

## **The Law on the Denial of the Khmer Rouge Crimes: Truth Does Not Need the Law for Protection**

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As a survivor of the Khmer Rouge period, I want to encourage the Cambodian government to refrain from adopting The Law on the Denial of the Khmer Rouge Crimes because the law carries great risks that far outweigh its perceived benefits.

The genocide and atrocities that were perpetrated during the Khmer Rouge regime are well-known throughout Cambodia and around the world. The survivors of this regime continue to suffer both physically and mentally, and the incredible horrors that were perpetrated so many decades ago continue to impact even the younger generations that grow up today. In this respect, the Government's interest in promoting and protecting the dignity of victims deserves encouragement and praise. Indeed, we must make every possible effort to ensure victims are cared for and the millions who died did not die in vain. However, using the law as a means to prevent the denial of the genocide poses great risks.

The law poses the risk of politicizing the incredibly difficult process of reconciliation that Cambodia has been struggling with for the past thirty years. Law is a blunt instrument that is forged in the fires of public necessity and politics. Law does not heal the wounds of torture, quiet the nightmares of horrific memories, or cure the pain of a loved one's death. Law can punish and compensate, but it cannot heal. The process of reconciliation, on the other hand, is a delicate phenomenon. It is drawn from the spirit of forgiveness and collaboration, and it is predicated on an unfettered search for the truth. While we may have nothing but the best intentions in mind when we prohibit speech that denies genocide, we inevitably denigrate the spirit of searching for the truth by using the instrument of law to dictate what happened and why.

Dictating history will have far-reaching effects. Historical inquiry is one of the key vehicles for understanding our past and it requires an atmosphere of free expression. While it is ridiculous for people to deny, revise, or trivialize the genocide in Cambodia, we must not lose our intellectual high ground in condemning such people by replacing the crucible of public debate with the spectacle of criminal sanction.

Truth does not need the law for protection, and we should not abridge the right of free speech or denigrate the spirit of truth, memory, and reconciliation for the sake of the trivial few who may still wander in darkness.