

The Perpetrator's *mise-en-scène*: Language, Body, and Memory in the Cambodian Genocide

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Abstract: Rithy Panh's film *S-21. The Khmer Rouge Killing Machine* (2003) was the result of a three-year shooting period in the Khmer Rouge centre of torture where perpetrators and victims exchanged experiences and re-enacted scenes from the past under the gaze of the filmmaker's camera. Yet, a crucial testimony was missing in that puzzle: the voice of the prison's director, Kaing Guek Eav, comrade Duch. When the Extraordinary Chambers in the Courts of Cambodia (ECCC) were finally established in Phnom Penh to judge the master criminals of Democratic Kampuchea, the first to be indicted was this desk criminal. The film *Duch, Master of the Forges of Hell* (Panh, 2011) deploys a new confrontation – an *agon*, in the terminology of tragedy – between a former perpetrator and a former victim, seen through cinema language. The audiovisual document registers Duch's words and body as he develops his narrative, playing cunningly with contrition and deceit. The construction of this narrative and its deconstruction by Panh can be more fully understood by comparing some film scenes with other footage shot before, during and after the hearings. In sum, this 'chamber film' permits us to analyse two voices: that of the perpetrator, including his narrative and body language; and the invisible voice of the survivor that expresses itself through editing, sound effects, and montage.

Keywords: Perpetrator, audiovisual testimony, body language, cinema, Khmer Rouge, Cambodia

*Gémir, pleurer, prier est également lâche.
Fais énergiquement ta longue et lourde tâche
Dans la voie où le Sort a voulu t'appeler.
Puis, après, comme moi, souffre et meurs sans parler.*

—Alfred de Vigny, 'La Mort du loup',

recited by Kang Guek Eav, aka. Duch, as his 'stoic' motto

The Return of the Perpetrator

After the Vietnamese victory over Democratic Kampuchea in January 1979, the perpetrators of the Khmer Rouge terror followed various paths. Some withdrew with their leaders to hide in their jungle strongholds, awaiting a favourable moment to launch a counter-offensive. Others assumed new identities and integrated themselves into the new political context. A few were arrested and forced to testify in the judicial inquiry and later before the large-scale People's Revolutionary Tribunal (PRT) held *in absentia* against Pol Pot and Ieng Sary in Phnom

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Penh in August 1979.¹ Some Khmer Rouge cadres who had already become dissidents by 1978 and had defected from the Khmer Rouge ranks, joined the Vietnamese 'enemy', formed the Kampuchea United Front for National Salvation, seized power in January 1979 and occupied high positions in the newborn People's Republic of Kampuchea. Recently, the perpetrators of the horror carried out in Cambodia have garnered more public and scholarly attention. There are several reasons for this, some are related to the political and cultural changes undergone by Cambodian society since the end of the Cold War, while others have to do with a shift in the understanding, punishment and prevention of mass crimes throughout the world. Among the former, we could single out a reinforcement of transitional justice and reconciliation; a new emphasis is then put on historical pedagogy and a promotion, albeit vague, of cultural heritage; among the latter, we can mention the developing of international tribunals. The convergence of these two tendencies lies at the origin of the constitution of the Extraordinary Chambers in the Courts of Cambodia (ECCC) in 2006, a hybrid-justice tribunal aimed at putting on trial high ranking former Khmer Rouge leaders.²

Perpetrators' Re-enactments

A film sequence in Rithy Panh's *Bophana: A Cambodian Tragedy* (1996) epitomizes a new approach to the perpetrators; a scene that was the result of a chance encounter. During the filming at the Tuol Sleng Genocide Museum, the survivor painter Vann Nath came across the ex-guard Him Huy. Although Panh had made efforts to avoid such an encounter by interviewing each of them on different schedules, one day, Nath appeared unexpectedly at the museum and bumped into Huy as he was being interviewed. Nath recognized the former repressor, but reacted in an unexpected manner: instead of showing anger, he took him by his shoulder and led him into the museum cells where some of his canvasses depicting the atrocities committed at S-21 were on display. Gently but determinedly, he asked the guard to confirm or deny the veracity of the acts represented in the paintings.³ Highly embarrassed, Huy admitted

1 For a most insightful debate on the standards of this first trial for genocide, see *Genocide in Cambodia. Documents from the Trial of Pol Pot and Ieng Sary*, ed. by Kenneth Robinson, John Quigley, and Howard De Nike (Philadelphia: University of Pennsylvania Press, 2000); and Tara Gutman, 'Cambodia, 1979. Trying Khmer Rouge leaders for genocide', in *Trials for International Crimes in Asia*, ed. by Kirsten Sellars (Cambridge: Cambridge University Press, 2016), pp. 167-90.

2 For a synthesis of the juridical problems and debates during the first steps of the tribunal, see John D. Ciorciari, *The Khmer Rouge Tribunal* (Phnom Penh: Documentation Center of Cambodia, 2006). About the tensions in the process of instruction, see Marcel Lemonde, *Un juge face aux Khmers rouges* (Paris: Seuil, 2013).

3 This encounter in 1994 is described by Rithy Panh in R. Panh and Christine Chaumeau, *La machine Khmère rouge: Monti Santésok S-21* (Paris: Flammarion, 2008), pp. 52-53. See also Joshua Oppenheimer, 'Perpetrators' Testimony and the Restoration of Humanity: S21, Rithy Panh', in *Killer Images. Documentary film, Memory and the Performance of Violence*, ed. by Joram Ten Brink & Joshua Oppenheimer (London: Wallflower, 2012), p. 243.

to the exactitude of the scenes that Vann Nath had vividly portrayed according to other prisoners' accounts (Figs. 1 & 2).⁴ In other words, almost twenty years after the catastrophe, a victim and a perpetrator share the same stage by chance; the very same prison experienced from different perspectives. This fortuitous encounter was to be the origin of the film *S-21: The Khmer Rouge Killing Machine* (2003), in which guards, interrogators, executioners, and the photographer come together to re-enact the past.

Re-enactment plays a crucial role: firstly, because the long period of time the filmmaker and his 'actors' spent together in the compound created a sort of everyday familiarity among them; secondly, because the time that had elapsed since the crimes produced a distancing effect on them, as if the deed perpetrated were almost forgotten.⁵ The three years of filming involved accompanying the perpetrators as they re-enacted the past events, where they sometimes even seemed to fall into a trance. Nevertheless, none of this would have been possible without Vann Nath's commitment, the survivor of S-21 who since November 1979 had engaged in the task of giving artistic form to the atrocities committed at this prison. He oiled the machinery of the testimonies, questioning and interacting with the perpetrators in an atmosphere of total (and astonishing) absence of hate and anger.



Fig. 1



Fig. 2

4 Vann Nath, who saved his life thanks to his artistic rendering of Pol Pot on canvas, was secluded in an S-21 workshop and not allowed to leave. See Vann Nath, *A Cambodian Prison Portrait. One Year in the Khmer Rouge's S-21* (Bangkok: White Lotus, 1998).

5 This is of course a major issue and cannot be downplayed. Whereas cadres and ordinary executioners tend to justify themselves by claiming they were given almost no choice when they committed their crimes, others like some of those filmed by Thet Sambath and Rob Lemkin for their film *Enemies of the People* (2009) end up showing regret and remorse.

We must acknowledge that such a strategy is not new, although it had been so far applied mostly to victims, such as in Claude Lanzmann's *Shoah* (1985), where just a few of perpetrators are driven to reenact. I would like to recall one emblematic scene in which Lanzmann records the testimony of Abraham Bomba, a survivor of the *Sonderkommando* from the Treblinka extermination camp. Bomba saved his life by working as a barber for the SS and his task was to cut the hair of the Jewish women before they were gassed. Alongside other barbers, Bomba awaited the women's arrival inside the gas chamber and performed his task as quickly as possible so he could get out in time before the doors were shut. Lanzmann films Bomba's testimony in a men's barber shop in Holon (Israel). While Bomba is performing the movements of cutting the hair of a supposed customer, Lanzmann presses him to recount his thoughts and experiences at Treblinka. The filmmaker insists: 'Can you describe precisely?'⁶ And then, emphasizing the bodily aspect of memory: 'Can you imitate how you did it?'⁷ For Lanzmann, to make his witness delve into the past situation requires the intervention of body memory, although he holds that oral utterance is the highest manifestation of testimony. Overwhelmed by sorrow, Bomba pleads with his interlocutor to stop the filming and release him from the intolerable pressure he is suffering. Unrelenting, but using kind words, Lanzmann insists and keeps the camera rolling, as if he were subjecting the scene to the imperative of the 'duty of memory'.

