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### **The Khmer Rouge: An Analysis of One of the World's Most Brutal Regimes**

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*"Power gradually extirpates for the mind every human and gentle virtue."*

— Edmund Burke, *A Vindication of Natural Society*

### **INTRODUCTION**

The Khmer Rouge, the fanatical organization that spearheaded the Communist movement in Cambodia and reigned supreme in that land from 1975-79, is officially dead. But what is left of this regime that killed an estimated two million of its own people in a campaign of terror that stands near the top of a mountain of atrocities committed against humankind in the twentieth century? The world lost its best source of answers in 1998 when Pol Pot, the brutal and enigmatic leader of this barbarous group, died in disgrace, himself a captive of the guerrilla regime he led nearly from its inception. But the Khmer Rouge's downfall was not sudden. Weakened by a series of defections since its ousting from power and alienated by its international and domestic supporters, little was left of the Khmer Rouge when Pot died. However, memories of its genocidal rampage remain fresh in the minds of all Cambodians. Few believe that the world has seen the last of the Khmer Rouge. If history has taught them anything, it is that the Khmer Rouge will survive.

Despite the Communist rhetoric used to propel its leaders into power, few in the Khmer Rouge—perhaps not even Pol Pot—genuinely believed in the Communist movement. Maintaining secrecy over its agenda, the Khmer Rouge attracted followers unaware of its ultimate goal. Offering the least educated and poorest youths of the country sudden access to wealth and power, it developed a loyal following in those seeking pecuniary gain. Even inner-circle members, though aware of the movement's agenda, sought positions of power and prestige for themselves. As it gained force, the movement demanded absolute obedience on pain of death. By the time it took over the country in 1975, the Khmer Rouge had become a tyrannical dictatorship led by the genocidal Pol Pot. Soon after its overthrow in 1979, the Khmer Rouge changed course. Rather than returning to Communist ideology, Pol Pot set a new course for the guerrilla movement. This time his agenda was more pragmatic, though no less ruthless. Wedging himself between opposing forces, Pot attempted to lift the Khmer Rouge into established political circles. Using guerrilla warfare and propaganda, he continued this course until the day he died. In the meantime, Khmer Rouge forces slowly defected as the government promised them amnesty and a wealthy future.

So where is the Khmer Rouge now? It has merged with the government. Though ex-Khmer Rouge cadres have now professed their loyalty to the government, history has shown that they are truly loyal to only one thing: the pursuit of power.

## A HISTORY OF POLITICAL APATHY

*The political system and the basic culture made the concept of revolution wholly unthinkable in traditional terms.<sup>1</sup>*

Modern day Cambodia stems from the kingdom of Angkor, which dominated Southeast Asia from the tenth to the fourteenth

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<sup>1</sup> Serge Thion, *The Cambodian Idea of Revolution*, in *REVOLUTION AND ITS AFTERMATH IN KAMPUCHEA* 10, 12 (David P. Chandler & Ben Kiernan eds., 1983).

centuries.<sup>2</sup> As a testament to the wealth, power, and technological advancement of their empire, the kings of Angkor built a fantastic array of intricately carved stone temples during their reign. These temples, the most famous of which is called *Angkor Wat*, still stand today, symbolizing the glory of the once great Khmer (Cambodian) people. But since the fall of that empire, Cambodia faded in regional importance and regressed as a society. Ruled by an absolute monarchy until the French established a colonial protectorate there in 1863, Cambodia languished at just above subsistence levels.<sup>3</sup> Yet its people were content. They cared little about politics, their country's past, or personal economic growth. Eighty-five percent were land-owning peasants.<sup>4</sup> They accepted Buddhist teachings, believing that positions in life are preordained and that those in power deserve to be in power, as determined by good deeds in previous lives.<sup>5</sup>

Upon entering Cambodia and establishing its rule, the French immediately set out to change the face of the country. Reaping the benefits of Cambodia's cheap labor and natural resources, the French, in return, sought to educate the Cambodian citizenry, modernize its productive capabilities, and generally upgrade the country to a level on par with the rest of the industrialized world. French academics instilled in Cambodians a historical identity by teaching them about the greatness of both the Khmer empire and France, their new mother country.<sup>6</sup> As a testament to the glorious Khmer past, the French pointed to the temples of Angkor.<sup>7</sup> In admiration of modern France's humble beginnings, the French taught Cambodians to revere its 1789 peasant revolution.

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<sup>2</sup> DAVID P. CHANDLER, *THE TRAGEDY OF CAMBODIAN HISTORY* 6 (1991).

<sup>3</sup> *Id.* at 3.

<sup>4</sup> R.A. BURGLER, *THE EYES OF THE PINEAPPLE: REVOLUTIONARY INTELLECTUALS AND TERROR IN DEMOCRATIC KAMPUCHEA* 8 (1990).

<sup>5</sup> CHANDLER, *supra* note 2, at 4.

<sup>6</sup> *Id.* at 6.

<sup>7</sup> See David Chandler, *From "Cambodge" To "Kampuchea": State and Revolution in Cambodia 1863-1979*, in *THESIS ELEVEN* 35, 37 (1997) ("The French, in other words, tinkered with Cambodian collective memory and thereby with its peoples' views of history and their identification with the State.").

Despite French influence, Cambodians lacked political consciousness prior to World War II.<sup>8</sup> The concept of self-rule eventually took root when the Japanese liberated Cambodia in March 1945, instilling in the minds of educated Cambodians that self-rule was indeed possible.<sup>9</sup> When the French later regained control in October of that same year, they encountered an elite that was both reluctant to relinquish power and skeptical of the legitimacy of a monarchy.<sup>10</sup> Cambodians tasted a brief, tantalizing dose of power and now they hungered for self-rule. In just seven months, the Cambodian consciousness had been changed forever.

After a series of resistance movements, Cambodia achieved independence in 1953.<sup>11</sup> Two years later, King Norodom Sihanouk abdicated his throne, becoming Prince Sihanouk, and founded a national political movement, which he dominated for the next several years.<sup>12</sup> During his reign, revolutionary bells clamored in neighboring countries. As Cambodia sought a policy of neutrality, outside forces—Vietnam, Thailand, China, and the former Soviet Union—saw the country as key to their own geopolitical agendas. At this time, the largest crop of educated Cambodian youth the country had ever seen entered a national economy incapable of offering them the professional opportunities for which they had been trained.

## THE SEEDS OF TERROR

*In Cambodia, there are two sources for the idea of revolution, namely the French school syllabus and the international Communist movement. The two are not unrelated.*<sup>13</sup>

*The sheer strength of will, whatever the sacrifices, was to overcome all material difficulties.*<sup>14</sup>

<sup>8</sup> Thion, *supra* note 1, at 15.

<sup>9</sup> CHANDLER, *supra* note 2, at 7.

<sup>10</sup> Thion, *supra* note 1, at 15.

<sup>11</sup> CHANDLER, *supra* note 2, at 8.

<sup>12</sup> *Id.*

<sup>13</sup> Thion, *supra* note 1, at 14.

<sup>14</sup> *Id.* at 21 (citing Maoist theory followed by the Khmer Rouge).

