5 Smashing the Enemies

The Organization of Violence in Democratic Kampuchea

Sandra Korstjens

Nuon Chea, alias Brother No. 2, dressed himself well against the hostile surroundings of the courtroom. He wore a striped knitted hat and a thick jacket against the cold of the air-conditioning and black sunglasses to protect his eyes from the bright lights and the cameras. He didn't need his outfit very long. "I am not happy with this hearing", was one of the few words he spoke before using his right to leave the courtroom. It was the 27th of June 2011. Following years of preparations and more than three decades after the crimes were committed, the trial against four former Khmer Rouge leaders officially started at the Extraordinary Chambers in the Courts of Cambodia (ECCC) in Phnom Penh.

For victims of the Khmer Rouge, it was a historic moment. Eleven months earlier, former S-21 director Duch was sentenced to 35 years of imprisonment. But before the trial against Nuon Chea and the other former leaders, Duch had been the only one convicted for atrocities during the Khmer Rouge regime that ruled Democratic Kampuchea (DK) between April 1975 and January 1979. During that period an estimated 1.7 million people were killed, starved, or worked themselves to death. In the words of the Khmer Rouge: the 'enemies' were 'smashed'. Many perpetrators claimed they had no choice but to participate in the killings. They therefore believe they should not be tried. With the establishment of the ECCC, the discussion of responsibility became more prominent.

When the court in Phnom Penh was set up, it was decided that the court only had jurisdiction over those who are most responsible for the crimes committed.[1] But what exactly does that mean: most responsible? To understand the responsibility of individual Khmer Rouge cadres, it is necessary to examine how the violence in Cambodia was organized. Craig Etcheson, the principal founder of the Documentation Center of Cambodia that investigates Khmer Rouge history and manages its archives, notes that there are two groups of scholars who look at this question quite differently. The first group believes that the "primary locus of the violence was local and that it was largely the result of the spontaneous excesses of a vengeful,

1 ECCC, *Law on the Establishment of the Extraordinary Chambers*, chapter 1, article 1.

undisciplined peasant army".[2] One of the main proponents of this group is Michael Vickery.[3] The second group, by contrast, believes that the "locus of the violence was centralized and that it was largely the result of a carefully planned and centrally controlled security apparatus".[4] One of the main proponents of this group is Etcheson himself; Ben Kiernan also takes this view.[5] According to Etcheson, the controversy has been solved by new evidence uncovered by the Documentation Center of Cambodia from the mid-1990s to 2005.[6] According to him, the new evidence proves that the violence was without question centrally organized.

Etcheson categorises this new evidence into two classes. The first class consists of official documents that "illuminate the chain of command inside Democratic Kampuchea, (...) and the individuals involved in the mass killings".[7] The second class of evidence consists of an ongoing satellite mapping survey that aims to locate the prisons, execution centers, and mass graves dating back to the years of Cambodia under Khmer Rouge rule.[8] Based on this new evidence, Etcheson draws several conclusions.[9] First: "The highest officials of the Communist Party of Kampuchea were in control of the Democratic Kampuchea security apparatus". Second: "The Democratic Kampuchea security apparatus was national in scope and constituted a highly organized bureaucracy". Third: "This security apparatus directed the extermination of a still unknown, but significant, percentage of the population of the country". In other words, Etcheson strongly believes the atrocities of the Khmer Rouge were in fact centrally organized,and that the central leadership is therefore responsible for the deaths of a significant number of Cambodians.

But even though his arguments seem plausible, many questions remain. If the regime was indeed centralized, how did the chain of command work? How did the lower cadres receive their orders? And how much latitude did they have while carrying these out? Even Etcheson himself states that "not all of the killings during the Khmer Rouge regime were directly ordered by the central leadership" and that local administrations sometimes used

2 Etcheson, *After the killing fields*, 78.
3 Vickery, *Cambodia 1975-1982*.
4 Etcheson, *After the killing fields*, 78.
5 Kiernan, *The Pol Pot Regime*.
6 Etcheson, *After the killing fields*, 78.
7 Etcheson, *After the killing fields*, 79.
8 Etcheson, *After the killing fields,* 79.
9 Etcheson, *After the killing fields*, 85.

power to pursue personal agendas.[10] This all leads to the question: to what degree was the organization of violence in Democratic Kampuchea centralized? To answer this question, I will use the concepts of 'obligatory violence' and 'discretionary violence'. The concept of obligatory violence will clarify the role of the top leaders and the chain of command running down from them. The concept of discretionary violence will complete the picture by describing the violence that occurred when no specified orders were given. These concepts will prove to be essential to understanding the killing of different groups of 'enemies' by the Khmer Rouge.