This same strategy of traumatic reenactment is used by Rithy Panh in *S-21: The Khmer Rouge Killing Machine*, albeit focusing on a group of perpetrators who perform their deed and express themselves in the presence of the victims, one of them acting as a sort of guide.⁸ Since then, other films have employed reenactment in order to engage with perpetrators of genocide, such as Joshua Oppenheimer's *The Act of Killing* (2012) and its spin-off, *The Look of Silence* (2014). The boasting and unrepentant killers who star in *The Act of Killing* are but 'ordinary thugs' accompanied by Oppenheimer and his anonymous Indonesian co-director's camera to the various crime scenes. The executioners openly show their pride and satisfaction about the crimes committed during the repression campaign of so-called communists in the area around Medan (Northern Sumatra) in the aftermath of Suharto's military coup in 1965. But unlike Rithy Panh, who filmed a site of suffering, full of artifacts, photographs, and so forth, Oppenheimer follows the former perpetrators with great discontinuity – both temporal and spatial – since the actual sites of the crime have been totally disfigured or have disappeared. Rather than register the remains of the past acts, he seems to 'document the mental and emotional processes of those who have seen death with their own eyes

6 Claude Lanzmann, *Shoah: An Oral History of the Holocaust* (New York: Pantheon, 1985), p. 113.

7 Ibid., p. 115.

8 For Panh to produce a testimony through the memory of gestures consists of inscribing these gestures into a precise space. See Elsa Nagen, 'Interview [with] Rithy Panh', *Cinemasie* (2004).

and caused it with their own hands'.⁹ In other words, Oppenheimer seems to film the 'perpetrators' fantasies' rather than their deeds, and the meta-communicative framework he gives his documentary (a film in the making) reinforces this impression.¹⁰

Rithy Panh's approach in *S-21: The Khmer Rouge Killing Machine* is entirely different. With Nath's presence, along with the words and body language of the perpetrators, and the objects preserved by the museum curators (rags belonging to the detainees, typewriters used to transcribe the confessions, whips, shackles, and other instruments of torture), the former prison wakes from its lethargy and seems to recover the threatening power it once had. Flattered perhaps for having become agents of History, these men do not hide a certain pride in being in front of the cameras and, inasmuch as they do not fear criminal indictment, their words and acts express a strange freedom. They do not hesitate to read aloud confessions, give instructions for conducting torture sessions or utter insults to the ghosts of the prisoners. As a consequence of their re-enactments, based on endless repetitions of scenes and gestures, their violent past takes over the present.¹¹ However, what makes this strategy unique is the close interaction of the group of perpetrators in the process of remembering. The old community they had formed in the past (ideological, criminal and which instilled fear on a daily basis) is re-enacted as a result of the filmmaker's patience and persistence, and the effect produced by the presence among them of two victims (Vann Nath and Chum Mey). Space, artifacts, victims, perpetrators, and the filmmaker together build an atmosphere propitious to the emergence of the spectral past.

The Gaze of the Law

All these functionaries were out of the reach of criminal justice. Only one group of perpetrators was targeted, the leaders. Even though the agreement between the Cambodian government and the international organizations limited the indictment to key figures of the regime and of the Communist Party, two problems soon manifested themselves: 1) the first criminal who was to sit on the bench was not a high ranking leader, but the director of a high-security detention and interrogation center, Kaing Guek Eav, alias Duch; and 2) because the brutality of the Pol Pot regime had brought about an enormous and troubling expansion of what Primo Levi named the 'grey zone',¹² the number of potential perpetrators to put on trial exponentially expanded

9 Lúcia Nagib, 'Regurgitated Bodies: Presenting and Representing Trauma in *The Act of Killing*', in *The Routledge Companion to Cinema and Politics*, ed. by Yannis Tzioumakis and Claire Molloy (London: Routledge, 2016), p. 221.

10 Ibid.; cf. Homa King, 'Born Free? Repetition and Fantasy in *The Act of Killing*', *Film Quarterly* 67.2 (2013), p. 32: 'many of the staged scenes are more properly fantasies than re-enactments.'

11 Panh and Chaumeau, p. 91.

12 Primo Levi, *The Drowned and the Saved*, trans. by Rodney Rosenthal (London: Abacus, 1989), ch. 2.

as well.¹³ As the scholarship on the subject of the Cambodian genocide has highlighted, the entire society was dragged into a social climate of terror and fear accompanied by the dissolution of all traditional links and institutions (family, religions, schools, rural communities, and so forth).¹⁴

On March 30, 2009, after ten years of imprisonment, case 001 was opened against Kaing Guek Eav. Earlier, in 1999, he had been discovered hiding under the name of Hang Pin by the photographer Nic Dunlop and unmasked before the world following an interview published in *Far Eastern Economic Review* by Dunlop and the journalist Nate Thayer.¹⁵ The former director of S-21 had been collaborating actively with an American NGO (the American Refugee Committee) since 1997, and had been leading a normal life in a small community governed by another ex-Khmer Rouge. Once uncovered, Duch admitted his real identity, confessed to his crimes and was arrested, although the prospect of a trial was at that time not considered.¹⁶

In 2006, the climate of impunity had waned and Case 001 became a major event in Cambodian life. Members of the second generation participated as civil parties, while witnesses and ordinary perpetrators had the chance to speak in front of the court. The hearings and their consequences permeated Cambodian life, since they were transmitted on big-screen televisions throughout the country and, in addition, the population of Phnom Penh was given the opportunity to attend the hearings. The very fact that Duch was neither a member of the Central Committee of the Communist Party nor a prominent figure of the *Ângkar* made his responsibility in the repression even more striking. This was underscored by the key role that the documentation from Tuol Sleng was to play in the trial. The former prison was visited by the tribunal for the reconstruction of the facts in the presence of the accused and his old 'boys' Him Huy, Mam Nai, Prak Khan and the survivor Bou Meng. Later they reconstructed

13 Most of these aspects constitute the singularity of the involvement of the entire population of Democratic Kampuchea in the revolutionary mission, which means in effect the process of exterminating the enemy. As the numerous interviews with Khmer Rouge cadres conducted by *Youth for Peace Cambodia* reveal, most of the ordinary perpetrators consider themselves victims, claim that they were forced to follow orders and avoid confessing to any real criminal act as such. See *Behind the Darkness. Taking Responsibility or Acting Under Orders?*, ed. by Long Khet (Phnom Penh: Sunway, 2011), pp. 134–37.

14 See for instance Ben Kiernan, *The Pol Pot Regime. Race, Power, and Genocide in Cambodia under the Khmer Rouge, 1975–79* (New Haven: Yale University Press, 1996); Henri Locard, 'State Violence in Democratic Kampuchea (1975–1979) and Retribution (1979–2004)', *European Review of History / Revue européenne d'Histoire*, 12–1 (2005), 121–43; and *Pourquoi les Khmers Rouges?* (Paris: Vendémiaire, 2013). From the other perspective, historical research had focused on young perpetrators' accounts for understanding reasons, as in Meng-Try Ea and Sorya Sim, *Victims and Perpetrators: The Testimony of Young Khmer Rouge Cadres at S-21* (Phnom Penh: Documentation Center of Cambodia, 2001).

15 Nic Dunlop, *The Last Executioner: A Journey to the Heart of the Killing Fields* (New York: Walker, 2006). Some years later, Dunlop retraces his itinerary and retells the story of his disclosure of the executioner in the film *Comrade Duch: the Bookkeeper of Death*, dir. by Adrian Maben (2011).

16 Christophe Peschoux and Hang Kheng Heng, *Itinerary of an Ordinary Torturer. Interview with Duch, former Khmer Rouge Commander of S-21* (Bangkok: Silkworm Books, 2016). This interview, conducted during three days before Duch's arrest, was shelved for ten years and handed over to the prosecuting judges of the ECCC to be attached to the dossier.

the execution process at the killing fields of Choeung Ek, with Huy, Sophea Sophorn, and Choeun.

