

The other day I saw a monster
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Only July 16, 2009 I attended a day in the trial of Kaing Guek Eav, alias Duch, the former commander of S-21, the infamous Khmer Rouge torture and execution center. During Pol Pot's reign of terror, between 1975 and 1979, and estimated 16,000 people entered S-21 (now known as the Tuol Sleng Museum of Genocidal Crimes), and only about 17 are known to have survived. On this day of the trial the witness was Huoy Him, a former guard and alleged executioner. He was asked if anyone ever came out of S-21, or if they only went in. Him said in reply that no one ever came out, they went in and then "jhop" - "finished". A murmur went through the crowd of 350 rural farmers from Kompong Thom province that happened to be observing that day. Jhop. They were clearly taken aback at the euphemism. No, they weren't just finished; they were murdered, killed, or in the parlance of the Khmer Rouge themselves, they were "smashed".

I have been a supporter of the idea of the tribunals, thinking in line with the arguments of the Documentation Center of Cambodia (DC-Cam) that to search for the truth, to lay bare the details of what happened, is the best way to prevent such violence from occurring again. But from one day watching Duch - I admit I had gone there primarily to stare at him - I came away appalled at the process.

I really only ever thought that Duch's trial would be worth anything. The others, Nuon Chea (brother number 2 after Pol Pot), Ieng Sary, Khieu Samphan, and Ieng Tirth were all going to say that it was not them, that it had been Pol Pot or Son Sen or others who are dead and not there to defend themselves. This was because only Duch had decided to admit his guilt and to tell what had happened during the nightmare thirty years ago. Duch converted to Christianity in refugee camps along the Thai border. When journalist Nic Dunlop recognized and confronted him, Duch had said, "It is God's will that you are here. Now my future is in God's hands." He has publicly said that he was sorry. At the graves of those S-21 prisoners slaughtered at Chhoeung Ek, where he was taken as part of pre-trial hearings, is he said to have wept. When I heard this I thought, the tribunal has value, someone has finally expressed remorse for the killings. The conversion to Christianity makes perfect sense. In Buddhism there is no concept of forgiveness. If you do good, you receive good; if you do bad, you will receive the bad consequences of your behavior. There is no merciful god to forgive you. Only by converting to Christianity could Duch work the system, try to play the inevitability of moral consequences. In the same way Duch is now trying to play the tribunal.

The tribunal chambers are behind glass, so the observers each day are looking in, like watching performers on a stage or a screen. You hear the proceedings in Khmer on speakers or in French or English on headsets that provide near simultaneous if flawed

translation. Duch, the accused, sits on the right. His skin has a kind of yellow cast, but other wise he looks strong, alert. He seems to watch the proceedings impassively, leaning forward and staring at witnesses intensively. He shakes his foot, rubs the edge of the table, small tells that he might be more nervous than he appears. Occasionally he will look out at the audience, though only for short glances. His eyes flash. Vann Nath, the famous painter and S-21 survivor said to me, you know he is an intellectual, and he had all those years (from 1999 when he was discovered and incarcerated, until the trials began last year) to plan how he would respond to every question, to every bit of evidence. He has every answer ready. Duch is at the center of the performance, and in some sense he relishes it and has decided to play the role as star. So what is the problem? Why do I find it so disturbing?

Duch's guilt is clear. He admits to being the commander of S-21. He has said, "I am the top criminal responsible for all acts committed at S-21." His signature and fingerprints are literally all over the documents. I worked for six months in the Tuol Sleng archive in 1990, cataloging and microfilming the archive. I have seen his comments written in the margins; "ask him about this", "he is lying here", and most ominously, "take them all to smash" on lists of names. He admits that he had little direction on how to set up S-21 and run it; he was the one who decided on the rhythm of torture and murder, though he says that he knew even at the time that many of the stories extracted under torture were false. People were beaten, shocked, drowned, starved and broken until they told outrageous stories of being CIA agents, KGB agents, of plotting to overthrow the revolution. Only then were they killed. We have David Chandler's meticulous book and Rithy Panh's powerful, horrifying film, both titled "S-21" to take us inside that place.