Enemies in Democratic Kampuchea

The Khmer Rouge wanted to destroy their 'enemies' from the root, to 'smash' them. This mean that not only the enemy himself but also his whole family had to be destroyed to abolish all evil. To accomplish this, atomization was of the utmost importance.[11] Hannah Arendt once wrote: "violence always needs justification".[12] In the case of Democratic Kampuchea, this justification can be mainly found in the different types of enemies that could be distinguished and their consequent criminalization. In my view, these 'enemies' can be divided into four different groups.

The first group of 'enemies' consisted of former government officials, policemen, and soldiers of the Lon Nol regime, the pro-American government that ruled Cambodia between 1970 and 1975. They became the victims of the first wave of violence that broke out after the Khmer Rouge victory. They were seen as traitors and collaborators because they had worked together with the United States, the enemy of the Khmer Rouge.[13] Most of them were killed immediately after the Khmer Rouge took over Phnom Penh, while the city was being evacuated.

The second group of 'enemies' was the largest group. They were the "people who were connected with or accused of being involved with class politics"[14] – for example, intellectuals, teachers, monks, and capitalists. The Khmer Rouge tried to create a society that would not be dominated by classes, but by doing this, they actually created a new division in society.

10 Etcheson, *After the killing fields,* 84.
11 Becker, *When the war was over,* 210.
12 Arendt, *On violence*, 77.
13 Roze, "De genocide in Cambodja," 211.
14 Ea, *The Chain of Terror*, 5.

The people who used to live in the cities (those who were better educated and thus richer) were known as the 'new people' and formed about thirty percent of the population.[15] They were also referred to as the 'evacuees' (evacuated from the urban areas), the '17 (April) people' (those liberated on 17 April 1975), or the 'market people' (people from the market towns).[16] The 'old people' were also called the 'base people' (people from the liberation base areas), the '18 (March) people' (people who had joined the revolution immediately after the overthrow of Prince Sihanouk on 18 March 1970), or the 'black ones' (those dressed in black clothes and with dark skin from having to work in the sun).[17]

But "such a simplistic dichotomization" of the population was never the official policy of the Communist Party.[18] Heder states that in the official party policy, the population was not categorized in two but in three categories, based on as much as twenty criteria.[19] The first category was *penh sith* and consisted of people who had full rights. The second category was *triem*, or candidate category. The last category was *bannheu*, or deposited. The point Heder makes is that, in contrast with what is generally assumed based on the two categories, "class divisions were considered of fundamental importance, but political attitudes were also taken into account, so that a bad class background could be partially overcome by a good political attitude (i.e., loyalty to the Party's regime) or vice-versa."[20] This meant that people could move up or down in category; the lines between the categories were very vague. The second group of enemies thus consisted of new people *and* base people. Anyone with a different political opinion could be purged.

Besides the former government officials and people involved with class politics, the Khmer Rouge also targeted ethnic minorities, the third group of 'enemies'. Everyone who was not a Khmer citizen by origin was considered to be an enemy. This included all people who were Vietnamese, Chinese, Thai, Lao, Muslim Cham, or Khmer Krom (Khmer people born in Vietnam).[21] According to Becker, "the Khmer Rouge adopted a philosophy of racial

15 Kiernan, *The Pol Pot Regime*, 164.
16 Heder, *Kampuchean occupation and resistance*, 5.
17 Heder, *Kampuchean occupation and resistance*, 5.
18 Heder, *Kampuchean occupation and resistance,* 5.
19 Heder, *Kampuchean occupation and resistance*, 6.
20 Heder, *Kampuchean occupation and resistance*, 7.
21 Kiernan, *The Pol Pot Regime*, 251-302.

superiority and purity that resembled that of Nazi Germany, including the use of pogroms to eliminate minorities."[22]

The fourth group of 'enemies' consisted of "Khmer Rouge soldiers and cadres accused of treasonous activity (…) or who had expressed dissatisfaction with the party line of the socialist revolution".[23] From 1976 onwards, the leadership of Democratic Kampuchea became more and more suspicious of potential traitors, and this resulted in purges among its own soldiers and cadres. Eventually, no one was safe anymore. Anyone could become a victim. More than thirty years later, former Khmer Rouge cadre Chey Touch stated bitterly: "When I served them for a long time, they accused me of being a traitor without any reason. (…) Thus, the result of working for them was only that I was seen as a traitor."[24]

These four groups of 'enemies' were either blamed for being a threat to the revolution because they fought against the Khmer Rouge in the civil war between the Khmer Rouge and the Lon Nol regime at the start of the 1970s, or because they supported the Western enemies' lifestyle, or for not being a full blooded Khmer, because of which they could never contribute to the new society in a positive way according to the Khmer Rouge; or for trying to sabotage the revolution from the inside as in the case of the Khmer Rouge's own cadres. The atomization of these groups was an important step towards the use of violence in Democratic Kampuchea.