Saloth Sar, alias Pol Pot, was born to a peasant family in the province of Kompong Thom on May 18, 1925.<sup>15</sup> Initially educated in a Buddhist monastery, Saloth Sar attended technical school in Phnom Penh. After winning a scholarship to study radio electronics in Paris, Sar failed his exams three years in a row and returned to Cambodia. On his return from Paris, he found that the economy lacked opportunity for his skills. Although Prince Sihanouk had succeeded in improving educational opportunities for Cambodians both within the country and abroad, he had failed to stimulate the economy to support jobs for Cambodia's newest, most qualified class of jobseekers.<sup>16</sup> The frustrations felt by French-educated Cambodians resulting from this blocked ascendancy were exacerbated by their feelings of alienation.<sup>17</sup> They no longer felt connected to the illiterate peasant class from which they came, they had not yet reached middle-class status, and they were not members of the ruling elite.<sup>18</sup> As revolutionary pressures in neighboring countries reverberated throughout Southeast Asia, these well-educated youths united in the spirit of their French "brethren" in search of a solution similar to the revolution of 1789.<sup>19</sup>

Yet, these young idealists achieved little initial success. Adhering to Communist doctrine, they sought to develop a class consciousness among the peasants.<sup>20</sup> Patterning itself after Stalin, the Khmer Rouge canvassed the countryside asserting that the

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<sup>15</sup> Nate Thayer, *Pol Pot Unmasked: He was obsessed with secrecy and total control*, FAR E. ECON. REV., Aug. 7, 1997 (pagination unavailable online). Like most details of Pol Pot's life, even his birthday is shrouded in mystery. Other sources suggest he was born on May 19, 1928. Sean Watson & David Le Sage, *Pol Pot: A Biographical Essay*, available at <http://www.eliz.tased.edu.au/ITStu97//olpot.htm>.

<sup>16</sup> BURGLER, *supra* note 4, at 13.

<sup>17</sup> *Id.*

<sup>18</sup> *Id.*

<sup>19</sup> See Thion, *supra* note 1, at 14 (noting that French *lycees* instilled in Cambodians a reverence for revolution).

<sup>20</sup> Kate G. Frieson, *Revolution and Rural Response in Cambodia: 1970-1975*, in GENOCIDE AND DEMOCRACY IN CAMBODIA 10, 39 (Ben Kiernan ed., 1993).



landlords exploited the landless.<sup>21</sup> This theory was ill-suited to Cambodian realities and generally fell on deaf ears. Not only did the peasants feel unexploited, but a majority of them owned land.<sup>22</sup> To the extent exploitation existed, it occurred between the Chinese merchants and the Cambodian rice-harvesters. However, most peasants, content with their lot, remained unconcerned that the Chinese earned money from their labor.<sup>23</sup> Their Buddhist faith taught them passivity toward their socioeconomic status. This sentiment is aptly summarized by a cyclo driver, who remarked, "What can I do about it? I'm born into this life as a poor person and I can't have the opportunity to become educated like other people. I really pity myself."<sup>24</sup> So long as they had enough to eat and their way of life remained undisturbed, they remained content. Their respect for Prince Sihanouk, who they believed had earned his right to rule through good deeds in a previous life, was strong. In return for blind support, Sihanouk rarely interfered with the daily lives of the peasant populace.

In 1970, insurgent leader Lon Nol launched a coup against Prince Sihanouk that catapulted Cambodia into civil war and forced Sihanouk to flee for safety under the protection of the Chinese.<sup>25</sup> To protect Cambodia's newly-installed regime from North Vietnamese incursion, the United States and South Vietnam entered the fray.<sup>26</sup> Suddenly, the Cambodian countryside was transformed into a battlefield. Not only had Sihanouk lost his grip on Cambodia's rule, but he lost his struggle to maintain Cambodia's neutrality. Amidst this turmoil, the Khmer Rouge found its first opportunity to develop support. It implemented a two-pronged plan, again using hegemony as a tool: first, the

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<sup>21</sup> BURGLER, *supra* note 4, at 15.

<sup>22</sup> Frieson, *supra* note 20, at 40.

<sup>23</sup> See BURGLER, *supra* note 4, at 9 ("From the peasants point of view, the local Chinese merchant provided him with commodities and with the opportunity to sell his harvest surplus. As the peasants were quite easily able to subsist on what was left them, they did not consider the price they had to pay for these services and goods unjust.").

<sup>24</sup> Frieson, *supra* note 20, at 43.

<sup>25</sup> *Id.*

<sup>26</sup> JOHN NORTON MOORE, *LAW AND THE INDO-CHINA WAR* 508 (1972)

Khmer Rouge built support for its Party with a “save Sihanouk” battle cry; and second, it actively concealed its true revolutionary goal.<sup>27</sup> This devious plan worked flawlessly. Regarding the efforts of Khmer Rouge members to conceal their true motives, one scholar notes:

[R]evolution and the existence of a revolutionary party were not only played down in propaganda, they were completely hidden truths, revealed only to the enlightened few who could achieve senior positions in the apparatus. Revolution was not an asset but an ultimate goal, which had to be achieved by devious and clandestine means, since even the beneficiaries could not be led towards paradise.<sup>28</sup>

Implementing the Communist weapon of *conflict strategy*, the Khmer Rouge used anti-Lon Nol sentiment to build hatred against his foreign protectors—America and South Vietnam. Hammering into every citizen’s mind the notion that Lon Nol was an American pawn and that the United States and South Vietnam sought to take away Cambodia’s independence and oppress its people, the Khmer Rouge politicized the countryside. With every bomb, more and more Cambodians joined the ranks of the Khmer Rouge to fight the American “imperialists” and “aggressors”<sup>29</sup>:

[A]rtillery shells and rockets rained down on the capital. People were killed while eating noodles, selling fish, standing around, nursing their children, and bicycling to work. They were defenseless. The war, if it had ever made sense to ordinary Khmer, made none in early 1974.<sup>30</sup>

As they watched friends and family die at the hands of “foreign aggressors” and as they hoped for an end to the bloodshed, many weary Cambodians found comfort in the ultra-nationalist hands of

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<sup>27</sup> *Id.* at 35.

<sup>28</sup> Thion, *supra* note 1, at 23.

<sup>29</sup> Frieson, *supra* note 20, at 35.

<sup>30</sup> CHANDLER, *supra* note 2, at 230.

the Khmer Rouge, who promised an end to the conflict and a victory for the people. The courage of the Khmer Rouge soldiers, who fought under horrific conditions in a display of self-sacrifice and patriotism, impressed their Cambodian countrymen.<sup>31</sup> Even those who disagreed with Communist ideology began to believe that only the Khmer Rouge could provide a viable future for Cambodia.<sup>32</sup>

Having learned in the past that peasants did not understand such concepts as feudalism and capitalism, the Khmer Rouge launched a grass-roots campaign with a simple message: greater material wealth and a higher standard of living.<sup>33</sup> Members moved into the countryside, dressed and ate like commoners, and assisted village folk whenever possible.<sup>34</sup> They built trust by building homes and roads and providing medicine to the needy.<sup>35</sup> Slowly, they built a mass, loyal following that was totally unaware of the Party's master plan. Members joined either because they were well-educated students disillusioned with the current state of government or, more often, citizens resentful of Sihanouk's ouster and the ensuing devastation of the country at the hands of outside forces. Very few, however, possessed an inkling of the role they were to play in the forthcoming revolution. Indeed, the Party did not publicize its true leanings until late 1972, at which time many followers were shocked to learn of the movement's ultimate goals. One Khmer Rouge member who saw the Party's flag—complete with hammer and sickle on a red background—for the first time at a Party ceremony in September 1972 remarked, "It's as if I'd been stabbed in the chest with a knife."<sup>36</sup> By this time, it was too late to leave. Disloyalty against the Party was punishable by death.

