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Trying Comrade Duch

More than 30 years after the killing fields of Cambodia, a United Nations-backed tribunal this week indicted one of the Khmer Rouge's top officials. His trial is likely to commence early next year. Justice delayed is justice nonetheless.

In many ways, it's a miracle the tribunal exists at all. Since cementing his power in a bloody 1997 coup, the autocratic government of Prime Minister Hun Sen -- populated by former Khmer Rouge officials -- had little to gain from confronting history. China, whose own genocidal leader, Mao Zedong, had backed the genocide by its fellow Communists, blocked the tribunal at every turn at the U.N. Only threats to curtail Cambodia's all-important foreign aid helped push Phnom Penh to the table.

The tribunal is by no means a perfect body. Cambodian judges will be mixed in with foreign jurists, raising questions about the court's neutrality. So far, only five defendants have been put to the court for consideration, and it's unclear whether all will be brought to trial, as the tribunal has already eaten up a year and a half of its three-year mandate. Even if they are all successfully tried and convicted, the court can, at most, sentence defendants to life in jail, which is the equivalent of a wrist slap for men who are pushing 80.

For most Khmer Rouge killers, justice will never be served. Pol Pot died in 1998; a former military chief, Ta Mok, also known as "the butcher," died last year. Even today, men like Ieng Sary, the former Foreign Minister, and Khieu Samphan, a former head of state, walk free in the streets, not to mention the scores of second- and third-tier militants who will likely never see the inside of a courtroom. No one associated closely with Hun Sen and his closest allies will likely be questioned.

In the end, however, all of this may matter less than the fact that the tribunal is happening at all. In the annals of modern history, few regimes, if any, match the Khmer Rouge's reign of terror. Pol Pot's Democratic Kampuchea killed around one-third of the citizenry in a little over three years.

In the three ensuing decades, Cambodians have had little opportunity to reflect upon that collective trauma. That's not to say that nothing has been unearthed. The killing fields are now open to the public, museums display retrospectives, and several detailed history books in the local Khmer language have been published. But until now, there have been no public prosecutions of the officials who perpetrated these crimes.

Trying the first defendant, Kaing Guek Eav, known as "Comrade Duch," is no small feat. Comrade Duch was one of the regime's top executioners. His S-21 prison was a playground of hell, where victims were beaten, scored, strung up, stung with scorpions and eventually, killed. Of S-21's 20,000 prisoners, only seven survived.

Like many of today's terrorists, Comrade Duch was a well-educated man. In the lycee, he excelled in his coursework, and idealized the left's vision of a classless society. It took him only a year to finish his baccalaureate, and he soon moved on to study for a teaching certificate. Comrade Duch isn't a man to pity, nor to pardon. He knew exactly what he was doing. The question now is if he will implicate others in the regime, or shed light on who was responsible for what, exactly.

We can't predict how the tribunal will conduct its business. But it's significant that the hearings will be open to the public and covered in the country's press. Like the international tribunals set up after the ethnic cleansing in the former Yugoslavia and Rwanda, putting Khmer Rouge killers on trial will help Cambodians better understand what happened. Only when history is revealed can a nation truly heal.