People in these groups were all in grave danger of becoming victims of violence. They never knew when, where, or how they would be arrested, they didn't know whom they could trust or who would reveal their true identity to the Khmer Rouge cadres. If they were arrested, there were different steps the prisoners went through: reeducation, imprisonment, interrogation, torture, and execution.[25] The punishment was decided on the supposed level of danger of an 'enemy'. The Khmer Rouge distinguished between 'very dangerous' to just "recently incited by the enemy, only beginning to believe the incitements,"[26] and everything in between. The question is, who made this decision? Were there orders from the top that had to be followed, or could lower-level cadres decide for themselves?

22 Becker, *When the war was over*, 243.
23 Ea, *The Chain of Terror*, 4.
24 Author's interview with Chey Touch (19 September 2011).
25 Ea, *The Chain of Terror*, 11-15.
26 Ea, *The Chain of Terror*, 11.

Obligatory Violence in the Zones

Decision-making in genocidal regimes is generally difficult to describe. The problem is that it is difficult to determine the exact 'location' of a decision to murder many people. Especially when looking at the lower levels in a chain of command, far away from the official party center, the puzzle becomes more complicated. To understand what really happened in Democratic Kampuchea at the different levels in regard to decisions about violence, it is important to make a distinction between so-called 'obligatory violence' and 'discretionary violence'. 'Obligatory violence' is used here to describe the violence that resulted from official orders from higher levels. In this regard, the formal structure of decision-making in the different zones of Democratic Kampuchea was crucial, and this structure will be discussed here first. 'Discretionary violence' is used to describe the violence that occurred at the lower levels while there were no specific orders given for these actions. This violence thus was not the result of a formal structure of decision-making but more the result of personal decisions of cadres. This kind of violence will be discussed in the next section.

The distinction between 'obligatory violence' and 'discretionary violence' was made by Heder, although he speaks only of 'killings' instead of 'violence'. He describes the concept of 'obligatory killings' in Democratic Kampuchea as "centrally premeditated and planned murders, ordered by Pol [Pot] and Nuon [Chea] and carried out via what was clearly a chain of command through which explicit and specific instructions were passed from the Center downward, sometimes directly to local authorities, sometimes via regional authorities to local authorities."[27] This chain of command is represented by both the administrative structure of the regime and the system of security centers in Democratic Kampuchea.

During the Khmer Rouge regime, the Communist Party governed Democratic Kampuchea. The highest body of the Communist Party was the Central Committee. The responsibilities of the Central Committee included "to put into effect the political line and the Party rules in the whole of the Party" and "to issue directives to Zone, Regional, and Town Committees, as well as to all leading bodies in the whole country".[28] Pol Pot was the secretary of the Central Committee and Nuon Chea was deputy

27 Heder, "Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes," 7.

28 Simons and White, *The Party statutes of the Communist world*, 257.

secretary.[29] But the Central Committee rarely met,[30] and therefore most powers were delegated to the Standing Committee, which was responsible for monitoring and implementing policy of the Communist Party of Kampuchea nationwide.[31] It is not exactly clear who its members were, as there are no official documents with their names. Former Minister of Foreign Affairs Ieng Sary has indicated in an interview that there were seven members as of September 1975: Pol Pot, Nuon Chea, Son Sen, Ta Mok, Sao Pheum, Von Vet, and himself. Other documents show these names and two more: Ruoh Nheum and Ke Pauk.[32] All bodies in the country had to report to the Central Committee through the Standing Committee.[33]

But most ordinary Cambodians at that time had no idea who was in charge of the country. The leaders of Democratic Kampuchea hardly "spoke in public or published information about the regime and its policies,"[34] as they wanted to maintain secrecy to protect themselves from party enemies. Cambodians often only knew the name *Angkar*. The Khmer word *Angkar* can be translated as 'organization', although Hinton states that the word contains more connotations than can be captured in an English word.[35] The word therefore can refer to several bodies within the leadership, to higher authorities like the Central Committee, but also to the Cambodian Communist Party in general. Generally, when the word *Angkar* is used, it refers to the Standing Committee.

Administratively, the country was divided into seven different zones: the Northern Zone, Northeastern Zone, Northwestern Zone, Central Zone, Eastern Zone, Western Zone, and Southwestern Zone. They were not the same as any pre-revolutionary administrative unit. "Each unit included more than one of the old provinces, and sometimes traditional provinces were split between zones."[36] There were also two other regional-level units: the Kratie Special Region Number 505 and, until 1977, the Siem Reap Special Region Number 106.

