Bringing the Khmer Rouge to Justice

Ben Kiernan

In 1974, I began a quarter century of research on the Khmer Rouge movement. As an undergraduate I wrote an empirical study of their insurgency against the Sihanouk regime in the late 1960s and soon published several shorter articles. At first I was relatively sympathetic to their purported reforms and nationalism, but when I commenced Ph.D. research in 1978, I acknowledged my error and began a two-decade project of documenting the crimes of the Khmer Rouge regime. By 1980 I had interviewed hundreds of Cambodian survivors and had begun to publish their accounts. In Australia during the 1980s, I translated most of my interviews, as well as key Khmer Rouge documents, and wrote detailed accounts of specific aspects of the genocide. I also published historical analyses of the Khmer Rouge rise to power.

At Yale University in 1994, I established the Cambodian Genocide Program, to continue this work with a grant from the U.S. Department of State. In January 1995, we opened the Documentation Center of Cambodia in Phnom Penh. Four years later, the United Nations Group of Experts completed its report to UN Secretary-General Kofi Annan on the legal ramifications of the Cambodian Genocide. In March 1999, this report was published by the Secretary-General. It stated:

Over the last 20 years, various attempts have been made to gather evidence of Khmer Rouge atrocities to build a historical record of these acts. For nearly 20 years, scholars have been accumulating such evidence by talking with survivors and participants in the terror and reviewing documents, photographs, and gravesites. The most impressive and organized effort in this regard is the Documentation Center of Cambodia, located in Phnom Penh. Originally set up by Yale University through a grant from the Government of the United States of America, the Center now functions as an independent research institute with funding from several governments and foundations. It has conducted a documentation project to collect, catalogue and store documents of Democratic Kampuchea, as well as a mapping project to locate sites of execution centres and mass graves.

The report went on to recommend the creation of an international tribunal to judge the crimes of the Khmer Rouge leadership. Cambodia is now studying the establishment of a “mixed” national and international tribunal. This
success was achieved under fire, not only from the Khmer Rouge, but also a sustained barrage from the West’s most powerful newspaper.

The Cambodian Genocide Program, 1994–1999

“The only research operation in the world that focuses on Khmer Rouge atrocities, apart from Yale’s genocide program.” This is how the Editor-at-Large of the *Asian Wall Street Journal* described the Documentation Center of Cambodia in 1997. Despite this, the *Wall Street Journal* led a campaign against Yale’s Cambodian Genocide Program (CGP) throughout the two-year period in which the CGP created the Documentation Center.

April 17, 1995, marked the twentieth anniversary of the seizure of power by the genocidal Khmer Rouge regime. The *Wall Street Journal* chose the occasion for a long editorial-page article appealing to the U.S. State Department and Congress to revoke the Department’s inaugrating grant to the CGP, labeling its Director (me) a “communist” with Khmer Rouge sympathies. The appeal failed after the *Journal* published responses, but the paper followed with further *ad hominem* barrages, again directed at the CGP’s source of funds. Fortunately, this provoked an encouraging display of support, including letters from twenty-nine leading international Cambodia specialists and various other scholars in my defense. The Khmer Rouge, meanwhile, “indicted” me as an “arch-war criminal” and an “accessory executioner of the U.S. imperialists.” Despite attacks from two sides, we pursued our mandate to establish a comprehensive, publicly accessible archive and documentation database on the Khmer Rouge genocide, and to train Cambodian scholars and archivists to manage and enhance it.

The next year, the *Asian Wall Street Journal* fired another volley at the CGP, this time chastising us for not giving priority to the search for U.S. servicemen missing in action from the 1970–75 Cambodian war—before the Khmer Rouge takeover. To discourage further funding for the CGP, the article described me as “the grant world’s equivalent of box office poison.” The *Wall Street Journal* republished this piece and proclaimed to readers in an accompanying editorial that the CGP was closing down the next month. None of this was true—though the *Journal* now declined to print responses or corrections. In that three-month period, the CGP in fact raised $1.5 million, quadrupling its original grant. The CGP and the Documentation Center of Cambodia were now assured of funding for the next five years, a prospect beyond our wildest hopes in 1995. The Documentation Center, with the massive archive of Khmer Rouge internal documents we assembled in 1995–96, has now become Cambodia’s first independent research institute on the history of Pol Pot’s Khmer Rouge regime, known as “Democratic Kampuchea” (DK), which presided over the deaths of 1.7 million people.

Why did the *Wall Street Journal* launch such a campaign in 1995? Why the attempt to scuttle the world’s only research operation on the Cambodian geno-