But at the tribunal, as each person testifies, Duch and his lawyer have the opportunity to question the witnesses and pick apart each line of testimony. What happens is the credibility of each is worn away. After 30 years memories have faded. Did Duch order the smashing of 16,000 men, women and children or was it ONLY 12,000? Did Duch go to the killing fields at Chhoeng Ek once or twice or many times? Did Duch ever personally kill anyone, or did he only order his staff to do it and supervise that it was done? I ate lunch with a French lawyer, a woman who was observing the tribunal to compare it with the processes in Rwanda and South Africa. She said that Duch was coming across very well; he was assisting the process, he had expressed remorse. She thought that he would likely get a reduced sentence. Not such a bad guy really - that was the tone - not literally what she said. I was stunned.

Then there are the problems with language. The tribunal in the headphones and the one in Khmer are not the same. I had watched the trial for months online at the wonderful Cambodiatribunal.org, which carries the proceedings daily with translations and summarizing blogs. But in the room it is different. When Huoy Him talked about the people imprisoned at S-21, he called them neak doh, or neak kat doh, literally the guilty ones. Translated into English, this became "the detainees". The meaning is not the same; the former contains the notion that all the people imprisoned and killed at S-21 were guilty of something; the latter does not. When prisoners were tortured at S-21 they were

asked, what have you done to betray the revolution; Angkar (the organization, the party) does not make mistakes, so you are guilty of something, what is it? The language of the former jailers and murderers still has this tone, though it is whitewashed in the translation. And when Duch addresses witnesses, he is able to berate them, belittle them and attack them though the use of language - for example by attaching the prefix "a" to people's names. There is no direct translation to English, but scholars often use "the despicable" as in "a-Pot", the despicable Pol Pot. During this bullying Duch jabs his finger in the air and raises his voice. This is not a contrite man, apologetic for his crimes. Here is the man from the 1970s, the math teacher turned conspiracy theorist looking to root out the maggots that had infiltrated the revolution - determined to smash them. This gets translated into English as the benign, "Mr. so and so". We lose the contempt that Duch still holds for his subordinates and former captives.

What was bothering me so much was captured by a peasant woman from Kompong Thom. When the trial went into recess for lunch I was following out two women who had made the long journey to see one day of the trial. One turned to the other and said, "ot jeh khmah", "he does not know shame." That's it. If he was truly remorseful, to Khmer sensibilities he should look down, avoid eye contact, physically demonstrate that contrition; he should show that he is ashamed of what he has done. But instead he is combative, argumentative, attacking those who come to testify against him. As the trial broke into recess the crowd had come forward, not all the way down to the glass, but down to the second row or so to stare at him, like an animal in a cage.

As I rode back into the city with a group of young researchers from the Documentation Center, I turned and asked one young woman in her 20s what she had thought of the day's proceedings. She said that she had been surprised. I asked surprised at what. She said surprised that 60 children had been "smashed" literally by having their head bashed against trees. She broke down in tears and turned and faced out the window to compose herself. Nothing in the day's testimony had surprised me. I had read it all before. The process of killing, how they were blindfolded, handcuffed to load on the trucks, how they were struck on the back of the head and rolled into the pits Huoy Him told it all step by step, leaving out only his own role as a killer.

Vann Nath in his book on his life at S-21 describes his confrontation with Him in 1996. Him admits to killing only 4-5 people, and says that he had only been a guard, not an executioner. Vann Nath accuses him of lying, saying that even the number of 2000 killed that he had previously admitted to could not be high enough. Then Nath asks him about the horrors portrayed in his paintings, are they true or not? Him replies that the scenes are not exaggerated, that there were scenes even more brutal than that. Then Nath asks him about a scene where babies were wrenched from their mothers' arms and he asks where did you take the babies? Him answers, we took them out to kill them. "You killed all the small babies? Oh, God!" Nath replied. The man who had spent his life for the previous 15 years being a professional witness to the horrors of the regime was still shocked at the utter brutality of slaughtering babies - just like the young DC-Cam worker on the bus. It was too much to bear. Nath had always allowed himself to think that somehow the babies had been spared.

I think my reaction is more culturally Khmer than American. We Westerners like the image of the combative defendant shaking his finger and chastising the witnesses; we like Perry Mason and Law and Order. It is the course that we expect the performance to take. But to Khmer sensibilities Duch should show that he is contrite by demonstrating respect to his former victims, not belligerence; physically and with his words he should lower himself before them. He still thinks he is better than all of them. He has no true remorse. All these years later he is still able to assault them. That is why he is a monster.