29 Heder and Tittemore, *Seven Candidates for Prosecution*, 42.
30 There are no indications that they met at all between 1975 and 1979.
31 ECCC, Trial Chamber. *Judgment Kaing Guek Eav*, 32.
32 Heder and Tittemore, *Seven Candidates for Prosecution*, 44.
33 ECCC, Trial Chamber. *Judgment Kaing Guek Eav*, 33.
34 Valentino, *Final Solutions*, 132.
35 Hinton, *Why did they kill?*, 127.
36 Vickery, *Cambodia 1975-1982*, 66.

The zones were divided into regions that were numbered.[37] The regions were in turn divided into districts, sub-districts, and villages.[38] The administrative leadership of the zone was the zone committee, which consisted of three permanent (a secretary, a deputy secretary, and a permanent member) and several non-permanent cadres. The non-permanent cadres were secretaries at the regional level. The region, district, and sub-district committees were composed in the same way.[39] The region, district, and sub-district committees were all assisted by a youth unit whose role it was to help the committees in their daily administrative work.[40] Touch Tam was appointed as a teacher in of one of these youth units in the Northern Zone. He recalls the children didn't need to work in the rice field, but they had to study in the morning and afternoon.[41] The village committee, the lowest administrative level, consisted of three members who were chosen by the permanent members of the sub-district committee.

As discussed in the previous section, the type of punishment of the assumed 'enemies' of the regime depended on their supposed level of danger. The most important prison of Democratic Kampuchea was S-21. Located in the center of Phnom Penh, many important Khmer Rouge cadres suspected of treasonous activities were brought there, most of them never to be released again. But most people in Democratic Kampuchea were not sent to S-21 when they were arrested, or at least not immediately. It was more likely that they would end up in one of the hundreds of other security centers in the country, which were located in former pagodas, schools, and hospitals, for example.[42] These security centers followed the administrative structure of the zones. The lowest level in the chain of security centers was the sub-district militia center. Next came the district re-education centers, the region security centers, and the zone security centers. S-21 came on top of everything else as the central-level security center.

The administrative structure of the regime and the chain of security centers are related to each other, because the chief of the security center in both the sub-district, district, region, or zone was usually also a permanent member of the corresponding committee at that level. The people who formed these committees were usually already important figures in their community before the Khmer Rouge rose to power and their positions can

37 Vickery, *Cambodia 1975-1982*, 67.
38 Kiernan, *The Pol Pot Regime*, 89.
39 Nhean, "Democratic Kampuchea," 67.
40 Nhean, "Democratic Kampuchea," 67.
41 Author's interview with Touch Tam (20 September 2011).
42 Documentation Center of Cambodia archives. *List of Prisons* (*196*).

be placed within the framework of patron-clientelism. Nhean argues in his thesis that the "patron-client ties during DK were strong and that none of the DK cadres were without patrons and clients".[43] Patron-clientelism is a common kind of relationship in Southeast Asia and is based on an "unequal exchange between a person of a higher hierarchy and another which is lower".[44] In other words, it is an unequal relationship in which clients are protected by their patrons. This protection creates an obligation of loyalty on the side of the client who always has to serve his patron. The relationship that arises is very personal, and comparable with real family ties.

Patron-client relationships were already common before the Khmer Rouge victory. During the civil war, there were extensive patronage networks.[45] When the Khmer Rouge rose to power, Pol Pot announced that he wanted to end these networks and establish a powerful central leadership. This was also one of the purposes of the evacuation of the cities and the reason why families were split up. Old patronage ties would be destroyed in this way.[46] These patronage networks were also the reason that when a person was arrested, his whole family and everyone he knew were purged as well. Pol Pot and the Party Center felt extremely threatened by the patronage networks, as also appears in the results of a 1976 study session: "Up to now in the ranks of our Party it has generally been (a case of) family-ism, sibling-ism, relation-ism. This problem is a very dangerous one because it flouts the Party's criteria."[47]

Pol Pot's fear of the patronage networks may be understandable, for the system of patron-client relationships remained very important during the Khmer Rouge regime. Nhean stresses: "through these patronage ties, cadres were all connected from the lowest level in the village to the highest level in the zone".[48] Contact between these different levels had always been close, as cadres at the lower levels were part of the clientele of the patrons, who were often secretaries, at the higher levels. These relationships were built on dependency and loyalty from the side of the lower-level cadres, and they would therefore wait to receive orders from their patrons. This could be dangerous for Pol Pot if, for example, the zone secretaries were to turn against him, and therefore their whole clientele with them.

