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Abstract

In most post-conflict societies research and policy makers working in transitional justice tend to err on the side of judicial processes within the available ‘toolkit’. This article seeks to counter this over-emphasis on judicial processes as the panacea for transitional justice by documenting the various non-judicial approaches taking place in Cambodia under the direction of local Cambodian NGOs. The article explores the current situation in Cambodia in respect to the past. I argue that this past is still very much being lived in the present. I then frame the research within the context of the transitional justice and trauma recovery fields and outline my methodology. The diverse approaches of dialogue and restoring cultural memory undertaken by local NGOs in Cambodia are then documented. Drawing on the trauma recovery literature I argue the processes of establishing safety, reconstructing the trauma story and restoring a connection between the survivor and their community through dialogue and cultural memory can allow for effective ways of dealing with the past. I argue that the trauma recovery literature can be reframed and this allows for grassroots approaches that engage people in recovery in the social setting that greatly enhances the field of transitional justice ‘from below’.

Keywords: Cambodia, cultural memory, dialogue, transitional justice, trauma recovery

Introduction

Transitional justice is defined as ‘the full range of processes and mechanisms associated with a society’s attempts to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation’. Typically the mechanisms and process of transitional justice take a trajectory towards the legalised and formalised mechanisms of war crimes tribunals and/or truth commissions. While justice rendered and truth told are powerful outcomes with which to rebuild after conflict, the painful processes of reconciliation at a grassroots level demand a different focus, that Kieran McEvoy and Lorna McGregor describe as ‘transitional justice from below’.

Judith Herman has described individual recovery from trauma as being constituted by three fundamental processes that are achieved in non-linear fashion, a ‘spiral’ rather than a line. It is these processes of establishing safety, reconstructing the trauma story and restoring the connection between survivors and their community that are likely to be engaged at a grassroots level by non-government organisations (NGOs). Ultimately, the final stage requires access to judicial redress and truth telling which links the grass roots processes with judicial approaches to transitional justice.

1 The author wishes to thank the fifteen NGO representatives from Cambodia who participated in the study, his PhD supervisor, as well as IJTJ’s anonymous reviewers.


This article explores the non-judicial processes that are taking place in Cambodia under the direction of local NGOs working in grassroots ways with communities. Interviews with NGO workers were conducted in Cambodia in 2010 and identified a series of activities that have been grouped as engaging in dialogue and restoring cultural memory. It is the contention of this article that the processes of dialogue and seeking an archive of cultural memories of past atrocities, while not therapeutic in the sense that Herman speaks of, facilitate safety between survivors and perpetrators and enable the trauma story to be spoken. At the time of conducting these interviews there was cautious optimism that the third stage of Herman’s healing framework, restoring connection between survivors and the community, might be achieved through the Extraordinary Chambers for the Courts in Cambodia (ECCC; or locally known as the Khmer Rouge Tribunal). It now seems unlikely that this will eventuate. Understanding what can and cannot be achieved through transitional justice from below is now a critical issue to which this article seeks to contribute.

This article has the following shape. First, an overview of the Cambodian situation is set out. The section documents what took place in the past in Cambodia and how this past has shaped the current situation in Cambodia. It is argued that fear and silence are key factors that many Cambodian’s experience which are borne from a government discourse of ‘amnesia’ and a sustained climate of avoidance and silence about the past.

Second, the research framework and methodology are outlined. Following, the findings are discussed outlined which fall within the two themes of dialogue and cultural memory. NGOs seek to overcome obstacles to recovery through the work they do in a variety of ways but in terms of the specific processes of survivors recovering from the trauma and relations between survivors and perpetrators, the principal mechanisms are dialogue and maintaining cultural memory. These findings are then pitched against the theories that frame this research to draw context specific and more general learnings for the field of transitional justice.

