and trauma of the Khmer Rouge years are now legitimate and recognized, and the Cambodians are telling their stories."

She said there had been 30 years of silence on the horrors of the Khmer Rouge regime, and no official acknowledgement that a great crime had been committed. But, with the tribunal, the crime had been acknowledged.

She thought that it had taken the same amount of time for both Germans and the Japanese to come to terms with World War Two and its horrors.

(Just hours after the interview with Pol Pot, in that French colonial HQ mentioned earlier, the three person party, including American journalist Richard Dudman of the St Louis Post Dispatch, and British academic Malcolm Caldwell, one of the few Western supporters of the Pol Pot regime, was reduced to two, when Caldwell was shot to death in the guesthouse where they all stayed, probably slain because Caldwell may have shown some questioning of the Khmer Rouge line after seeing Democratic Kampuchea on the ground).

Meanwhile, the trials of the surviving leaders, most notably Brother Number Two Nuon Chea, 85, are under way. Unlike Duch, who did show some token remorse for his unimaginably heinous crimes, they have not admitted their guilt, and seem to want to place the widespread killing at that time on the Vietnamese, whose army ultimately overturned the Pol Pot regime and, in the short term, rescued the ill and starving Cambodians.

Meanwhile, a defense lawyer for Nuon Chea this week quoted from an article containing allegations that National Assembly President Heng Samrin and Senate President Chea Sim may have committed serious crimes during the Khmer Rouge era.

Lawyer Jasper Pauw cited accusations from a 2005 article written by American academic Stephen Heder, a noted historian of the Khmer Rouge.

"Various evidence implicates Heng Samrin in war crimes - massacres of Vietnamese civilians - committed by troops under his command during cross-border raids into

Vietnam in 1977, he said, quoting Heder's 2005 report.

He then repeated allegations in the 37 page article by Heder that Chea Sim was responsible for killing evacuees and other people, reportedly based on Heder's interview with residents in the area.

This is just what Cambodia's strongman, prime minister Hun Sen, had feared might happen - allegations touching some of the top people of the current Cambodian government. Hun Sen is likely to be furious over this attack on his henchmen, and is quite capable of lashing out, diplomats say, as he has done often enough in the past.

Meanwhile, myriad other difficulties face the Tribunal. Despite tribunal costs of more than US\$150 million, many of the 300 Cambodian staff have not been paid since last October, although some funds from Germany became available for some salary payments this week.

Meanwhile, a UN-appointed Swiss Judge, Laurent Kasper-Ansermet, has been prevented from assuming his official duties, accused of tweeting about genocide cases 003 and 004, with which the Phnom Penh government does not want to proceed.

The standoff over the appointment of Kasper-Ansermet has prompted some speculation the UN could withdraw from the proceedings before the completion of the trial of the three ageing Khmer Rouge leaders.

The US wishes the Swiss lawyer to continue with the prosecutions that include the Khmer Rouge's naval commander Mean Muth and Air Force Chief Sou Met, who are accused of responsibility for the deaths of tens of thousands of slave laborers during Khmer Rouge rule, particular over the building of a huge secret airport at Kompong Chhnang (see earlier Asia Sentinel story) that the Chinese had shown interest in.

Kasper-Ansermet is unable to officially sit in the court, although he goes to the tribunal every day. He recently mentioned to journalists his time at the tribunal had been like 'walking in shackles.'

For his part, Hun Sen has demanded the tribunal undertake no new prosecutions, warning of civil war if more indictments are issued. The 'war' would start, presumably, with the former Khmer Rouge allies of these named.

"It's all potentially a big mess," said one court official, speaking on condition of anonymity. "It's difficult to see how this stand-off will be resolved."

For the present, Cambodians are just happy to have seen the execrable Duch put away for life.