43 Nhean, "Democratic Kampuchea," 6.
44 Nhean, "Democratic Kampuchea," 7.
45 Hinton, *Why did they kill?*, 134.
46 Hinton, *Why did they kill?*, 134.
47 Kiernan, "Summary of the Results of the 1976 Study Session," 176.
48 Nhean, "Democratic Kampuchea," 155.

At the same time, however, it is also possible to see Pol Pot as the ultimate and highest patron in a country that depended on these patronage networks, as the patronage networks and the chain of command in Democratic Kampuchea were clearly intertwined. This is illustrated by the fact that orders were sent from the Party Center to the zones for distribution to and implementation by the lower levels. Zone secretaries, who were very important patrons, wrote in turn to Pol Pot asking what instructions to give to the regions and districts.[49] These instructions were then given in both written and oral form to the members of the committees at the regional and district level, who passed them down again to the sub-district and the village level. This was the case, for example, with the arrests of 'enemies' who were named by other prisoners in their confessions at S-21. In the Southwestern Zone, it was zone secretary Ta Mok who commanded the lower levels, who were his clients, to implement arrest orders.[50] These orders were eventually received by unit chiefs like Bun Thean. Most of the time he would receive an order that was written on a piece of paper. "The paper was given to me by a spy chief. (…) I looked at the paper and called the names of the people who had been selected. Another guy came then to take the people away."[51] After the people were arrested and brought to a security center, a report was usually made to send to the higher levels.

Only a few documents from these lower levels have survived. But the documentation that did survive shows a similar chain of ordering and reporting, although not always all the way to the highest level. On 2 October 1977, for example, the chief of sub-district Popel sent a report to the Tram Kak district chief that several arrests were made.[52] The Tram Kak district chief then wrote to the chief of the district reeducation center to inform him that those people would be sent there.[53] Another document shows some chiefs of the security centers asking advice to the committee. "This woman is just crying. We should use a certain way for interrogation. But there is no secret place to do that. We will wait for the party decision,"[54] wrote the chief of Kraing Ta Chan prison to the district committee.

49 Heder, "Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes," 8-9.

50 Nhean, "Democratic Kampuchea," 147-148.

51 Author's interview with Bun Thean (20 September 2011).

52 Documentation Center of Cambodia archives. *D00227: The October 02, 1977 report on the sending of Nget Kun to the Party in District 105.*

53 Documentation Center of Cambodia archives. *D00266: Report to Tram Kak Police on the sending of three people.*

54 Documentation Center of Cambodia archives. *D00205: Report on prisoners' responses.*

Ea has made an overview of the way this ordering and reporting worked exactly.[55] It clarifies which decisions were taken at what levels. His overview starts with the normal people who witnessed a 'crime' and reported it to one of their unit chiefs. These unit chiefs then reported the crime to the sub-district committee. The sub-district committee received the reports from the unit chiefs, decided to make arrests or not, and reported the arrests to the district committee. The sub-district committee worked together with the sub-district militia center to arrest people and imprison them there, or they sent them on to the district re-education center. The district committee received the reports from the sub-district, inspected these, and decided whether people had to be arrested or transferred to the district re-education center. At the district re-education center, people were imprisoned and interrogated. Reports and confessions were then sent from there to the region committee for inspection. The region committee examined the reports from the district re-education centers and issued orders for the chief of the district re-education center to carry out executions. The region committee also made decisions on arrests and sent people on to the region security center. At the region security center, people were imprisoned and interrogated. Reports were sent from there to the zone committee. The zone committee inspected these reports, made decisions about the prisoners, and sometimes sent the reports to the Party Center. The zone committee also ordered the executions of people who were imprisoned at the zone security center.

The chain of command thus seemed to work in a hierarchical and top-down way, as the lower levels were ordered to arrest the 'enemies', and they reported through a chain of committee and security centers to the higher levels. Heder argues, however, that the district level appears to have been the most important level in the chain of command concerning the issuing of orders: "They stood in the key intermediate position between the central leadership and the situation in the grassroots, especially in the cooperatives where the overwhelming majority of the people, veteran [old] and new, lived."[56] According to Heder, this makes the district secretaries therefore the key figures in the organization of violence. It is not completely made clear by him why they actually had that much power. However, it seems only reasonable to suspect not all decisions about violence were made within this top-down organized chain of command, as it does not take into account any

55 Ea, *The chain of terror*, 33-34.

56 Heder, "Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes," 8.

discretionary violence. As Semelin stresses: "Rather than approaching the issue as though everything emanated from the one central power system, we also need to look closely at its *periphery*, and in particular at those local actors capable of taking decisive initiatives."[57] He also notes that the focus is often on demonstrating premeditation. This can be dangerous, because by focusing only on the top leaders, the responsibility of the lower cadres is not discussed. What if most violence was not part of a bigger plan, ordered by the highest levels?