By 1973, twenty-two years after the Communist movement began in Cambodia and just as Cambodians began to sense the Khmer Rouge's true objective, a new group of leaders emerged:

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<sup>31</sup> BURGLER, *supra* note 4, at 51.

<sup>32</sup> CHANDLER, *supra* note 2, at 230.

<sup>33</sup> Frieson, *supra* note 20, at 40.

<sup>34</sup> BURGLER, *supra* note 4, at 35.

<sup>35</sup> *Id.*

<sup>36</sup> CHANDLER, *supra* note 2, at 219.



village children, aged thirteen and fourteen, indoctrinated by the Khmer Rouge soon after birth.<sup>37</sup> These children, the poorest and least educated, had been raised in Party and military cadre schools.<sup>38</sup> In the minds of Pol Pot and his inner-circle, these children, modeled after Mao's use of "poor and blank" youths—were the first pure crop of Khmer Rouge.<sup>39</sup> Trained in remote areas, free of "foreign propaganda," these children were trained to be killing machines, fully competent in the use of heavy artillery and fiercely loyal to the Party.<sup>40</sup> Condemning religion and rejecting parental control, they answered only to Angkar (the Party).<sup>41</sup> These poor, uneducated sons of peasants, separated from their family and bound only to the Party, were given the highest positions of command within the Khmer Rouge military.<sup>42</sup> Molded into obedient killing machines, psychologically controlled by the Party, and placed into positions of power for the first time in their young lives, these children displayed a level of brutality theretofore unseen.<sup>43</sup>

These new, devout followers assisted Pol Pot in ushering in a new era for the Khmer Rouge. With provinces in the countryside held securely under its domain, the Khmer Rouge waged a public campaign against Sihanouk, accusing him of hiding under the protection of the wealthy Chinese as his poor country suffered under the bombardment of American warplanes.<sup>44</sup> Exercising its control, it prohibited any showing of sympathy for Sihanouk's plight, on pain of death.<sup>45</sup> In only a few short years, the Khmer

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<sup>37</sup> BURGLER, *supra* note 4, at 48.

<sup>38</sup> *Id.*

<sup>39</sup> CHANDLER, *supra* note 2, at 243.

<sup>40</sup> BURGLER, *supra* note 4, at 48.

<sup>41</sup> *Id.*

<sup>42</sup> See CHANDLER, *supra* note 2, at 243 ("Freed from family obligations, they displayed a loyalty to the Organization that was often absolute. . . . These boys and girls became the revolution's cutting edge.").

<sup>43</sup> See Chandler, *supra* note 7, at 46 ("Throughout the country, people were drawn towards the revolution by their supposition that they themselves, the perennially powerless segment of the population had been, or were soon to be, empowered.").

<sup>44</sup> BURGLER, *supra* note 4, at 47.

<sup>45</sup> *Id.*

Rouge had come full circle: after heavily supporting Sihanouk in order to develop its own base of followers, it later denounced him and murdered anyone suspected of siding with him.

On January 1, 1975, the Khmer Rouge began its assault on Phnom Penh.<sup>46</sup> On April 17, it claimed the city and the country. Most of the soldiers were between twelve and fifteen years old.<sup>47</sup>

## YEAR 0: GENOCIDE

*[W]e have won total, definitive, and CLEAN victory, meaning that we have won it without any foreign connection or involvement. . . . We have waged our revolutionary struggle basically on the principles of independence, sovereignty and self-reliance . . . .*<sup>48</sup>

*For thousands of years the colonialists, the imperialists and reactionary feudalists have dragged us through the mud. Now with victory we have regained our honour, our dignity, now we smell good again.*<sup>49</sup>

*For the heroic Kampuchean people the 17th of April is a glorious victory of greater far reaching significance than the prestigious Angkor era.*<sup>50</sup>

*The Cambodian Revolutionary experience is unprecedented. What we are trying to bring about has never occurred before. That is why we are not following any model. . . .*<sup>51</sup>

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<sup>46</sup> CHANDLER, *supra* note 2, at 233.

<sup>47</sup> BURGLER, *supra* note 4, at 86.

<sup>48</sup> *Id.*, at 59 (quoting Pol Pot in a speech to the Khmer Rouge army).

<sup>49</sup> *Id.* at 58 (quoting radio broadcast by Khieu Samphan, Khmer Rouge inner-circle member).

<sup>50</sup> *Id.*, at 59.

<sup>51</sup> *Id.* (quoting Ieng Sary, Khmer Rouge inner-circle member).

*Love Angkar,  
Hate Angkar's Enemies:  
Tell the Truth to Angkar.*<sup>52</sup>

Once in power, the Khmer Rouge immediately set out to construct an agrarian utopia in the spirit of Mao, Lenin, and Jean-Jacques Rousseau.<sup>53</sup> Using any means necessary to achieve their objective and shrouded in secrecy, they implemented a plan of absolute control through subterfuge and force.<sup>54</sup> Every policy implemented had as its central aim to eliminate the individual by inculcating him into a mass collective.<sup>55</sup> Riding on a high from their surprising victory and fueled with ultra-nationalist pride, the Khmer Rouge attempted to achieve something that no other Communist revolution had ever dared: immediate societal reformation. Even Mao and Stalin, from whom much Khmer Rouge dogma derived, recognized that Socialism must be built over time.<sup>56</sup> But Pol Pot was convinced that Cambodia's greatness was unique, that it was capable of achieving things that no other nation could achieve. The French had instilled in the Cambodian consciousness the belief that their people had once been great. The

<sup>52</sup> Frieson, *supra* note 20, at 39.

<sup>53</sup> Although Pol Pot borrowed many social control techniques from Mao and Lenin, his overarching vision—a reversion to agrarian society—is so closely linked to Rousseau's back-to-nature philosophy that one cannot discount Rousseau's influence in forming Pot's vision. The following Khmer Rouge radio broadcast, in the true spirit of Rousseau, illustrates this point: "The young are learning their science from the workers and peasants, who are the sources of all knowledge. . . . And this science is possessed by the peasants and labourers alone." See Jonathan Sikes, *Pol Pot's New Wave of Killers*, SUNDAY TELEGRAPH, Jul. 22, 1990, (pagination unavailable online) (calling Khmer Rouge ideology a "mishmash" of Rousseauism and Maoism). See also CHANDLER, *supra* note 2, at 7 ("The Rousseauian notion of the essential innocence of the Cambodian People colored the thinking of all three leaders [Lon Nol, Norodom Sihanouk and Pol Pot].").

<sup>54</sup> It should be noted that the Khmer Rouge began imposing these mechanisms of social control over certain country provinces in 1973, though their efforts did not reach full-scale until 1975.

<sup>55</sup> See CHANDLER, *supra* note 2, at 244 ("The commands from the Revolutionary Organization covered every aspect of people's lives.").

<sup>56</sup> Thion, *supra* note 1, at 25.