It was not only the testimonies of witnesses and perpetrators or the documents uncovered which played a central role in the trial, but also the mug shots of the detainees, which were on display at the museum. These were screened life-size when some of the names of the victims who had perished there were recited in order to emphasize, as Robert Petit put it during the second day of the hearings, the individuals and memories behind the statistics.¹⁷ Moreover, defenders and prosecutors, press agencies, and media networks circulated them and thus gave them an unexpectedly high profile. In this context, the purpose of the reappearance of the mugshots was first and foremost to confront Duch with the biographies, torture sessions, and executions of those he had sent to their deaths. Hence, they were not analysed as visual texts, but as mere illustrations of the human beings represented in them and, as Michelle Caswell highlights, shown in order to increase the emotional intensity experienced by the participants in the trial.¹⁸

The Melting Pot of Conscience: The 'Humanity' of Duch

Duch's trial not only sent shockwaves throughout Cambodian society, it also had a destabilizing impact on significant personalities who had been in contact with him. This must have been due to the gesture of repentance that Duch exhibited repeatedly in public and, especially, before the court, where he addressed in a remorseful tone the families of the victims and the survivors. Never having been a real Khmer Rouge leader, Duch was nonetheless more than a mere cog, since he had oiled the machine connecting ideology with repression, or, in other terms, the *Ángkar* (the Organization) and the *Santebal* (the police). Given the central role of repression in the Pol Pot regime, one might infer the relevance of the tasks assigned to him during the Democratic Kampuchea rule. What is more, the vast majority of the documents providing evidence of the crimes committed by the Khmer Rouge between 1975 and January 1979 proceeded from S-21 and, as Craig Etcheson stated before the court, Duch received orders from the highest hierarchy, that is, Son Sen and Nuon Chea.¹⁹

17 Alexander Hinton, *Man or Monster: The Trial of a Khmer Rouge Torturer* (Durham, NC: Duke University Press, 2016), p. 68.

18 Caswell closely examines the examples of Duk Ket, Ma Yoeun, wife of the sculptor Bou Meng, and the mother of the child survivor Norng Chan Phal. Michelle Caswell, *Archiving the Unspeakable. Silence, Memory, and the Photographic Record in Cambodia* (Madison: University of Wisconsin Press, 2014), pp. 100–104.

19 In his appearance before the court, Craig Etcheson expressed his conception of Duch as an innovator who was given autonomy in the decisions. Such a thesis echoes Raul Hilberg's judgment on Adolf Eichmann: 'His private life was, in short, normal, but in the maze of the bureaucratic apparatus, Eichmann was a pathfinder and a supreme practitioner of destruction' (Hilberg, *Perpetrators, Victims, Bystanders: The Jewish Catastrophe 1933–1945* [New York: HarperCollins, 1992], p. 41); cf. Hinton, p. 131.

What is indisputable is that Duch never raised suspicions among the party leaders and he was faithful to the party after the Khmer Rouge defeat. Nonetheless, Duch's adoption of an attitude in tune with the tribunal from the very beginning and his initial assumption of guilt were signs of what was purportedly a radical change in the perpetrator's conscience.²⁰ Having converted to Christianity after an assault on his home in November 1995 during which his wife, Chhim Sophal (alias Rom), was killed, Duch followed the path of confession, atonement and eventually redemption.²¹ Or, perhaps, he merely assumed Christian rhetoric in order to obtain a pardon for his sins.

Regardless of the difficulties one may have trying to assess his acts of contrition, the defence strategy employed by his lawyers had a positive impact, not only regarding the understanding of his past crimes but also with respect to the victims' healing process. This becomes clear when comparing Duch's trial with the following trials against the authentic Khmer Rouge leaders Nuon Chea, Kieu Samphan, Ieng Sary and Ieng Thirith, which were hampered by interruptions, stratagems and downright denial of any personal responsibility in the crimes of Democratic Kampuchea. This is the reason why, in spite of the disappointing end to the story, Case 001 also had an enormous impact on the rethinking of evil and the understanding of the perpetrator of horror in the twenty-first century. Three people have left a record of their confrontation with Duch resulting in profound reflections on the human condition at three different levels, corresponding to their area of specialization: the anthropologist François Bizot, the lawyer François Roux and the filmmaker and survivor Rithy Panh.

Duch as an Agent of Change in Bizot's Conscience

Arrested in an ambush by the Khmer Rouge guerrillas in 1971 as he was doing his research on ancient Khmer culture, François Bizot became the 'guest' of *Comrade Duch*, who was in charge of M-13, a prison and an interrogation center located in the jungle of Anlong Veng. The *Bizot affair* was an anomaly since Duch engaged in a face-to-face relationship with Bizot that lasted three months and resulted in a high degree of intimacy. Bizot's familiarity with Khmer language, along with Duch's French education, all within the framework of forced isolation, must have provided an atmosphere propitious to reaching this stage of confidentiality. Once Bizot became familiar to Duch and was thus humanized for him, killing him would have proved to be a harder task. Convinced through their conversations of Bizot's innocence and signs of personal integrity, Duch fought for his release before the *Ángkar* and stood up to his superior

20 This having been said, Duch seemed more prone to endorse an overall responsibility for the crimes than to specify his participation in precise facts, as the investigation judge Marcel Lemonde wrote (Hinton, p. 142).

21 Dunlop, p. 245. Curiously enough, Duch was baptised by his pastor Chamka Samraung on January 6, 1996, the same date commemorating the last day of the Khmer Rouge rule in Cambodia.

Ta Mok (called 'the butcher'), who was set on killing him. Duch prevailed and Bizot was released, a *dénouement* that was to be an exception in the torturer's career.

Back in France, after witnessing the tragic evacuation of the Phnom Penh French embassy in April 1975, and having discovered the murderous quality of the regime, this weighed heavily on Bizot's conscience for years. Why had he been spared? The wound reopened abruptly in a 1998 visit to Tuol Sleng museum when he discovered that his host at M-13 had later become one of the most relentless torturers of Democratic Kampuchea, responsible for the death of between 14,000 and 20,000 people. Scarcely one year later, he learned that Comrade Duch was still alive and had been arrested. This added to the state of shock in which he wrote his memoir *Le Portail (The Gate)*.²² What Bizot had considered for years to be a stroke of luck (his release) acquired a new significance upon discovering the implacable identity of his captor. Inevitably, it raised a series of unsettling questions: why had he, and almost only he, been pardoned by this relentless executioner? What kind of bond had the torturer discovered in him so as to free him? The questions were excruciating, but the torturer's arrest provided Bizot with the opportunity to delve deeper into the investigation, which was to be at a more profound level also a self-investigation. Their re-encounter was inevitable.

Meanwhile, Duch had not forgotten his former guest and asked to meet him again. They chatted briefly as Duch was under arrest, and Bizot handed him a copy of *The Gate*. Some of the exchanges in this interview were captured by Jean Baronet's camera for his film *Derrière le portail (Behind the Gate)*, (2004). A few years later, Bizot was called as a witness before the ECCC, and devoted a new book entitled *Le Silence du bourreau (The Silence of the Executioner)*, (2011) to his new thoughts regarding Duch. In its pages, one can perceive the ghostly shadow of Duch accompanying Bizot's introspection over the decades, and becoming an inseparable companion, that is, a source of gnawing doubt. Bizot pointed out with acuity the inversion of causality in his experience, that is, how a new discovery, account or encounter with the man who permitted him to live made him re-write the episodes of the past giving them another meaning: 'J'ai perdu,' he concludes, 'la conviction que les choses, dès l'instant où elles se produisent, reçoivent une forme irrévocable qui se conserve pour l'éternité [...]. Le présent modifie davantage le passé que l'avenir, chaque nouvelle épreuve se presse sur les précédentes pour les écraser'. Bizot had attuned himself to the executioner to the point of feeling him as a presence that both protected and unsettled him perhaps forever: 'Jamais je ne verrai mon semblable comme avant', he concludes.²³ In other words, the physical and also ghostly presence of Duch had constituted for Bizot a mirror to look into himself, a counter-identity without which four decades of his life were inconceivable.