Discretionary Violence in the Zones

Cambodia's current prime minister is Hun Sen. He has been leading the Cambodian People's Party since 1979, becoming Cambodia's sole prime minister in 1998. Hun Sen likes to emphasize his actions on the Vietnamese side when the Khmer Rouge was overthrown in 1979. However, a fact less often underscored by him is that during the first two years of the Khmer Rouge regime he was a commander in the Khmer Rouge army. It was only in 1977 that he defected to Vietnam. According to Hun Sen, he was forced to flee the country to escape purges. This is, of course, very likely, as in those years many commanders were purged. But it does not mean Hun Sen did not commit any violent acts during the civil war and in the first two years of the regime. However, Prime Minister Hun Sen is a very powerful man in Cambodia, and most people do not dare to question his past openly.

He is not the only former Khmer Rouge cadre who managed to obtain an important political position in Cambodia. Throughout the country, there are former Khmer Rouge members who remained or became village chiefs or district chiefs, and they also hold seats in the current parliament and in the senate. This is why the responsibility of lower-level cadres for violence in Democratic Kampuchea is hardly discussed in Cambodia: because most of these people are (still) very powerful nowadays. This lack of discussion about the responsibility of the lower-level cadres is also reflected in the jurisdiction of the ECCC to only try the former top leaders. But this limited scope results in impunity. Heder cites Burleigh and Wipperman who state that the assumption that orders were implemented in a top-down manner may "shield guilty subordinates from scrutiny for their genocidal crimes".[58]

57 Semelin, *Purify and destroy*, 194.

58 Heder, "Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes," 3.

This appears to be the case in Cambodia, where many former Khmer Rouge cadres now hold important positions in the current government.

As stated in the previous section, in addition to 'obligatory violence' there is the concept of 'discretionary violence', which refers to violence that occurred at the lower levels while no specific orders had been given for these actions. Discretionary violence is thus the result of the personal decisions of the cadres. Heder stresses that these 'discretionary killings' probably formed the largest part of the killings and that they "functioned as part of a looser and more diffuse hierarchical structure of delegated and discretionary authority, in which the top provided only vague and general guidelines, giving wide latitude to subordinates – all the way to the bottom – to decide who was and who was not an enemy and what to do with them."[59] The difference between 'obligatory killings' and 'discretionary killings' (or rather between 'obligatory violence' and 'discretionary violence', as this chapter is not only about executions) is not often discussed in the literature on Democratic Kampuchea. But the discrepancy between theory and practice, between ordered violence and non-ordered violence, is very important to provide a complete picture of the violence that occurred during the regime. So what exactly were the reasons this 'discretionary violence' occurred? And why is it plausible that it happened often? In my view, the following five explanations – confusion about policy, fear, radicalization, lack of control, and geographical differences – provide an answer to these questions. These explanations are sometimes related to each other, but they are discussed separately to underscore their importance and role in the execution of violence.

The first explanation is the *confusion about policy* when measures were disseminated. Policy was often disseminated orally to the lower levels. This left quite a large degree of latitude for different interpretations. And there is another problem that arises when policy is passed on orally to subordinates. You can compare it to a common game that children play. One group member makes up a sentence, he whispers it into his neighbor's ear, the neighbor does the same to the person next to him, and this way the sentence goes around the circle. It never comes back the same way it started. By disseminating policy orally, this problem also arises, as there are no documents to revert to. Differences between zones and regions thus emerge. The general policy was often clear: the enemies had to be smashed. But the 'details' were often not clear at all, and this caused confusion, particularly in the case of the questions 'who are the enemies and how do we find them?'

59 Heder, "Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes," 7.

This confusion regarding the identification of enemies is demonstrated by two different mottos that were proclaimed in Democratic Kampuchea, described by Heder. The first one was allegedly proclaimed at the end of 1975: "Don't attack the forest, attack the tiger", and it meant cadres had to "take care to hit only those who were truly enemy agents and not to harm others".[60] The second, better known motto was: "Better to kill an innocent person than leave an enemy alive".[61] As one can guess, this motto implies exactly the opposite of the first motto, which made it confusing for cadres to decide on how to act. Confusion alone is hardly an explanation for the use of discretionary violence, but combined with fear it is.