Khmer Rouge's revolutionary success led its members to believe that Cambodia was returning to greatness. If China could achieve the Great Leap Forward in the 1950s, reasoned Pol Pot, Cambodia could achieve the Super Great Leap Forward in the 1970s.<sup>57</sup> Marking a new era in Khmer history, the Khmer Rouge renamed the country Democratic Kampuchea and called 1975 "Year 0." The belief that the Khmer Rouge could wipe away thousands of years of history was embodied by Pol Pot's declaration, "If our people can build Angkor, they can do anything."<sup>58</sup>

Immediately after conquering Phnom Penh and declaring victory, the Khmer Rouge set out to develop a new world order by razing society and starting anew. Pol Pot envisaged Democratic Kampuchea as an agrarian utopia, free from foreign influence and utterly devoted to its own ideals, which included the destruction of the individual in the name of the collective. Central to his plan was the element of secrecy. The identity of Party members and all future Party plans were kept strictly confidential. This served three main functions. First, it prevented anyone from mounting an attack against Party leaders, since they did not know who they were. Second, it gave the Party the appearance of a life of its own. Most organizations are controlled by a few central figures, but the Khmer Rouge seemed to guide itself. In fact, until as late as 1977, all Party decisions were deemed to have been made by the nameless, faceless *Angkar*.<sup>59</sup> Again, this technique shielded it from attack. Lastly, maintaining secrecy over future plans kept the populace in check, since what was permissible today might turn out to be impermissible, and punishable, tomorrow.

To achieve his great vision, Pol Pot attacked the pillars of modern Cambodian society—capitalism, Buddhism, kingship, hierarchical social relationships, and family—and replaced them with mechanisms intended to instill egalitarianism, collectivism,

<sup>57</sup> CHANDLER, *supra* note 2, at 245.

<sup>58</sup> Chandler, *supra* note 7, at 37.

<sup>59</sup> *Id.*

and self-reliance.<sup>60</sup> In one of its first moves upon attaining power, the Khmer Rouge forced the immediate evacuation of all cities, pushing every man, woman, and child into collectives in the countryside. This radical maneuver had three purposes, all of which were grounded in Angkar's need for total control of its citizenry. First, it was used to weed out the regime's greatest threat: city dwellers linked to foreign entities.<sup>61</sup> Anyone deemed to be linked to foreign forces was summarily executed.<sup>62</sup> This included members of the Lon Nol regime as well as all better-educated citizens trained to work as professionals in a capitalist economy. Those who were deemed not to have been so tainted as to necessitate murder were uprooted and sent to the countryside, thus dismantling their social connections and quelling any threat that they may have posed through organized rebellion.<sup>63</sup> Second, because Cambodia was to revert to an agrarian society, Angkar needed every able-bodied individual in the fields growing crops.<sup>64</sup> In theory, the revenue from agricultural production was to be used to build other industries within the country.<sup>65</sup> "When we have rice, we can have everything," became a popular motto.<sup>66</sup> Third, the evacuation dismantled Cambodia's market economy, choking off the influx of goods and currency. The only hand that was to feed the Khmer people was the hand of Angkar.

Demanding complete devotion to Angkar, the Khmer Rouge imposed a collectivist lifestyle on the people. Exercising its stranglehold over the population, it prohibited travel between collectives<sup>67</sup> and all trade (except for that conducted within a

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<sup>60</sup> *Id.* at 38. It should be noted, however, that just as Pol Pot tore down the existing social framework, he built his own hierarchy, a far more rigid and extraordinarily violent system of control.

<sup>61</sup> Michael Vickery, *Democratic Kampuchea—Themes and Variations*, in *REVOLUTION AND ITS AFTERMATH IN KAMPUCHEA* 99, 101 (David P. Chandler & Ben Kiernan eds., 1983).

<sup>62</sup> *Id.*

<sup>63</sup> CHANDLER, *supra* note 2, at 247.

<sup>64</sup> *Id.*

<sup>65</sup> *Id.* at 245.

<sup>66</sup> BURGLER, *supra* note 4, at 60.

<sup>67</sup> *Id.* at 38.



cooperative).<sup>68</sup> It imposed a system of communal eating, carefully monitoring food rations.<sup>69</sup> The populace, accustomed to eating at home and alone with their families, especially disliked communal rationing.<sup>70</sup> But by centralizing the collection of goods and rationing food to the people, the Khmer Rouge imposed order even on those who would have been brave enough to withstand physical punishment.<sup>71</sup>

Another aspect of the Khmer Rouge war against individuality was its prohibition of religion. It defrocked all monks, forcing them to serve in the army and work in the fields as common people, and prohibited anyone from addressing them according to their honorific title.<sup>72</sup> In place of religious teachings, the Khmer Rouge forced individuals to attend village propaganda meetings twice a month and "lifestyle" meetings weekly.<sup>73</sup> The propaganda meetings included discussions of policies and programs furthering their collectivist agenda. Lifestyle meetings included self-criticism sessions modeled in the Marxist-Leninist tradition.<sup>74</sup> In these sessions, individuals were forced to admit their negative "trends" in front of a group of their peers in an effort to cleanse themselves and facilitate their humble servitude to Angkar.<sup>75</sup> Individuals were typically criticized for such things as not loving their work, looking sad, and failing to maximize their productive capacity.<sup>76</sup> As one cadre put it, "We had but one duty: think of the collective and purify ourselves."<sup>77</sup> Truth—as Angkar determined it—was demanded. *Nokorbal*, village spies, reported the slightest

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<sup>68</sup> *Id.* at 49.

<sup>69</sup> Ben Kiernan, *Wild Chickens, Farm Chickens, And Cormorants: Kampuchea's Eastern Zone Under Pol Pot*, in *REVOLUTION AND ITS AFTERMATH IN KAMPUCHEA* 136, 142 (David P. Chandler & Ben Kiernan eds., 1983).

<sup>70</sup> *Id.*

<sup>71</sup> *Id.*

<sup>72</sup> BURGLER, *supra* note 4, at 49.

<sup>73</sup> *Id.* at 35.

<sup>74</sup> *Id.*

<sup>75</sup> Thion, *supra* note 1, at 29.

<sup>76</sup> BURGLER, *supra* note 4, at 83.

<sup>77</sup> *Id.* at 62.

transgressions left unmentioned.<sup>78</sup> Rewarded for uncovering anyone disloyal to the movement, these villagers often went to great lengths to inform on one another in hopes of ingratiating themselves with Angkar.<sup>79</sup>

In addition to imposing these structural changes on society, the revolution's tentacles reached less visible aspects of social life: Angkar imposed linguistic reforms, eliminating from the Cambodian vocabulary hierarchical pronouns conceding the country's capitalist past and foreign words reminding them of its colonized life;<sup>80</sup> it imposed uniform dress codes and prohibited all forms of vanity;<sup>81</sup> and it imposed strict sexual mores, prohibiting sexual activity outside marriage upon pain of death.<sup>82</sup> Marriages, when approved by Angkar, were conducted in mass ceremonies a few times per year.<sup>83</sup> David Chandler summarizes the situation well:

The flaws to be corrected in what the Khmer Rouge called the "old society" included social ranks, personal possession, wealth, consumerism, corrupt sexual mores, individualism, "family-ism," book learning, foreign ideas and "urban" society. . . . The leap that was to be made from visible authority figures, or patrons, to an invisible, unexplained, all-powerful body was impossible for most Cambodians, unaccustomed to such leaps of faith, but exhilarating for tens of thousands who were called on to administer Cambodia on Angkar's behalf.<sup>84</sup>

Any form of protest or dissention by villagers, such as an attempt to rally, prompted a violent—often deadly—response by one of the young, indoctrinated comrades.<sup>85</sup> Petrified of reprisal if

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<sup>78</sup> *Id.* at 51.