**Background: Cambodia, and Lingering Fear, Silence and Submissiveness**

During the 1970s Cambodia experienced one of the most hideous periods of its history and currently still lives with the legacies of this past. During the period transpiring between 1975 and 1979, Cambodia was known as Democratic Kampuchea (DK) and Cambodian society was torn apart by a revolutionary movement known as the Khmer Rouge. The Khmer Rouge sought to transform Cambodia into a Marxist inspired utopia attempting to hurtle Cambodia back into the Angkor Kingdom’s former glory. What transpired in reality was a devastating period of three years, eight months and twenty days in Cambodian history. Inspired to create a classless society where there were no rich people, no poor people and no exploitation, a disaster unfolded. Families were separated, customary practices abolished, people were forcibly moved and labour camps set up to farm vast areas in a radical collectivism that saw the entire population removed from the capital Phnom Penh into rural areas. The DK regime in essence sought to transform Khmer society by destroying trust relations between people and family in order to create more allegiance and dependence on the regime. The result of this period, according to Aihwa Ong, was that

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5 This research met human ethics requirements through the university.


9 Dy supra n 6.
family ties, traditional Khmer-Buddhist norms and personal propriety ‘… were scattered to the wind’.10

During this period upwards of two million people or a quarter of the population lost their life either through execution, starvation or other ailments. The leaders of DK were an extremely tight knit group but at its height the hierarchy within DK was made up of up to fifty thousand people.11 The leadership ensured the allegiance of Khmer society through fear, threats, targeting of dissent, re-education and interrogation. Security centres were established where enemies of the regime were detained and executed. The most widely know of these centres is Tuol Sleng.12

Following the period of DK, an occupation by Vietnam for over ten years enveloped Cambodia. Cold War politics played out in such a way that Vietnam invaded and removed the Khmer Rouge from power and instilled a puppet government in Cambodia. Cambodia as a result remained extremely isolated for over a decade while the West still recognised the Khmer Rouge as the legitimate form of government through the General Assembly at the United Nations.13

The Paris Peace Accords of October 1991 saw this all change when the international community began to play a significant role in Cambodia’s destiny after the fall of the Soviet Union14. The Paris Peace Accords bought all the parties together, including the Khmer Rouge who had maintained strongholds in rural areas in Cambodia, in an attempt to establish a stable peace. Subsequently, the United Nations at last recognised Cambodia and moved to create a transitional government that they would eventually transfer to a new post-conflict Khmer government.15

A sustained, committed and systematic rebuilding and reconstruction phase took place in Cambodia following Vietnamese troop withdrawal and a massive international investment in the peace process was undertaken. A mandate was also included to create a transitional authority to govern the country, known as the United Nations Transitional Authority in Cambodia (UNTAC). UNTAC began in 1992 and concluded in 1993 and was established to ensure that elections were carried out and that the four Cambodian factions could negotiate a settlement.

Considered a major success UNTAC enabled a period of stability for Cambodia where elections took place. This initiative is often cited as being a highly successful peacekeeping and peacebuilding campaign.16 However, despite its touted success human rights abuses continue to take place and the government of Cambodia is marred by corruption and kleptocratic behaviour. Since 1993, the incumbent government of Cambodia, known as the Cambodian People’s Party (CPP), led by Hun Sen, has continued to grow in power and as it does so it becomes less responsive to the voice of the people, squashes dissent and dialogue, and silences critics and those that seek the truth.17

The Cambodian government failed to allow any airing of the past crimes and subsequently the government did not engage in any meaningful attempts to seek accountability, justice and reconciliation of the past. The government’s position, guided by

10 Aihwa Ong, Buddha is Hiding: Refugees, Citizenship, the New America (California: University of California Press, 2003), 25.
14 Chandler supra n 11.
15 Fawthrop and Javis supra n 13.
17 Sedara Kim, From Peace Keeping to Peace-Building: Cambodia Post-Conflict Democratization (Newcastle: Political Studies Association, University of Newcastle, 2007).
Hun Sen was to ‘dig and hole and bury the past’. This mantra played out through amnesties being granted to former Khmer Rouge who were reintegrated back into the government and a period of ‘induced amnesia’. This was coupled with a demonising of the few ‘key clique’ of the Khmer Rouge with little recognition of the role of up to fifty thousand people being apart of the Khmer Rouge revolution.\textsuperscript{18}