22 François Bizot, *Le Portail* (Paris: La Table Ronde, 2000).

23 François Bizot, *Le Silence du bourreau* (Paris: Flammarion, 2011), pp. 31, 76.

François Roux and the Humanity of Duch

Although very different in approach and experience, the French lawyer François Roux followed a similarly peculiar trajectory in relation to Duch. He had actively participated in movements against violence, was specialized in the defence of those accused of civil disobedience, and more recently had defended four Rwandans accused of committing atrocities as well as the 9/11 suspect Zacarias Moussaoui. He took on Duch's defence (with the Cambodian defence lawyer Kar Savuth) on the condition that the accused plead guilty. In so doing, he hoped to put forward the *crime of obedience* instead of considering obedience as a cause for discontinuance and criminal unaccountability. Roux was convinced that the re-encounter between Duch and his victims in a legal framework would have healing effects on the Cambodian reconciliation process: 'what other than justice... could have organized this meeting between Duch and his former victims?'²⁴ As Roux recounts after the end of the trial, his colleague Kar Savuth's defence strategy was to present Duch as a scapegoat. Savuth substantiated this on the grounds that 195 other prisons had operated in Democratic Kampuchea and, consequently, S-21 was only one among many. However, this thesis overlooked the well-informed report by Craig Etcheson in which the investigator established the direct links between S-21 and the *Ángkar*, which other execution centers did not have. Roux's strategy was to reach a plea agreement in which the parties would propose a sentence to the judges, but once again on the condition of Duch accepting his guilt.

Inasmuch as Roux treated Duch as 'criminal by obedience', he expressed the need for society to bring him back into humanity, the humanity he had voluntarily abandoned by committing his crimes. Roux's aspiration was that through the performance of justice the Cambodian community would recognize Duch as a peer or even a brother in humanity (*frère en humanité*). Here, Duch's confession of guilt and his public apologies to the victims were to play a crucial role and, consequently, Roux lamented the lack of sensitivity from the co-prosecutors on that point.²⁵ Following the itinerary of this risky defence strategy, Bernard Mangiante made a film in 2011 entitled *Le khmer rouge et le non-violent*, which concludes with Roux's isolation when the accused rejects him on the grounds of loss of confidence and embraced the Cambodian defence lawyer's strategy of pleading not guilty and requesting acquittal.

Neither Bizot nor Roux were mistaken as to the ambivalences of Duch's testimony. In confronting the accused with his crimes, both interrogated the human being within the murderer: Bizot submitted himself to a self-examination so as to explain the grace this torturer-in-chief had showed towards him, saving his life; Roux took on the

²⁴ Hinton, p. 65.

²⁵ François Roux, 'Pleading Guilty before the International Criminal Courts: The Case of Duch before the Khmer Rouge Tribunal', in *The Scene of the Mass Crime: History, Film and International Tribunals*, ed. by Christian Delage and Peter Goodrich (London: Routledge, 2013), p. 160.

defence of someone whose crimes he abhorred in the hope that Duch's repentance would contribute to the community's reconciliation. During the whole process involving the pre-trial investigations, the trial itself and its aftermath, Roux and Bizot became two key instruments in the analysis of the dark side of 'the human'. In this sense, they reconsidered the questions raised by Hannah Arendt in her early 1960s report on the Adolf Eichmann trial in Jerusalem, questions that she condensed in the highly controversial phrase 'banality of evil'.²⁶ Since then, the debate on radical or banal evil has been central to scholarship on mass murder and war crimes. In effect, this issue was at the core of Christopher Browning's investigation on battalion 101 of the German police on the Eastern front, in which ordinary Germans were transformed into murderers within a few weeks.²⁷ The same question is central to the Manichean thesis of *eliminationist* anti-Semitism sustained by Daniel Jonah Goldhagen in the mid-90s,²⁸ and, last but by no means least, it is present in a long list of books and contributions that reflect on the cases of Rwanda, ex-Yugoslavia, and others.

These examples tackle the thin line which separates Eichmann and Duch from both the *master criminals* behind terror campaigns and from the ordinary executioners. Most revealingly, Bizot and Roux experienced the contamination of their human condition after being exposed to Duch, the feeling of being caught up in his web. In the criminal court and beyond, what was at stake was whether to recognize Duch as 'a fellow brother'. Regardless of the final result, by publishing their personal interviews with Duch, Bizot and Roux called attention to the fragile suture of the conscience wounded by evil, be it diabolical or banal.

Know Your Enemy: Strategies of Filming

Rithy Panh's strategy was to make the *mug shots* of the detainees play a decisive role in his confrontation with Duch. He did so by taking advantage of cinematic resources, in particular frame composition and editing. A few years earlier, Panh had released his *S-21: The Khmer Rouge Killing Machine* (2003), which was ultimately focused on the absent figure of Duch. The former interrogators, guards and survivors referred to the prison chief as the brain that guaranteed the seamless management of repression at S-21. Nonetheless, it was not impossible to include Duch in this film since Panh's request to interview Duch while he was in custody had not been approved. On learning that the criminal case was to start, Panh renewed his application in order to try to

26 Hannah Arendt, *Eichmann in Jerusalem. A Report on the Banality of Evil* (New York: Viking, 1963).

27 Christopher Browning, *Ordinary Men: Reserve Battalion 101 and the Final Solution in Poland* (New York: HarperCollins, 1992).

28 Daniel Jonah Goldhagen, *The Hitler's Willing Executioners: Ordinary Germans and the Holocaust* (New York: Knopf, 1996).

fill in the gaps of his previous film with the man who supposedly held the ultimate secrets of S-21. Talking to him, listening to him recounting the events and capturing his body language on camera became a logical goal for Panh: 'It was as though my investigation was missing an essential element: Duch's words.'²⁹

Yet, to obtain first-hand statements from this man and fruitful responses in face-to-face confrontations, Rithy Panh was to risk becoming ensnared in the cobweb of his opponent, his cunning, his coldness, his detachment and his lack of empathy. Duch agreed to Panh's request for an interview. The result is a singular duel recorded in over 300 hours of shooting. The end product was the documentary *Duch: Master of the Forges of Hell* (2011). But the film, as Panh recounts in his *intimate diary* of the shooting, entitled *The Elimination*, turned into a self-interrogation. Once filming was underway, Panh began to suspect that in the interviews Duch may have had the sinister aim for Panh to help 'prepare him for his trial'³⁰

In this light, Duch's attempts to destabilize Panh were but the continuation of his expertise throughout his entire life: the art of demolishing his opponents in a face-to-face clash. It happened as if there were an invisible structure of interrogation behind the interviews introducing into them an unexpected hierarchy of power. The former interrogator resorted to putting his adversary on unstable ground and the other feared that his old condition of victim made him suddenly more vulnerable:

So I have a revelation: Duch has entered into a moral contract with me. A contract of sincerity. He's got me.

From that day on, everything gets away from me. I sleep little. I breathe badly, I have dizzy spells. I stop taking subways and buses. At night I sit in front of the television set and channel-surf. I'm caught up by the flood of images, caught up and rested. I fall down. I sit up. I open my eyes. I call for emergency medical help; the doctors find nothing wrong with me but anxiety.³¹

It seems as if the filmmaker had failed to recognize his power in the interview and as if the detainee had suddenly recovered his from former times. In their exchange at close quarters, past and present overlap and the most skilled between them in interrogations seems to take over little by little, leading the course of the conversation. In fact, according to Duch, hitting and torturing should be conceived as a last-resort mechanism to induce confession; a mechanism which pales against oral rhetoric and political pressure. 'My sword,' Duch says proudly, 'is the word.' Of course, the setting in which the interviews between Rithy Panh and Duch take place is not the same as

29 Rithy Panh and Christophe Bataille, *The Elimination: A Survivor of the Khmer Rouge Confronts His Past and the Commandant of the Killing Fields* (New York: Other Press, 2014), p. 7.

30 The course of the hearings confirms the resemblance with the sequences to which Rithy Panh gives shape, sometimes with the same words, gestures and of course arguments (*ibid.*, p. 18).