<sup>79</sup> *See id.* at 88 (noting that children would creep under people's houses at night to eavesdrop).

<sup>80</sup> Chandler, *supra* note 7, at 47.

<sup>81</sup> *Id.* at 43.

<sup>82</sup> *Id.*

<sup>83</sup> BURLER, *supra* note 4, at 81.

<sup>84</sup> Chandler, *supra* note 7, at 44.

<sup>85</sup> Frieson, *supra* note 20, at 44.

deemed a threat to the revolution, Cambodians were paralyzed with fear and resignation as the Party's ominous slogan reverberated in their heads: "One must trust completely in the Angkar because the Organization has as many eyes as a pineapple and cannot make mistakes."<sup>86</sup>

Thus, by controlling food distribution, psychologically manipulating the population, and controlling one's daily life through the use of terror, the Khmer Rouge set out to build a society of laborers in pursuit of its agrarian ideal. But its efforts soon devolved into a campaign to crush the spirit of mankind and warp its children into savage automatons fiercely loyal to a nameless, faceless organization that promised nothing to anyone other than the right to bask in its glory. Angkar killed two million people—approximately 15 percent of the Cambodian population.<sup>87</sup>

## THE PEACE PROCESS

Four years after the Khmer Rouge took control of Cambodia and renamed it Democratic Kampuchea, the Vietnamese steamrolled into Phnom Penh in 1979, ousted the Khmer Rouge from power, renamed the country the People's Republic of Kampuchea (PRK), and installed its own brand of Communist rule.<sup>88</sup> The Khmer Rouge recoiled along the Thai-Cambodian border. In a shocking turn of events, it combined forces with Prince Sihanouk—the man they betrayed just a few years ago—and Son Sann, a former Lon Nol cohort who was instrumental in the coup against Sihanouk. Together, they formed the Coalition Government of Democratic Kampuchea (CGDK) to fight Vietnam's PRK.<sup>89</sup> This unlikely coalition, fearful of Vietnamese encroachment, garnered the support of the international community through the backing of China, Thailand, and the United States and

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<sup>86</sup> BURGLER, *supra* note 4, at 38.

<sup>87</sup> R.J. RUMMEL, DEATH BY GOVERNMENT 193 (1994).

<sup>88</sup> TREVOR FINDLAY, CAMBODIA: THE LEGACY AND LESSONS OF UNTAC I (1995).

<sup>89</sup> *Id.*

occupied Cambodia's seat at the United Nations.<sup>90</sup> As Southeast Asia ailed from the devastations of protracted war, a stalemate ensued between the Vietnamese and the CGDK.

A breakthrough was reached in 1989 when Vietnam pulled out of Cambodia in order to soothe its relations with China. The Vietnamese left Hun Sen to govern Cambodia as its reigning strongman. To distance himself from Vietnam, Sen renamed the country Cambodia.<sup>91</sup> As foreign forces scaled back, all four factions—Hun Sen, Khmer Rouge, Prince Sihanouk, and Son Sann—spent the next two years, under the guidance of the United Nations, negotiating the Paris Peace Accords (the Accords), which were adopted on October 23, 1991.<sup>92</sup> The Accords committed all parties to a cease-fire and set a course for free and fair elections in 1993.<sup>93</sup> A crucial pre-condition of the elections was the agreement among the factions to disarm 70 percent of their military forces prior to electoral registration.<sup>94</sup> Demobilization of the remaining 30 percent was to occur after the election.<sup>95</sup>

The United Nations, via the United Nations Transitional Authority in Cambodia (UNTAC), oversaw implementation of this agenda.<sup>96</sup> The Supreme National Council (SNC), a coalition of the various political parties and led by Prince Sihanouk, was installed by the United Nations to administer governmental operations until the elections.<sup>97</sup> Hun Sen relinquished governmental control and acted as a "host party" for the SNC until elections.<sup>98</sup> The most ambitious and expensive operation in UN history (UNTAC cost \$2.8 billion) was underway. In just two years, the United Nations

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<sup>90</sup> *Id.* at 2.

<sup>91</sup> *Id.* at 4.

<sup>92</sup> *Id.* at 11.

<sup>93</sup> *Id.*

<sup>94</sup> *Id.*

<sup>95</sup> *Id.*

<sup>96</sup> *Id.* at 12.

<sup>97</sup> *Id.*

<sup>98</sup> FRANK FROST, THE PEACE PROCESS IN CAMBODIA: ISSUES AND PROSPECTS, at 12 (Centre for the Study of Australia-Asia Relations No. 69, 1993).

hoped to keep peace, make peace, and build peace between numerous factions in a nation scarred by decades of war.<sup>99</sup>

Not surprisingly, it did not take long for the Khmer Rouge to disrupt the peacemaking process. Concerned that free and fair elections would be its downfall, it refused to obey the conditions set by the Accords. Alleging that Vietnamese forces had not fully withdrawn from Cambodia, the Khmer Rouge refused to comply with the cantonment plans.<sup>100</sup> Claiming that Hun Sen had not relinquished control of state apparatus, it refused to submit to disarmament.<sup>101</sup>

Prior to elections, only 5 percent of Khmer Rouge forces had been cantoned. The United Nations was forced to suspend all cantonment efforts, lest the remaining factions be vulnerable to attack.<sup>102</sup> As the elections drew near, the Khmer Rouge engaged Hun Sen's forces in a series of skirmishes, the purpose of which was not so much to win as to scare the populace into electing it into office.<sup>103</sup> In the three months prior to the elections, politically-motivated murders skyrocketed. There were 200 politically-related deaths, 338 injuries, and 114 abductions.<sup>104</sup> Nonetheless, Cambodians were enthusiastic about the elections and would not be deterred. Having cowered in the past, they would not give in to Khmer Rouge bullying again. In mid-April, approximately five weeks before the elections, the Khmer Rouge formally withdrew from the peace process, citing frustration over Vietnamese occupiers and Hun Sen's links to them.<sup>105</sup> However, this was just a face-saving exit strategy used to de-legitimize the electoral process. By doing so, it hoped to form a "government of national

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<sup>99</sup> Nate Thayer & Nayan Chanda, *Law of the Gun*, FAR E. ECON. REV., Jul. 17, 1997 (pagination unavailable online).

<sup>100</sup> FROST, *supra* note 98, at 13.

<sup>101</sup> Mats Berdal & Michael Keifer, *Cambodia*, in THE NEW INTERVENTIONISM: THE UNITED NATIONS EXPERIENCE IN CAMBODIA, YUGOSLAVIA AND SOMALIA 25, 43 (James Mayall ed., 1996).

<sup>102</sup> See FROST, *supra* note 98, at 17 ("We don't want to place the three factions that are cooperating with UNTAC . . . in an inferior position.").

<sup>103</sup> *Id.* at 16.

<sup>104</sup> Berdal & Keifer, *supra* note 101, at 54.