With so many amnesties and a lack of recognition of the monstrous past it is little wonder that fear and silence persists in Cambodia. The conflict witnessed in Cambodia continues to have a profound effect on all facets of Cambodia society.\textsuperscript{19} There is clear evidence that this violent past has not been effectively processed or reconciled. This is illustrated by the astonishing rate of domestic violence that has emerged in post-conflict Cambodia, ‘mob’ style justice on the streets, and traumatised community members who no longer trust their extended kin and feel disenfranchised and distrusting of their government.\textsuperscript{20} Morris articulates how the past is still not reconciled stating “… the regime’s continuing purges fosters intense fear and mistrust which still lingers today. This in no more armed insurgency in Cambodia, but deep divisions, violence, mistrust and trauma maintain their grip on people’s morale.”\textsuperscript{21} The current situation illustrates that past is still very much lived in the present.

### Locating the Research in Literature

This work builds on two distinct bodies of work. The first relates to the praxis of transitional justice, particularly the ‘from the below’ praxis of transitional justice. The second body of work that this research builds upon is the work around trauma therapy. Each of these works will be briefly described to illuminate the crux of this research framework.

Transitional justice theory and practice has recently stabilised as a field of study. At the crux of this field is the study of ‘justice’ in times of transition. The field is bourgeoning since the formation of the ICC, various hybrid courts and the emergence of local processes of transitional justice. The core emphasis of this research is the localised processes of transitional justice that occur at the grassroots, particularly where international or national mechanisms are ‘aloof, corrupt, tainted, ineffective, overwhelmed or otherwise incapable of responding properly to the needs of transition.’\textsuperscript{22} Such is the case in Cambodia where the ECCC has failed at many levels.

This research seeks to add to a ‘thicker’ understanding of transitional justice which is less about ‘distant justice’ through legal mechanisms and is more about justice that is embedded within communities.\textsuperscript{23} Not to diminish the legal mechanisms, this research seeks to highlight locally based initiatives of transitional justice that ‘create new spaces for truth-telling, commemoration, dialogue, and justice.’\textsuperscript{24}

The second body of work that frames this research is that of trauma therapy. Trauma therapy has been an evolving discipline usually constrained to the realm of social workers, counsellors, psychologists and psychiatrists. Trauma therapy has been traditionally been envisioned as a therapeutic, individualised process where trauma is seen as a disease to be cured by the therapist. The individual is pathologised, needing assertive intervention to

\textsuperscript{18} Chandler supra n 11.
\textsuperscript{22} McEvoy and McGregor supra n 3 at 5.
\textsuperscript{23} McEvoy and McGregor supra n 3 at 29.
reshape the abnormal and once again experience the normal. In the post war environment too whole communities after experiencing violence are deemed traumatised. The therapeutic model sees war affected populations as ‘...emotionally dysfunctional and requiring rehabilitation’.

The seminal work by Judith Hermann articulates the stages of recovery after experiencing a range of traumas in her book, *Trauma and Recovery: The Aftermath of Violence - From Domestic Abuse to Political Terror*. This guiding book shows the essential stages and factors required to guide an individual through a recovery process after experiencing trauma. The various stages include securing safety, reclaiming voice, remembrance and morning and reconnecting.

This research builds on this individualised and therapeutic recovery model that Herman articulates. Building on critiques of the individualised model articulated above, particularly from authors such as Summerfield and Pupvac this research argues for a more collective and social process of healing where the same tenants of safety, reconnection and remembrance of Herman are incorporated into transitional justice mechanism at the grassroots. This research builds a case for such a shift from evidence collected in Cambodia.