Fear is therefore the second explanation for discretionary violence. Because most cadres did not understand which people had to be arrested and smashed, they were afraid they were perhaps doing too little. This led to an increase in violence. Basically the cadres were afraid of being accused of being too 'soft' and they did not want to risk the accusation of not supporting the revolution. Heder explains: "In more and more places, cadres themselves threatened with purges hit out more or less simultaneously at Cham, Chinese, and new people (…), condemning them en masse as incorrigible enemies who, therefore, could not and should not be spared from death."[62] Justified or not, the fact that fear existed was already enough for most people to act. Chea Reurn was appointed to work as a spy in 1977. After one year he was fired because he did not do his job well and he "ran and escaped from one place to another place because many people were executed".[63] He ran away because he was afraid of being executed himself. Many cadres were even too afraid to run away and they would therefore do immediately what they were told to do. They carried out the orders even 'better' than they were asked to, which means they used more violence than was ordered, to shake off any accusations that they were not supporting the revolution.

This possible increase of violence due to fear relates to the third explanation for discretionary violence: the *radicalization* of the lower levels. This process is extensively described by Kershaw in regard to Nazi Germany, and he calls it 'working towards the Führer'. This meant that people anticipated what they believed was the 'will of the Führer', which in practice

60 Heder, "Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes," 17.

61 Heder, "Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes," 26.

62 Heder, "Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes," 36.

63 Author's interview with Chea Reurn (20 September 2011).

led to "people exert[ing] pressure on their own initiative, design[ing] new laws, all in accordance with what was presumed to be Hitler's will, and without the need of the dictator ordering those things to the people".[64] This resulted in an increasing level of radicalization of violence that made the implementation of Hitler's ideology much easier. This concept can be applied to Democratic Kampuchea as well. Instead of 'working towards the Führer', one can call it 'working towards *Angkar*'.[65] The causes of this process are probably the same for both regimes. Besides the fact that fear played an important role, self-interest and competition were also important factors. In regard to self-interest, it is known that people used the 'will of the Führer' to pursue their own personal agendas. Longstanding fights with neighbors, for example, were easily 'solved' if those neighbors turned out to be Jews – or in the Cambodian case, if they happened to be enemies of *Angkar*. And because it was so unclear who exactly were enemies of *Angkar*, this was even easier in Democratic Kampuchea, as all you had to do was convince your village or unit chief that your neighbor was sabotaging the revolution. What you also see is that when people start 'thinking' for their leader, either the Führer or Angkar, they tend to use the most extreme ideas, as they are under the influence of propaganda. Under this influence and also under the influence of group pressure, people often saw it as a form of competition to turn in as many people as possible and to use violence. If someone used more violence and turned in more people, it was less likely that he would be accused of being a traitor himself.

Even though fear is mentioned before as one of the explanations for discretionary violence, there is a paradox in this. It seems that this fear was often not justified, as there was also a *lack of control* that led to impunity. This *lack of control* is the fourth explanation for discretionary violence. Although the lower levels sometimes had to report back to the higher levels after they implemented orders, more often there was no control at all on what the cadres did exactly. Heder mentions this as well: "Zone and Sector Secretaries often merely passed on the general instructions from above to local cadre down to the district level, but paid little attention to whether subordinates were doing what they were supposed to or not."[66] It is plausible that cadres used this freedom more often than not to use more violence than was ordered. One of the best examples of discretionary violence that

64 Kershaw, *Hitler 1889-1936,* 692.

65 Weitz, *A century of genocide*, 187.

66 Heder, "Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes," 25.

occurred because of this lack of control is gender-based violence, which meant the rape and mutilation of women. Although officially prohibited by the central government, rape and other sexual violence occurred frequently during the Khmer Rouge regime.[67] Nakagawa describes the following account of a fisherman:

> A woman called Vichara, who was accused of being an enemy agent, was raped before being killed. Soldiers asked me to send her by boat to them and I was on the boat about 10 meters away from where she was raped and killed by five low-level soldiers. They raped only beautiful women sent there. The place, where those women were raped, was in a forest far away from the cooperative. The top leaders did not know the low soldiers raped women. If the high-ranking officials found the small soldiers raped women, those (small) soldiers would be killed.[68]

Most victims of rape were therefore killed after the crime so that they would not betray their perpetrators. However, even the victims that did survive often did not dare to report the crime out of shame and fear. Especially Khmer Rouge officials who committed rape presumably did not have to worry at all: "Impunity assisted powerful people to repeat the crime."[69] The real number of victims of this kind of violence will therefore remain unknown, but because of the lack of control and the resulting impunity during the Khmer Rouge regime, it is quite likely that a large number of women became victims of this kind of discretionary violence.