<sup>105</sup> *Id.*



reconciliation" in lieu of elections. The only surprising aspect of its tactic was the audacity it showed in admitting its intention to strong-arm a position in government:

If the Western powers do not change their position, there is no other choice for the Cambodian people to show their anger at the Western powers. There will certainly be more incidents, such as the launching of hand grenades against the Vietnamese in Phnom Penh. We can foresee that the situation will get more unstable, more insecure, more confusing. The popular movement against the Vietnamese will increase. There will be more attacks. . . . If there are four Cambodian parties [in a future government] the DK [Democratic Kampuchea] party will be among them, and there will be peace in Cambodia.<sup>106</sup>

As a backup plan, the Khmer Rouge stockpiled weapons in anticipation of a new round of warfare and in complete disregard of the Accords.<sup>107</sup>

Yet, despite its attempts to subvert the elections, the Khmer Rouge was unable to stop an astounding 90 percent of registered voters from casting their ballots.<sup>108</sup> Yasushi Akashi, the UN secretary-general's special representative, jubilantly declared that the elections had been free and fair.<sup>109</sup> Out of 120 seats, fifty-eight seats were won by FUNCINPEC (the National United Front for a Neutral, Independent, Peaceful and Cooperative Cambodia), a party led by Prince Sihanouk's son, Prince Norodom Ranariddh; fifty-one seats were won by the CPP, led by Hun Sen; and the remaining few were won by various other parties.<sup>110</sup> The Khmer Rouge did not win a single seat. Sadly, the Khmer Rouge did not allow peace in Cambodia. As noted by the Centre for the Study of Australia-Asia Relations:

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<sup>106</sup> Nate Thayer, *Bloody Agenda: Khmer Rouge set out to wreck planned elections*, FAR E. ECON. REV., Apr. 15, 1993 (pagination unavailable online).

<sup>107</sup> FROST, *supra* note 98, at 14.

<sup>108</sup> Berdal & Keifer, *supra* note 101, at 55.

<sup>109</sup> Rodney Tasker & Nate Thayer, *Difficult Birth*, FAR E. ECON. REV., Jun. 10, 1993 (pagination unavailable online).

<sup>110</sup> Frieson, *supra* note 20, at 25.

[T]he elections were a remarkable tribute to the organizational capacity of the UNTAC Electoral Component and to the courage and tenacity of the Cambodian people whose dedication to the process was unarguable. The high participation in the elections enhanced greatly the credibility of the U.N. involvement and of the peace process overall. The successful conduct of the elections, however, naturally did not stop the process of political conflict in Cambodia, which immediately entered a new phase at the end of May.<sup>111</sup>

Although the Khmer Rouge lost the elections in a humiliating defeat, its disgrace only served to make its members more dedicated, determined, and aggressive.<sup>112</sup> Rich from gem mining and timber operations on the Thai border and heavily armed with a weapons cache, the Khmer Rouge launched military and propaganda offenses soon after the new government was elected.<sup>113</sup> Its outlandish claims included, for example, an allegation that the CPP controlled 300,000 Vietnamese agents masquerading as civil servants, police, and soldiers, while FUNCINPEC led only 100 men.<sup>114</sup>

The legitimate political process, however, forged on. In an effort to build a more unified government, the Constituent Assembly ratified a new constitution on September 21, 1993.<sup>115</sup> The constitution provides for a constitutional monarchy, in which the king reigns but does not govern, and it vests governing responsibility in the hands of the prime minister. In another turn of events, Hun Sen used his own military strength to force an odd conclusion to the elections: both Prince Ranariddh and Hun Sen were named first and second prime ministers, respectively, and

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<sup>111</sup> FROST, *supra* note 98, at 38.

<sup>112</sup> FINDLAY, *supra* note 88, at 106.

<sup>113</sup> FROST, *supra* note 98, at 41.

<sup>114</sup> *Id.*

<sup>115</sup> *Id.* at 57.

were charged with co-leading the country.<sup>116</sup> Prince Sihanouk was crowned king again.<sup>117</sup>

Through the initiation of the peace plan, free and fair elections, and the eventual compromise between the leading parties, the Khmer Rouge lost both its international and domestic support. Just as the world was ready to rejoice over the dissolution of this evil empire, the Khmer Rouge ominously declared, "Between the path for survival and the path for death, we choose the path for survival."<sup>118</sup> The Khmer Rouge would live to fight another day.

### PHOENIX RISING?

*We should have died in 1979. Our army was completely defeated and dismantled, but was rebuilt from the countryside. What's necessary for us is the countryside. . . .*<sup>119</sup>

Following the elections, the Khmer Rouge retreated to its jungle strongholds to strengthen and fortify its troops and to mobilize a new war effort. Though many soldiers defected, leaving only about 15,000 troops (compared to more than 30,000 before the Accords), the Khmer Rouge still controlled 20 percent of the countryside.<sup>120</sup> Its new strategy ignored the election results and sought to force the parties in power to recognize the Khmer Rouge as a political force by stimulating unrest through carefully planned skirmishes.<sup>121</sup> Experts in protracted rebellion, heavily armed due to its recent weapons buildup, and in control of land rich in rice, gems, and timber, the Khmer Rouge could sustain itself indefinitely. The world community, under the impression that the combination of electoral defeat and military atrophy would spell the deathblow for the Khmer Rouge, was unprepared for the regime's new, more exacting attack. As one insider soon realized,

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<sup>116</sup> *Id.*

<sup>117</sup> *Id.*

<sup>118</sup> Nate Thayer, *Survival Tactics: Khmer Rouge plans its post-poll strategy*, FAR E. ECON. REV., Jun. 10, 1993 (pagination unavailable online).

<sup>119</sup> *Id.* (quoting Pol Pot in a speech to Party cadres in 1992).

<sup>120</sup> *Id.*

<sup>121</sup> *Id.*

"If their objective was a military victory, OK [we could handle them], but their objective is political instability. For this they have enough troops."<sup>122</sup>

Consistent with its militaristic approach, the Khmer Rouge launched an offensive against government corruption and ineptitude. It seized upon every instance of bribery and failure to foster a sense of disillusionment and cynicism toward the governing powers.<sup>123</sup> As if calling upon old friends, it revived its racist and nationalist invective against the Vietnamese and foreign imperialists. But these familiar accusations did not garner the same level of support as before. Even the troops began to disbelieve charges of Vietnamese occupation. As noted by one Khmer Rouge defector, "When we went to fight, we did not see other nationalities."<sup>124</sup> Nor did Cambodians believe stories of foreign aggression:

[V]illagers see millions of dollars coming in from abroad for development projects and health care. British and French aid groups are clearing thousands of land mines from roads and in villages. They are followed by UN-supported road-building crews, many of whom employ Khmer Rouge defectors and their families. After the roads are built, other aid workers enter to repair irrigation systems and provide veterinary health care.<sup>125</sup>

The people had finally concluded that the nation's true enemy was war itself. A new vision swept through the countryside. Symbolic of this new sentiment, the governor of Siem Reap—a town bordering on Khmer Rouge territory—announced to scores of drunken government officials, military officers and former Khmer

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<sup>122</sup> *Id.*

<sup>123</sup> See Nate Thayer, *Theatre of the Absurd*, FAR E. ECON. REV., Sept. 1, 1994 (pagination unavailable online) ("It is this disenchantment, rather than policies of the murderous guerilla faction, that has planted the seeds for the survival of the Khmer Rouge.").