31 *Ibid.*, pp. 185-186.

an interrogation. Nonetheless, the roles played by both characters in the past, even if they never met, seem to reactivate Rithy Panh's inner feeling of fragility. It is as if the roles played in the past take over the present. In the light of this rendezvous with the perpetrator, Panh, like Bizot, is drawn to revisiting his biography:

I reread these pages. I'd like to erase my childhood and leave nothing behind: not the words, not the pages, not the trembling hands holding them; not the warm paving stones in my entryway where my mother waited; not the spirals; not the dizzy spells. There would be nothing left except Duch and me: the story of a combat. I've filmed his oversights and his lies. His hand, wandering over the photographs. His forceful, sudden respiration, as if the exaltation of former days were still there, in his lungs.³²

It is at this time that the filmmaker becomes aware of the power the cinematic language accords him, namely, editing and montage. In making use of them, he manages to reshape Duch's discourse:

Then I begin to edit my film. [...] I cut him off. Duch reinvents his truth in order to survive. Every act, however horrible, is put in perspective, subsumed, rethought until it becomes acceptable, or almost so. I edit my film, therefore, against Duch. [...] I think about what he said to me: 'In every lie, there's some truth. In every truth, there's some lie. The two live side-by-side.'³³

Cinematic Strategies in Perpetrators' Documentaries

The above remarks are necessary to understand what is at stake in the exchanges between these two human beings who face each other over hours and hours of shooting: a matter of film style, we might say, that includes ordering sequences, frame composition, using reaction shots, incorporating archival footage and other visual and sound effects. All of them together contribute to depicting Duch's character. To begin with, the interviews are framed on either side by two sequences showing the prisoner in his cell. In the first of them, his slim body is accompanied by the recorded voice of Pol Pot in one of the dictator's most famous radio speeches, followed by the singing of the anthem of Democratic Kampuchea. Some Khmer Rouge propaganda-film shots associate Duch with his past as a faithful member of the Communist Party. The film closes leaving him in his cell in solitude.

The main body of the documentary is made up of the interviews that we may term a *tragic agon*.³⁴ For one thing, the two figures (Panh and Duch) stage an unequal

³² Panh and Bataille, p. 200.

³³ Ibid., p. 186.

³⁴ I am using the ancient Greek drama term 'agon' to refer to a debate or confrontation between the two main characters – the *protagonist* and the *antagonist* – as appears in the scenes of classical tragedy.

combat in which one is supposed to furnish information to the other. Nevertheless, giving information necessarily involves filtering it, concealing or disguising traits and details hovering on the horizon: the line of defence, as Rithy Panh suspected, that would be adopted at the trial. On the other hand, calling it *agon* does not imply that the scene is symmetrical character-wise. In fact, the first consequence of this asymmetry is the omission of the questions posed by the filmmaker while Duch's word takes center stage. Given that Duch's narrative and body are the very document that the filmmaker is seeking, a question inevitably arises: how to film his words, his narrative, and ultimately his body?

This problem falls into a sub-genre that Raya Morag has called 'perpetrator documentaries', that is, 'documentaries that focus on the figure of the perpetrator while unraveling the long-time enigma of the "ordinary man turned perpetrator"'.³⁵ According to Morag, in order to obtain the confession (she distinguishes this from the concept of testimony, which she insists on applying solely to the victims), a frame (pardon, reconciliation, accountability) must be determined, since it modifies the meaning of the confession itself. In the same vein, Deirdre Boyle recognizes a particular interview case in documentaries dealing with 'unreliable subjects over time'.³⁶

Rithy Panh chooses an apparently neutral but subtle film style, deprived of marked camera angles and any other subjective emphasis that would stress a personal attitude or call attention to the dispositive. Duch was seated behind a desk seen in two similar rooms near the court: one of them was intended for hearings and Panh disliked it inasmuch as it gave the interviews the appearance of a trial, which he wanted to avoid; the other, with no signs of any other use, became the basic stage for the film.³⁷ The reason for this choice was unequivocal: the film was not conceived as the confrontation between a perpetrator and a victim, but as a collaboration (not excluding a struggle) between two individuals committed to producing a true account, namely that by *the one who was there and knows*. In other terms, *Duch: Master of the Forges of Hell* introduces the piece missing from *S-21. The Khmer Rouge Killing Machine*, which was a puzzle made up of the voices of those (witnesses, interrogators, guards, survivors) who were under his command. Confronting the master executioner, Rithy Panh's questions are then a trigger for Duch's memory and narrative, be it true or false. In reality, Panh's words are part of a complex (cinematic) device and cannot be analyzed without taking into consideration how objects are handled or props displayed and the resources of cinematic composition and editing.

35 Raya Morag, 'The Survivor-Perpetrator Encounter and the Truth Archive in Rithy Panh's Documentaries', in *Post-1990 Documentary Reconfiguring Independence*, ed. by Camille Deprez and Judith Pernin (Edinburgh: Edinburgh University Press, 2015), p. 97.

36 Boyle, Deirdre, 'Interviewing the Devil: Interrogating Masters of the Cambodian Genocide', in *A Companion to Contemporary Documentary Film*, ed. by Alexandra Juhasz and Alisa Lebow (New York: Wiley, 2015), p. 510.

37 Most of the details concerning the shooting used in this paper are drawn from a long interview by the author with Rithy Panh at the Bophana Center in Phnom Penh on October 17, 2014.

To illustrate this point I would like to briefly compare this strategy with two others used in other 'perpetrator documentaries'. *Enemies of the People* (Thet Sambath and Rob Lemkin, 2009) is conceived around a long interview with Cambodian 'Brother No. Two', Nuon Chea. Over several years, Sambath, the son of a Khmer Rouge victim, recorded, both on tape and on film, numerous interviews with one of the major criminals of Democratic Kampuchea, keeping his identity secret. All through these years, not only did he not hear any sign of remorse from Chea, but he also failed to obtain any substantial information from him. In the course of his research, Sambath met other Khmer Rouge cadres and executioners, who ended up revealing the atrocities they had committed. In the final editing in which Sambath did not participate, Rob Lemkin intersperses the Nuon Chea-Thet Sambath face-to-face interviews with the testimonies of other executioners, attempting to complete the chain of command and to illustrate the different degrees of responsibility in the crimes. Lemkin shows the Sambath-Nuon Chea encounters in such a way that he turns 'the camera on Sambath, bringing the filmmaker into his own documentary'. That is the reason why Sophal Ear terms this film as a 'documentary within a documentary'.³⁸

Documentary filmmaker Errol Morris deploys a different strategy in his provocative *Standard Operating Procedure* (2008) devoted to listening to the voices of the US military accused of committing abuses and performing torture in the Iraq prison of Abu Ghraib. The film dispositive used by Morris is based on the combination of two cinematic devices: first, the Interrotron system to question the interviewees, then the staging of the scenes evoked by the witnesses that have left no visual trace. The former requires a brief explanation. The Interrotron invented by Morris is a device that adapts the TV teleprompter. As Linda Williams explains:

Through mirrors it inserts Morris's own face and eyes as interlocutors in the center of the camera lens, achieved at the expense of Morris's 'live' presence in the direct company of his witnesses. But if one kind of direct connection is lost, another is gained. For by placing himself in an adjacent room with a camera trained on his face, Morris enables his witnesses to do what they cannot in other documentaries: to look their interviewer, and thus us, directly in the eye. (...) As viewers we see the interviewees' eye movements and facial gestures as they encounter, or resist encountering, Morris's own face and eyes in the lens that films them.³⁹

What is important about the Interrotron is its ability to scrutinize the witness' demeanour capturing particular details of their micro-physiognomy and producing a distancing effect between interviewer and interviewee. The two examples briefly

38 Sophal Ear, 'Enemies of the People (review)', *Contemporary Southeast Asia: A Journal of International and Strategic Affairs* 34.1 (2012), p. 143.

39 Linda Williams, 'Cluster Fuck: The Forcible Frame in Errol Morris's *Standard Operating Procedure*', *Camera Obscura*, 25.1 (2010), p. 36.

examined – Sambat-Lemkin’s and Morris’s – permit us to better comprehend the simplicity of the dispositive Rithy Panh decided to give his interviews with Duch and, consequently, the importance conceded to their face-to-face encounters, which also became clashes. As an instrument of understanding, the value of the film as a means to understanding originates in Duch’s words but goes beyond them. The crucial point lies not in the veracity of Duch’s testimony, but in recording his relationship with the past, which encompasses Khmer Rouge ideology, slogans and postures adopted towards his enemies and subordinates. The interviewer’s power resides in the control of the set and the liberty Rithy Panh gives himself to film his interviewee’s body, gaze, gestures, voice, and not least silences, as well as to contrast them with other witnesses’ accounts. And this was made possible with the resources of cinema, such as scales, angles and depth of field.