The fifth and last explanation for discretionary violence is *geographical differences*. In Democratic Kampuchea, there were differences in violence between zones but also between regions and districts within the same zone. These differences in violence occurred because of *geographical differences* and were not ordered by the Party Center. According to Vickery, there was, for example, a wide variety between the zones in the severity of policies adopted by local Khmer Rouge authorities based on the availability of food, the level of local development, and the personal qualities of cadres.[70] Most people died in the underdeveloped areas, where the urban people were sent to cultivate the land. While conditions were hellish in some areas, Vickery believes they were tolerable in others. The Southwestern Zone, for example,

67 Nakagawa, *Gender-Based Violence During the Khmer Rouge Regime*, 17.
68 Nakagawa, *Gender-Based Violence During the Khmer Rouge Regime*, 18.
69 Nakagawa, *Gender-Based Violence During the Khmer Rouge Regime*, 20.
70 Vickery, *Cambodia 1975-1982*, 83.

was the original power centre of the Khmer Rouge, but random executions were relatively rare, and as long as new people cooperated, they were not persecuted. But if they resisted, they could be executed.[71] In the Western Zone and in the Northwestern Zone, conditions were very harsh. Starvation was especially widespread in the Northwestern Zone because cadres did not allow the people to eat the rice they cultivated.[72] In the Northern Zone and in the Central Zone, there seem to have been more executions than there were victims of starvation.[73] Not much reliable information emerged on conditions in the Northeastern Zone, one of the most isolated parts of Cambodia. The Eastern Zone was dominated by pro-Vietnamese cadres. This is the zone in which the extreme policies of the Pol Pot leadership were not adopted (at least until 1978, when the Eastern leadership was liquidated in a violent purge). Executions were few, old people and new people were treated generally the same, and food was available for the entire population.[74] Heder also describes this occurrence of differences between areas: "In places of famine, which spread and intensified throughout the time the regime was in power, discretionary executions of ordinary new people and others by local power structures were particularly rampant."[75] So in places where there was a shortage of food, cadres sometimes found it easier just to kill new people than to re-educate them, which was the official policy of the Party Center.

Conclusion

Three years, eight months, and twenty-one days after the Khmer Rouge took over Phnom Penh, they were defeated. In the towns and villages, people at that time tried to deal with the past in their own way. Chourn Sok, a 'base person' during the Khmer Rouge regime, said for example: "Some perpetrators were killed when they came to the village, but only the perpetrators who were very cruel towards the victims."[76] And Yum Yoam, who used to work for the Khmer Rouge, said: "When I arrived in Pursat in 1980, they [the chief of the sub-district and district] did call for a meeting.

71 Vickery, *Cambodia 1975-1982*, 94.

72 Vickery, *Cambodia 1975-1982*, 120.

73 Vickery, *Cambodia 1975-1982*, 129.

74 Vickery, *Cambodia 1975-1982*, 135-137.

75 Heder, "Reassessing the Role of Senior Leaders and Local Officials in Democratic Kampuchea Crimes," 23.

76 Author's interview with Chourn Sok (20.09.2011).

The meeting was a kind of reconciliation by telling us former soldiers or anyone who used to work for the Khmer Rouge and the victims should not live in hatred and should reconcile by living together."[77] In most places, the victims and perpetrators did live together, sometimes even as neighbors, but whether they truly reconciled remains to be seen. Impunity reigned, until the establishment of the ECCC revived the discussion about responsibility. By using the concepts of 'obligatory violence' and 'discretionary violence', I have tried to clarify this issue of responsibility for the crimes committed in Democratic Kampuchea.

In answering the question to what degree the organization of violence in Democratic Kampuchea was centralized, this chapter has shown the role of both 'obligatory violence' and 'discretionary violence'. The 'chain of command' concerned with arrests and executions worked in a centralized manner. The chain was linked to the administrative structure of the zones, and thus the orders were being disseminated from the top leaders first through the zone committee, then the region committee, the district committee, the sub-district committee, and in the end to the villages, cooperatives, and the different work units. All the violence that was a result of this chain of command can be placed under the heading of obligatory violence. But as discussed in the previous section, discretionary violence is likely to have happened often as well due to confusion about policy, fear, radicalization, lack of control, and geographical differences.

Therefore, obligatory and discretionary violence both provide part of the answer to the central question. This makes it difficult to give an unambiguous answer to the question. On the one hand, the chain of command caused a large degree of centralization, with decisions being taken at the top. On the other hand, the occurrence of much discretionary violence shows a lesser degree of centralization, or actually more decentralization. So how do we combine these two different conclusions? Perhaps it is best to let go of the idea that we need to choose between the concepts centralization and decentralization to fully understand what happened in regard to the organization of violence in Democratic Kampuchea. The mass murder in Democratic Kampuchea happened both because of orders disseminated by the leadership and because of a large degree of latitude at the lower levels. It is in the end this dynamic, the balance between the centre and the periphery, between obligatory and discretionary violence, and between centralization and decentralization, that explains how the organization of violence in Democratic Kampuchea worked.

77 Author's interview with Yum Yoam (19.09.2011).