<sup>124</sup> Nate Thayer, *Rebels Without a Cause*, FAR E. ECON. REV., Apr. 27, 1995 (pagination unavailable online).

<sup>125</sup> *Id.*

Rouge cadres in celebration of the Cambodian new year, "With the Khmer Rouge and the government working together we will build roads, build schools, build happy places."<sup>126</sup> The crowd cheered wildly.

## POLITICS MAKES STRANGE BEDFELLOWS

*Crush! Crush! Crush! Pol Pot and his murderous clique!*<sup>127</sup>

The next few years after the elections were grim ones for the Khmer Rouge. Its troops were continually defecting to join government forces and reap the benefits of a brighter future.<sup>128</sup> The government grew adept at slowing the illicit timber trade. And the Khmer Rouge-controlled gem fields were drying up. Faced with declining revenue and abandonment by its troops, the Khmer Rouge's days appeared to be numbered. Just as it seemed that its existence was coming to a final and quiet end, the bitter feud between Hun Sen and Prince Ranariddh provided it with an opportunity to carry on.

Contemptuous of each other since their 1993 compromise, both men had been building personal support within the government military to strengthen their holds on power. Each extended offers to the Khmer Rouge to join their forces.<sup>129</sup> Pol Pot adamantly refused. Khmer Rouge cadres attempted to plan a mutiny whereby they would hand Pot over to the authorities and join FUNCINPEC's ranks. They met in secret with Ranariddh's emissaries. But Pot crushed their plans by ordering his most loyal

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<sup>126</sup> *Id.*

<sup>127</sup> Nate Thayer, *Brother Number Zero*, FAR E. ECON. REV., Aug. 7, 1997 (pagination unavailable online) (quoting village chant during "people's tribunal").

<sup>128</sup> See Nate Thayer, *The Resurrected: The Khmer Rouge haven't disappeared*, FAR E. ECON. REV., Apr. 16, 1998 (pagination unavailable online) (noting that the government's promise that defectors could keep their territory, exploit gem and timber resources, and hold senior positions in its armed forces was quite persuasive).

<sup>129</sup> Nate Thayer, *The Deal That Died*, FAR E. ECON. REV., Aug. 21, 1997 (pagination unavailable online).



troops—a group of approximately 300—to ambush Ranariddh's men, executing ten and holding the remaining five captive. All talks ceased for three months, when in another attempt at peace, FUNCINPEC again opened covert negotiations with the Khmer Rouge. This time, the Khmer Rouge informed Pol Pot of its desire to negotiate. Disapproving, Pot attempted a murderous purge at the highest level. He ordered the execution of Sun Sen, the Khmer Rouge Defense Minister, and his family—fifteen people in all.<sup>130</sup> They were shot, dragged into the streets, and repeatedly run over by trucks. All-out war ensued.

Ailing and completely surrounded by his own men, Pol Pot surrendered on June 19, 1997. Ranariddh and the Khmer Rouge worked feverishly to develop a detailed plan of integration. Hun Sen, fearful of his future, condemned Ranariddh's contact with the Khmer Rouge as traitorous. Quickly and quietly, he prepared for war. On July 6, the Khmer Rouge planned to announce that it would formally recognize the Cambodian constitution, disband its governing body, and join the government forces.<sup>131</sup> The thirty-two-year reign of the Khmer Rouge would finally come to an end.

But peace was not to be had on that day. Instead, preempting the announcement of a Khmer Rouge dissolution, Hun Sen launched a coup on July 5, taking absolute control of the government, driving FUNCINPEC's Phnom Penh forces into the jungles and sending the deposed prince into exile.<sup>132</sup> Several months later, Hun Sen led a show trial against Ranariddh, still in exile, that convicted him for negotiating with the Khmer Rouge.<sup>133</sup> The court imposed a thirty-year prison sentence.<sup>134</sup> With no small sense of irony, Hun Sen was conducting secret negotiations with the Khmer Rouge on the day of Ranariddh's conviction.<sup>135</sup>

This jockeying for power revived the nearly defunct Khmer Rouge, which suddenly became a pivotal force in the race for

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<sup>130</sup> Thayer, *supra* note 127.

<sup>131</sup> Thayer, *supra* note 129.

<sup>132</sup> *Id.*

<sup>133</sup> Thayer, *supra* note 128.

<sup>134</sup> *Id.*

<sup>135</sup> *Id.*

power. It attempted to curry favor with the international community by convicting Pol Pot in a "people's trial" in the middle of their jungle outpost and "shopping" him to anyone willing to "buy."<sup>136</sup> But before the world could act, Pol Pot, the leader of a thirty-eight-year armed rebellion responsible for the deaths of two million people in a reign of terror matched by the likes of Hitler and Stalin, passed away at the age of seventy-three on April 15, 1998, purportedly of a heart attack.<sup>137</sup>

Amidst this turmoil, a new round of elections was scheduled for just three months away. Ranariddh remained in exile, his influence weakened by his ousting and criminal conviction, while Hun Sen strengthened his power as he claimed credit for arranging peace with the Khmer Rouge and launched a brutal campaign of fear.<sup>138</sup> Allegations of electoral violations abounded, including, for example, that the CPP warned voters to choose Hun Sen and then took their thumb prints to track their votes.<sup>139</sup> These criticisms, along with the ongoing feud between Hun Sen and Prince Ranariddh, led to months of waiting as the parties negotiated a peaceful settlement. On November 26, 1998, both sides agreed to end the bloodshed.<sup>140</sup> Hun Sen was named the sole prime minister and Ranariddh, whose conviction was dropped, was named Speaker of the National Assembly.<sup>141</sup>

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<sup>136</sup> Nate Thayer, *Nowhere to Hide*, FAR E. ECON. REV., Apr. 23, 1998 (pagination unavailable online).

<sup>137</sup> Nate Thayer, *Dying Breath: The inside story of Pol Pot's last days and the disintegration of the movement he created*, FAR E. ECON. REV., Apr. 30, 1998 (pagination unavailable online).

<sup>138</sup> Nate Thayer & Rodney Tasker, *"We Are Scared": But Cambodians still voted in droves*, FAR E. ECON. REV., Aug. 13, 1998 (pagination unavailable online).

<sup>139</sup> *Id.*

<sup>140</sup> Seth Mydans, *Familiar Rite, Familiar Politics in Cambodian Assembly*, N.Y. TIMES, Nov. 26, 1998, at A3.

<sup>141</sup> *Id.*

## LEGACY OF THE KHMER ROUGE

*The world community should stop talking now that Pol Pot is dead. It was all Pol Pot.*<sup>142</sup>

*Because of the realignment of forces over the last several years, the concept of a Khmer Rouge movement as we know it no longer has any meaning.*<sup>143</sup>

*[T]he point is, no one can afford to give the Khmer Rouge the benefit of the doubt. There can be no second chance. By the time we knew what they intended, it would be too late.*<sup>144</sup>

What is left of the Khmer Rouge? Pol Pot is dead and the movement disbanded. But the bloodstains of Cambodian warfare—brother against brother—remain in the foreground of every Cambodian's memory. Ex-Khmer Rouge cadres inhabit every sector of the government and its military. Former low-level members, simple soldiers, were taught to place such little value on human life that their brutality against fellow Cambodians shocks the conscience. Yet, as soldiers in the government military, they are now charged with keeping the peace among Cambodia's citizenry.