Rithy Panh’s Scenography for the Shooting



Fig. 3

Duch is filmed sitting behind a desk from the opening credits onwards underscoring his bureaucratic task in the days of S-21 (Fig. 3). In those days he was assigned administrative tasks, involving ordering torture and the meticulous analysis of confessions, from which he decided upon their accuracy and verisimilitude, that is, with regard to the needs of the party line. Duch spent interminable hours in his office carrying out his duty with care and even devotion. In placing him

before a desk full of documents, Rithy Panh reconstructs the position he lost in January 1979, even though he no longer has the power to decide over others’ lives. Duch is invited to comment on the remnants of the past that are displayed before his eyes.

The film is soberly shot with two cameras, one on a tripod, the other handheld and operated by the filmmaker himself. Rithy Panh plays a double role in the filming: feeding the conversation through questions and capturing inserts with details that escape the fixed camera. Panh gave Duch sheets of paper, each one with a slogan written on it and asked him to comment them on. Besides his words, the viewer witnesses his distinctive pace and tone of voice while the camera registers his rigid body on reading the slogans. His voice becomes then an irreplaceable document, since it

conveys the fervor of times gone by. The sound captures changes in tone of Khmer pronunciation in which his political training is still recognizable. Throughout the conversations, Duch either adopts a dramatic tone, or a pedagogic style, particularly when he provides explanations of the Khmer Rouge regime. It goes without saying that he considers himself the best transmitter of these old times and, in this regard, he cannot but feel proud of this status.

Duch is asked to inspect a file or document that accuses him, such as a victim's confession. He then identifies his own handwriting, as if in a silent and confidential conversation with the interrogator who performed the actual torture, and he recounts the functioning of S-21. At other times, he scrutinizes the photographs representing everyday life at the prison and names the protagonists and the settings as if mentioning family names: his guards, his interrogators, his drivers, and archivists. He even points at



Fig. 4



Fig. 5

photographs of himself attending the refectory, giving a speech to his delegates, with his family at various locations. Surprisingly, all these events and people are evoked with a sense of normality, not to say banality.

All these documents act as *memory triggers*, since the filmmaker has arranged them so as to provoke the interviewee's reaction, which occurs when confronted with the traces of those times in which he was the protagonist: re-reading slogans, examining his own handwriting, standing as a soldier committed to revolution and faithful to the party, or identifying his victims with his prodigious memory. All these acts are invested with great value by someone who attempts to show that he was only being creative in interpreting orders to the limited degree of personal initiative. That is, he only used his own initiative in the details of the execution of orders. In effect, Duch made the plans of the *Ángkar* happen, although he had not decided them.

Be that as it may, the cinematic treatment of these sequences takes on an aspect of subtle dramatization that becomes almost subliminal for the viewer. This occurs when the elements of the scenography are displayed like instruments of interpellation, if not of downright accusation: as Duch sits at his desk, the set is full of the signs of the destruction he caused, which the camera registers as apparently innocuous accessories. Thus, Duch is confronted with photographs of Vann Nath's naïve-style paintings, as well as the enlarged headshots of the victims. Duch might have avoided looking at them, but for the filmmaker the question has to be posed differently: it is the victims who observe their executioner from the photographs that captured them for the last time. More precisely, the headshots are submitted to a complicated meta-communicative procedure: they are shown to the filmmaker (in the shooting) and the viewer (in the final edited film) by the one who ordered them to be taken after deciding to put the subjects of these photographs to death.

Accordingly, the spectator is compelled to adopt some unwilling positions (physical, as well as ethical). In these cases, with or without Duch's gaze, a new force is implicated: Duch's fingers touch these material artifacts (the photographs) representing the victims. The images of his skin touching these near specters of victims he ordered to be killed is profoundly uncanny. Panh films Duch from an *ideal distance*, neither too close nor too far, which allows him to include the images displayed at the table in the frame, as if the dead represented in them questioned the master of S-21 from the past (Figs. 4 & 5). One of the most persistent and damning documents is the file containing the photographs, letters and confession by Bophana; a file that Rithy Panh, following the *Washington Post* journalist Elizabeth Becker, transformed into an icon of the destruction of human sentiments perpetrated by the Khmer Rouge. Most of the frames of the film bear witness to Bophana's gaze imperturbably scrutinizing her executioner.⁴⁰

Bophana and Duch: A Belated Clash Mastered by Rithy Panh

The filmmaker defies the torturer with the victim's file.⁴¹ Conscious of the performative power of photographs and documents, Panh films Duch's hands caressing the signs and representations of this life cut off; afterward, Duch compares these pictures forged by the repression apparatus with the ones portraying the Bophana's previous

40 Elizabeth Becker, *Bophana: Love in Time of the Khmer Rouge* (Phnom Penh: Cambodia Daily Press, 2010) and for the iconography related to this case, Vicente Sánchez-Biosca, 'Bophana iconographie, récit et creuset de mémoire', *Mémoires en Jeu*, 6, (2018), pp. 58-62.

41 The Bophana affair was linked to one of the major purges within the party, involving the detention, interrogation and confession of Koy Thuon. To obtain the information needed, Duch developed his best skills as a master of interrogations.

happiness; finally, Duch recognizes his own handwriting and signature upon the date (Fig. 6). It is reminiscent of what Aristotle, writing on Greek tragedy, named *anagnorisis* (recognition by the protagonist of his real identity) meticulously filmed by the documentarian.

The itinerary Rithy Panh imposes on his interviewee symbolically shortens the distance between Bophana and Duch: instead of using the classical structure of shot-reverse shot, which would underscore the causal link between stimulus and response, cause and effect, the filmmaker seeks the co-presence in the space, incorporating Bophana's photograph and Duch's body in the same frame. Panh leaves the reverse shot for the intended viewer of this exhibition. This space-sharing is a kind of monstrosity in itself, since it suggests the destructive power of the gaze as leading to the elimination, the *komtech*.⁴² Duch, a careful exegete of documents, points with his finger at Bophana's signature, the one which sealed her destiny. He does so as he must have done the day on which he resolved her execution, extending his forefinger to the very spot where Bophana's thumb had been stamped (Fig. 7). It seems as if Duch is revisiting the process of her destruction.

Outrageously, the scene suggests physical contact with the victim through this old sheet of paper: an absolute desecration. In so doing, the filmmaker's gesture seems to invert the



Fig. 6

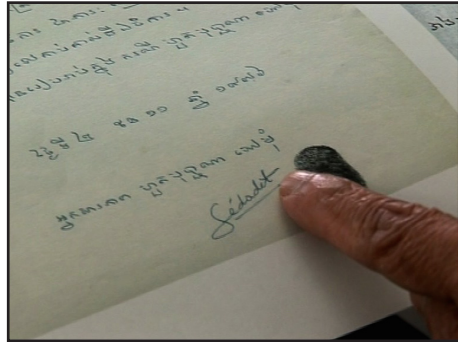


Fig. 7



Fig. 8

42 In Khmer, the word 'komtech' means to annihilate without leaving a single trace of someone's existence.

sublime gesture with which Michelangelo captured in the vault of the Sistine Chapel the fragile nature of man extending his forefinger to the Creator and nevertheless failing to reach Him. Rithy Panh ends Bophana's case by using a collage-shot of all the symbolic ingredients as a condensation of the plot: Bophana's mugshot enlarged, the typewriter summing up the confession, the shackles she was wearing throughout her captivity (Fig. 8).

Duch's Gaze as a Symptom of Malaise

Filming an interview involves the interviewee submitting to certain rules, one of the most important being the axis of the gazes to give continuity to the scene. However, Duch's reluctance to be captured by the camera in a face-to-face stance is quite symptomatic of his malaise before the apparatus, as if he was unable to hold the gaze of his interlocutor. Duch's gaze is then elusive, as he feared that the camera could see inside him.⁴³ Could this uneasiness be linked to Duch's ambiguity regarding his recognition of guilt? In the end, the encounter of these two human beings did not leave either of them unscathed.

Certainly, as Rithy Panh reminds himself in a moment of fragility, the filmmaker has the ultimate power over the interviewee inasmuch as he keeps control of the editing process. However, an excessive use of that power would discredit him by depriving his opponent of his right to present his views in continuity and without his discourse being manipulated. Panh, then, returns to simple editing procedures by introducing to the scene the accusations formulated by former guards and interrogators against Duch and collected earlier by the filmmaker himself. Panh invites the victims to enter the scene through photographs and files, but he does so also by calling upon other witnesses from S-21 as surrogate voices. On presenting Duch with the declarations recorded at an earlier stage in the research on his laptop, Panh films Duch's reactions to them, either his malaise or his dismissive attitude towards the veracity of their contents. As a result of the ongoing criminal case, the physical confrontation between the director and his 'workers' was impossible to envisage. However, these reaction shots of Duch when faced with the accusations permit us to scrutinize how Duch plays with the thin line between acknowledgment and denial of his guilt, particularly when some specific issues are brought up, such as his presence at the execution fields of Choeung Ek and his performing torture personally at S-21.