Perhaps more threatening, however, are the high-level Khmer Rouge members who now sit in positions of power in the government. As Khmer Rouge, they were both barbarous and fanatical in pursuit of their political agenda. As high-ranking government officials, they may show strains of the same behavior, though it is unlikely that they will cling to any grand visions of a Communist overthrow. Indeed, it is questionable whether they ever truly believed in Communist ideology as a solution to government

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<sup>142</sup> Thayer, *supra* note 137 (quoting Ta Mok, long-time member of the Khmer Rouge inner-circle and leader of the movement since he seized control from Pol Pot in July 1997).

<sup>143</sup> Thayer, *supra* note 127 (quoting Stephen Heder of the University of London's School of Advanced International Studies).

<sup>144</sup> James Pringle, *US challenges China over Khmer Rouge*, TIMES, Jul. 19, 1990 (pagination unavailable online) (quoting a Hong Kong based diplomat).

failure. Most of these men were opportunists at heart, Communism being just a convenient tool to mobilize a war effort. Even Pol Pot admitted in 1992 that the true source of Khmer Rouge power was its ardent following, not Communist ideology: "What's necessary for us is the countryside, not Communism."<sup>145</sup> But opportunism itself, where it preaches disregard for the rule of law, is devastating to any democratic movement.

## CAMBODIAN POLITICS: A LESSON IN THE RULE OF FORCE

*Killing and suppression are going on on a very large scale. Hun Sen is a murderous prime minister.*<sup>146</sup>

*As a lesson in democracy, the [1998] election's message to Cambodians may have been that real power does not yet come from the ballot box but from feudal chieftains.*<sup>147</sup>

The notion of democracy in Cambodia is relatively young. Centuries ago, Cambodia was run by warlords intent on building their empire. After the fall of the Angkor Empire, Cambodia functioned peacefully under monarchical rule for centuries. The populace, mostly unconcerned with either politics or financial gain, simply existed. Even after the French occupied their country, forcing them to recognize France as their new mother country, most Cambodians remained apathetic toward politics. Cambodia did not become politicized until the 1960s, when foreign powers pulled the country into war and economic pressures mounted against Cambodia's educated youth. At that time, war cries echoed through the countryside, propaganda filled the air, bombs rained from the sky, all Cambodians drew sides, and the rule of law was replaced by the rule of force.

<sup>145</sup> Thayer, *supra* note 118 (quoting Pol Pot in speech to Party cadres in 1992).

<sup>146</sup> Nate Thayer, *Harrowing Tales: Hun Sen's forces torture and kill former allies*, FAR E. ECON. REV., Aug. 7, 1997 (pagination unavailable online).

<sup>147</sup> Mydans, *supra* note 140.

For a brief time, Lon Nol's forces reigned supreme. But the Khmer Rouge was fearless and intractable. Guided by strength of will and a ferocity rarely seen in the history of mankind, it soon overran Nol and took the country by storm. Yet, Pol Pot's troops lacked the strength of superior Vietnamese forces. A mere four years later, Vietnam took over Cambodia with relative ease. Again, the rule of force remained supreme.

Soon after, the political tenor of the region changed. Vietnam, Thailand, China, the former Soviet Union, and the United States turned toward negotiations and reconciliation rather than warfare. Vietnam relinquished control of Cambodia and the United Nations attempted to build a democratic infrastructure. Two years later, practically overnight, the United Nations achieved its goal of administering "free and fair" elections in Cambodia. The rule of law had been restored.

But these accomplishments were ephemeral. Hun Sen strong-armed his way into a co-prime ministership despite the fact that Prince Ranariddh had been duly elected. Hun Sen turned the world community's \$2.7 billion effort at building a democratic movement in Cambodia on its end. The rule of law had been overcome once again.

Soon thereafter, the Cambodian government experienced internal, non-democratic clashes between Sen and Ranariddh. Each sought to build support against the other by forming alliances with military factions inside the government. Each sought deals with Khmer Rouge defectors. Eventually, Hun Sen won his battle with Ranariddh, taking control of the country in a bloody coup, brokering deals with Khmer Rouge defectors and sending Ranariddh into exile. During Ranariddh's forced absence, Hun Sen convicted him of traitorous activities and sentenced him to thirty years in prison. The rule of force took root.

Just three months later, the Hun Sen regime claimed an emphatic victory in what were deemed "free and fair" elections by the international community.<sup>148</sup> But the cursory review of the election process by foreign officials was so deficient that one provincial governor remarked, "the foreign observers just drove

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<sup>148</sup> Thayer & Tasker, *supra* note 138.



along the road past the polling stations so fast that their tyres didn't touch the mud."<sup>149</sup> After further inquiry, the foreign community acknowledged that the elections were neither free nor fair.<sup>150</sup> In a fitting conclusion to the 1998 "democratic" elections, Hun Sen welcomed Ranariddh back into the political fold and formed an agreement that only loosely squared with the election results.<sup>151</sup> Currently, the rule of force remains firmly in place, though it is now masked by a rule of law veneer.

## CONCLUSION: THE FUTURE OF DEMOCRACY IN CAMBODIA

*Former Khmer Rouge cadres now in the government include Hun Sen himself, the defense minister, the interior minister, the finance minister, the head of the national assembly, and thousands of others in the provincial and local administrations.*<sup>152</sup>

The UN dream of transforming Cambodian politics overnight from one of militaristic rule to one fully supportive of democratic values is dead. Though the Khmer Rouge may be defunct as a political entity, its motive—a voracious appetite for power and wealth—is alive and well in Cambodia. Nevertheless, despite the United Nations' inability to achieve its lofty goals, it did achieve a great deal of success: a democratic structure has been put in place and the populace enthusiastically supports electoral politics. But because the Cambodian government is operated by a large group of Khmer Rouge defectors, the United Nations must maintain pressure on this fragile, fledgling body to continue its reform. Future international efforts must force those in power to respect the democratic process. Otherwise, they will revert to their past behavior and bloody conflict will ensue. Democracy is possible in

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<sup>149</sup> *Id.*

<sup>150</sup> Mydans, *supra* note 140 (noting that most foreign analysts now agree that the election was "badly flawed by the muscle and manipulation of Mr. Hun Sen's party.").

<sup>151</sup> *Id.* ("Its outcome was the result of post-election struggles as much as of the voting itself.")

<sup>152</sup> Thayer, *supra* note 128.

Cambodia, but it will require continued, steady pressure by outside forces for years to come.<sup>153</sup>

## POSTSCRIPT

The story of the Khmer Rouge remains compelling not only as a horrifying fragment of Cambodian history, but also—and perhaps more importantly—as a case study in genocide. Fueled by an explosive combination of poverty, political isolation, demagoguery, and failed governance, genocide is a phenomenon of unabashed aggression that continues to repeat itself despite our assertions of “Never again!” Examining the factors leading to the Cambodian genocide will help diagnose (this author hopes) the symptoms that lead to such kinds of systematic collapse, with the goal of one day anticipating and stifling extremist movements before mass killings begin.

Michael Rakower, April 12, 2004

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<sup>153</sup> This analysis was submitted in December 1999. Except for technical edits, nothing in it has been altered.

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