The filmmaker's leeway thus lies in the interstices of what the camera registers. For Duch, these visual documents are nothing but false testimony from his former

⁴³ Panh and Bataille, p. 33. Cruvellier notices that at the trial Duch speaks looking at an imprecise spot up to the left, which allows him to concentrate and be on control on his discourse. See Thierry Cruvellier, *Le maître des aveux* (Paris, Gallimard, 2011), p. 10.

staff, an expression of their ungratefulness; for Panh, in turn, they are a counter-argument which force the accused to respond by means of silences, dismissive gestures and disavowals that lay bare his defence strategy. In effect, having settled the limits of his acceptance, these precise accusations put Duch in a vulnerable position. In this sense, his responses in all domains (and not only in verbal discourse) are symptomatic. For the viewer, and thanks to the treatment given in the film, the accountability of Duch is at issue in every minute detail: the more abundant these details are, the richer is the cinematic document in helping us to reach a conclusion.

Furthermore, Panh surreptitiously slides into the interview a series of documents projecting his interlocutor into his past. All these devices and artifacts might escape Duch's perception, not to mention his control, but they do not fail to bring the time in which he performed his crimes into the present. It is a sort of landscape that opens out before his eyes playing in the interstices of what can be considered memory triggers and subliminal signs. Which one of these two extremes becomes more prominent depends on the emphasis given by the director in each scene. The Khmer Rouge propaganda films as well as the Democratic Kampuchea hymn project the atmosphere of the Pol Pot regime into the austere room where the interview is being held. It is at this point that we become aware of the complexity of the components included in the film: Duch's oral testimony is but one piece among others, like photographs, paintings, leaders' voices, revolutionary songs, former cadres' images and other characters accusing Duch directly or indirectly. Thus, the director of *S-21* is oppressively surrounded by an accusatory scenography.

In reality, it is not a matter of a simple amalgam. Duch is asked to confirm or refute the veracity of many documents that the filmmaker has spread out before him. In this light, the film, *Duch, Master of the Forges of Hell*, in spite of its bare setting, its limited arsenal of stylistic devices and, most disturbingly, the stratagems concocted by the interviewee, constitutes a well-articulated machinery in which the pieces acquire a precise function. No evidence is more telling than that which arises when Duch feels hunted and entrapped: his laugh.

Body Memory

S-21: The Khmer Rouge Killing Machine overflows with what Rithy Panh calls 'body memory'.⁴⁴ Under totalitarian regimes, bodies are intensely disciplined. Submitted to everyday rituals, these express submission to the party through movements, uniforms, the reciting of slogans, rather than by conscious approval of an ideology. The

⁴⁴ Rithy Panh argues the existence of different memories: that of the word, that of the places, and, most importantly, that of the gestures. N. Rachlin, "En fin de compte, un génocide, c'est très humain": *S-21, la machine de mort khmère rouge* de Rithy Panh, *L'Esprit Créateur*, 51.3 (2011), p. 33.



Fig. 9



Fig. 10

Khmer Rouge permeated Cambodian society with strict mechanics of behaviour and gestures. From this standpoint, the propaganda films are most expressive: the mechanical smiles of the leaders, the total absence of those smiles in the people, incessant applause, bodies wrapped in black pyjamas, bodies subjected to monotonous mass choreography. What leeway remains for spontaneity and freedom in this context?

As far as he is concerned, Duch is an educated and even sophisticated man, but he is also a model of obedience. In one of the first sequences of the film, he evokes his oath to the party, the highest ritual that a communist could conceive, since it meant devoting himself lifelong to a pseudo-religious cult. On remembering this sacred moment, his anatomy suddenly grows stiff, he raises his arm as in a ceremonial salute, he clenches his fist lifting it to temple level (Fig. 9).⁴⁵

This is a moment of devotion that

Panh echoes with a black-and-white archival image showing the same gesture carried out by numerous militants: energetic gestures, facial expressions of anger and the traditional *krama* around the neck. This gesture was typical at rallies accompanied by a compulsive series of three blows on the chest, as if in an act of contrition (Fig. 10). Duch chooses a solemn act in lieu of the spasmodic movement that would spread out among the crowds. He then seems to embrace this sublime instant once again, as if the past had taken over the present through body memory. In other words, the former Khmer Rouge prison chief may confess to his crimes, comprehend that he has been working for those who destroyed their own people; he may even have changed ideology, by converting to Christianity. But regardless of the guilt Duch's words express, his body

⁴⁵ This same moment would be evoked before the court the fourth day of the trial in which Duch recounted how he became a militant. See Hinton, p. 86; Cruvellier, p. 15.

continues at this precise moment to be bound by his old fervour. In a nutshell, his anatomy is still Khmer Rouge (Fig. 11).

Throughout the documentary, Panh focuses on Duch's body. At the end, once his testimony is completed, the camera captures his morning exercise routine. He wears a plain white T-shirt and shorts while a sentimental song plays on the radio. The contrast between the monstrous accounts we have just heard and the scrawny

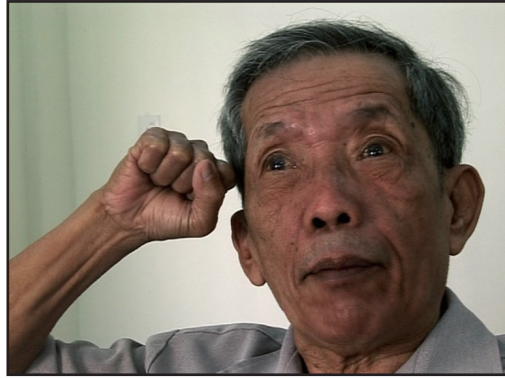


Fig. 11

figure we now see in the cell is stark. Later on, and without uttering a single word, he finishes eating, reads a passage from the Bible and gives himself the communion host. All these gestures reveal how meticulous he is in following the tasks he or someone else has assigned to him, as he has always done.

Whatever our perception of Duch's body may have been, nothing is more conspicuous about him than his hands: delicate with long, slender fingers, as well as elegant movements as he looks over the documents, they point at the details, such as the recommendations for administering torture, or his own handwriting. While the hands of the other interrogators and guards (e.g. Prak Khan, Chan, Him Huy) are big and strong, those of Duch embody the 'desk perpetrator' he was. Whether or not he has performed physical torture in the past, his fingers betray his mastery as a bureaucrat; the reason why he, and no other, had become the hinge between ideology and repression that the Khmer Rouge needed. These hands remind us of the math teacher and in a way stand for his mission before our gaze.

But Duch's left hand veils a mystery. Long after the defeat of the Khmer Rouge, when Duch and his family were living under a false name and delinquency was running rampant in the country, his house was broken into under still-mysterious circumstances. As mentioned earlier, his spouse was murdered and Duch himself was wounded – his hand bearing the scar of this event. During the interview, Panh films in close-up the traces of that trauma, which led to his conversion to Christianity. It is as if a part of his body has taken on a life of its own.

Stoicism and the Laugh

As mentioned earlier, the most inscrutable of Duch's expressions is his laugh, which, according to many accounts, seems to be at the core of his personality and, as far as the testimonies recount it, remains unchanged.⁴⁶ In the psychological report requested by the tribunal from Françoise Sironi and Ka Sunbaunat and delivered in 2008, these two specialists diagnosed that Duch's personality was characterized by two features: alexithymia, incapacity to express his own emotions, and dis-empathy, the psychological lack of identification with or vicarious experiencing of the feelings, thoughts, or attitudes of another.⁴⁷ According to this, the development of both would have operated in what Sironi has termed 'homme-système' (man-system) during his formative years, meaning by this a subject in which the personal biography and collective history of his country meet. In spite of everything, these two features are not sufficient to make a criminal out of him. Astonishingly enough, Duch characterized his own behaviour by referring to a different term: 'stoicism'. What does he mean by such a perverse use of a philosophical concept whose real significance lies in the control of one's passions?

According to Duch, his conduct had always been defined by the resigned acceptance of the mission others assigned to him, as if it were destiny itself. In fact, this is the same attitude he adopted after being detained. Seen in this light, compliance with destiny and the subject's immutability appear to be at the expense of the ethical nature of the action undertaken. Even more, his conduct presents itself as alien to ethical consideration. Even though we may give Duch the benefit of the doubt, we are faced with the most cynical perversion of the moral principles which are the basis of stoicism seen as a school of philosophy. Thus, Duch acknowledged *with resignation* the crimes that he had been driven to commit as the head of an interrogation center. According to this attitude, the horrendous crimes he is accused of were both inevitable (due to the force of destiny) and beyond human intervention (particularly, his). Before that perversion, it is excruciating to hear Duch reciting the verses from the stoic poem 'The Death of the Wolf' ('La Mort du loup') by Alfred de Vigny that Duch learnt during his colonial French-oriented school years. Before the cameras and in his old age, he does not hesitate to repeat these lines to which he is convinced he has been faithful throughout his life:

46 Symptomatically, a book by Terith Ghy containing a more recent interview with Duch (dating from August 29, 2013), bears the title of *When the Criminal Laughs* (Phnom Penh: DC-Cam, 2014). The authors of that interview, Savina Sirik and Eng Kok-Thay, note in brackets whenever a response is accompanied or followed by Duch laughing.

47 Françoise Sironi, 'L'expertise psychologique de Duch', in *Cambodge, le génocide effacé*, ed. by Pierre Bayard and Soko Phay-Vakalis (Nantes: Cécile Defaut, 2013), pp. 167-183. Another version with small variants, in Sironi, 'The Psychological Evaluation of Duch, a Criminal against Humanity in Cambodia', in *The Scene of the Mass Crime. History, Film, and International Tribunals*, ed. by Christian Delage and Peter Goodrich (London: Routledge), pp. 131-153.

To groan, to weep, to pray are cowardly alike.
 Perform with energy your long and heavy task
 Upon the path that fate has chosen for you,
 Then afterward, like me, suffer and die in silence.⁴⁸

On filming the recitation of this literary motto, Rithy Panh offers us the feeling of continuity with which Duch contemplates his life, ranging from his involvement in the revolution to his status as mass criminal, through his scrupulous task as torturer and master of torturers. As a matter of fact, Duch recited these same verses before the court right after having recounted the torture suffered by the former prostitute Sok.⁴⁹ To be precise, Duch the executioner seldom responds without taking his time to reflect on his answer, seeking a hiatus between memory and cogitation that allows him to measure his words. This imperturbability is put in peril at some scarce but crucial conjunctures. When this occurs, on feeling corralled by questions or accusations, he resorts to laughing.

Duch's old comrades, collaborators and ex-prisoners still remember the dreadful effect of this laughter, since it systematically manifested itself in contradiction with the threatening scenes that were taking place. It is a matter of mechanization of the body, to borrow a term from Henri Bergson's classic essay *Le Rire*.⁵⁰ The lawyer Pierre-Olivier Sur refers to the photographer Nhem En, who recalls that, even when Duch was angry, he laughed.⁵¹ Another witness, Chan Voeun, recollects that Duch did so openly as he was interrogating his victims and in those cases nobody dared to look at him.⁵² The painter Vann Nath remembers the appearance of that reaction at the instant he was to decide on a prisoner's life and elsewhere he refers to the uncanny simultaneity of hitting a detainee and laughing.⁵³ Rithy Panh sums up this eccentric symptom when he writes:

Duch's laugh. Many people have spoken to me about it. An M-13 survivor, whom I filmed on three separate occasions before he died, retained an indelible memory of Duch's laugh. He could even imitate it. I could hardly believe it – it was too beautiful, too easy: Laughter bursts out in the midst of mass crimes.

Duch has a 'full-throated' laugh: I can't think of another way to describe it. The first time I heard it, it made me jump. He stopped short. How can this be? I thought. He tortured peo-

48 'Gémir, pleurer, prier est également lâche. / Fais énergiquement ta longue et lourde tâche / Dans la voie où le Sort a voulu t'appeler. / Puis, après, comme moi, souffre et meurs sans parler.' Alfred de Vigny, 'La mort du loup', *Poèmes* (Paris: UGE, 1966), p. 258.

49 François Bizot spoke before the court right after this scene.

50 Henri Bergson, *Le Rire* (Paris: PUF, 1995).

51 Pierre-Olivier Sur, *Dans les yeux du bourreau. Les victimes face à Duch au procès des khmers rouges* (Paris: JC Lattès, 2010), p. 52.

52 Panh and Bataille, p. 52.

53 See Vann Nath, *A Cambodian Prison Portrait. One Year in the Khmer Rouge's S-21* (Bangkok: White Lotus, 1998), p. 69; see also Panh and Chaumeau, p. 96.



Fig. 12

ple, taught others to torture people, indoctrinated torture, organized an extermination, disappeared for years, taught in China, changed his identity, worked for an evangelical humanitarian association, converted to Christianity, and was finally identified and arrested; he's spent ten years in preventive custody and is going to be judged by a criminal tribunal, and... he's still laughing? Yes, the devil laughs at what he calls other people's 'lies', namely the admissions of the interrogators and guards, who have acknowledged the torture. He laughs like a child.⁵⁴



Fig. 13

But Rithy Panh's most powerful device is the image and, making use of it, he seeks to capture the physical manifestation (sound included) of this apparent explosion of joy. On these occasions, the subject seems to lose control of his body, which acts as a pure machinery of *jouissance*. The irruption of a burst of laughter when a compromising issue is raised during a conversation gives the interviewee the opportunity to distance himself from the subject and prepare

his response more carefully. Regardless of the protective mechanisms he employs, Duch's laughter exhibits his absolute indifference regarding the pain of his victims. Filming the laughter implies taking Duch by surprise and uncovering the embodiment of coldness. In a way, this gesture supports the thesis that, contradicting all the changes Duch states he has gone through, something in him remains unchanged.

Repeatedly throughout the film, this eccentric reaction is a precursor to a refusal or denial when faced with the facts he deems unfair from his old 'boys'. In those cases, Panh deploys a lethal scenography regarding the character: the desk is overflowing with traces and signs of his victims (photographs, confessions, biographies). To his left, the interrogator Prak Khan recounts how Duch's assistant and protégé, Chan,

⁵⁴ Panh and Bataille, pp. 133–34.

killed one of the detainees in cold blood splattering blood and brains on the rest of the other detainees. Duch reacts immediately and, before denying it categorically, he explodes into a burst of laughter (Fig. 12). Perhaps he is taking his time to seek a more appropriate counter-argument in defence of his fellow torturer. His reaction proves to be inappropriate with regard to the action discussed: laughing at the mention of such a cruel scene portrays Duch's dis-empathetic character – this, of course, being neither a confirmation nor denial of the veracity of the argument. When another guard, Him Huy, maintains he has seen Duch torture a prisoner personally, the accused holds back his body as a consequence of a sudden impulse, and almost immediately bursts into laughter. The tiny body twists as if enjoying a funny joke (Fig. 13).

Yet, does this laughter involve *jouissance*? Is it a sign of distance? Is it a mere resource to come up with a response? We cannot know. What we do know is it constitutes an act of self-protection at a threatening moment and, as short as it might be, it offers Duch a crucial instant to regain control of the situation and meditate a response coherent with his strategy of defence. Nevertheless, due to the socialized significance of this gesture, it implacably suggests the emergence of indifference to the affliction of others. Laughing without restraint at the mention of torture and execution casts a long shadow not only on Duch's statements, but also on the guilt he proclaims he feels towards his crimes.

He laughs because (...) he's hiding his anger or his embarrassment. He also laughs to make me laugh. So we can share something. So I can understand him. He laughs so I'll be him. So I'll be a torturer in my turn, perhaps.⁵⁵

In sum, Duch's laughter represents the intimate and automatic response of his body conceived as a mechanism of defence: the higher the risk of being attacked is, the more consistently his body language protects him. In this sense, these are, so to speak, moments of truth, in which the self-defence alarm rings efficiently as if time had not passed. However, it preserves the deepest mystery of Duch: the sum of what his existence and behaviour pose to humankind.

55 Panh and Bataille., p. 216.

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