**Methodology**

Aware that grassroots process are often not catalysed spontaneously or on their own and require some form of ‘yeast’, this research involved interviewing local NGO works working on transitional justice in Cambodia to reveal the various avenues through which grassroots processes were transpiring. In all fifteen NGO representatives were interviewed from different NGOs working in transitional justice in Cambodia. In addition to interviews, grey literature in the form of reports and other mediums were collected from these NGOs to develop a richer source of material. Semi-structured interviews were the primary data collection method and latent content analysis was undertaken on the transcripts and grey literature. Ethical clearance for this research was granted through the university ethics committee. The findings of this research, carried out over two months, is documented below.

**Findings**

Two major findings themes emerged from the research in Cambodia both falling within the spaces of non-judicial and social spaces of healing. The first theme relates the spaces of dialogue where voices can be reclaimed and the second relates to spaces of restoring cultural memory around the past. Together these findings will be explored with close examination of the collective and social spaces of healing where safety, reconnection and remembrance can take place.

**Theme #1: Dialogue: The Process of Opening Up and Articulating One’s Voice**

Dialogue emerged as a major emphasis of NGOs working towards transitional justice processes in Cambodia. One of the most poignant points alluded to by local Cambodian NGO representatives were that within Khmer society, people do not talk openly. Whether related to current political issues, personal problems or the past conflict, people tend to avoid talking openly with each other. One NGO representative stated: ‘there is no dialogue in this culture. Cambodians don’t talk, you know.’ Another NGO representative reiterates this point, suggesting there is ‘... a kind of conspiracy of avoidance, people avoid talking. I think from all

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27 NGO Representative 7, interviewed by XXXX, Phnom Penh, Cambodia, 23 June 2010.
different levels in the society and the patient and the therapist too’. This is often directly related to the experience of the Khmer years, when ‘the war broke all of those trusts and created suspicion within people. It destroyed our sense of community and openness’.

When probed about why people do not want to talk, specifically about the past conflict, NGO representatives suggested that the greatest hindrance was general suspicion and fear within communities. In some cases, this is directly attributed to amnesty provisions allowing perpetrators to live freely within already fragile communities:

I don’t think they have talked in their own community and I think people still fear of talking about the Khmer Rouge time. They are not sure who the audiences are, whether the audience was the member of the Khmer Rouge, or who.

Another respondent who pointed out that trust for NGOs are lacking too echoes this sentiment:

People feel comfortable only when they have trust in the intermediary persons or NGO. Because from our experience the first time that you go to them it’s completely difficult to get them to speak because how can they speak, who are you, why are you asking me such questions, are you just another person from the Khmer Rouge… because Cambodian society is very politicised and people are very frightened of this.

This is a particularly difficult obstacle for those older people closest to the experience of the Khmer regime. As one respondent said, ‘I think it’s like people, especially the old people still come with the mind, they are easy to be scared and don’t like to talk. Yeah, they scared to talk, especially when it is related to a political issue; they really don’t want to touch it’.

Many Cambodians can be seen as in a state of suspended crisis, unable to reach out to the safety of being able to name their experience. One NGO respondent, professionally trained in dealing with trauma, suggested that for many Cambodians:

I say in a situation like crisis, for example, if there is shooting for example, everyone runs. So while we run, we may hit something and while we’ve hit with something, you may not feel pain because we are in a danger situation… We are in crisis, and for Cambodia I think the danger situation is not over… So people may not experience pain yet. The pain may be suppressed in a superficial level… but the pain may come.

Herman emphasises that taking trauma victims to a place of safety is a process that cannot be rushed. But overcoming the silencing of the traumatic experience is an essential part of healing. In post-conflict environments, this generally means finding a safe place from which to enter into dialogue. According to the findings dialogue can occur in any social setting, ranging from an informal conversation with a neighbour to an intentionally constructed space where people join together to discuss a particular issue. Dialogue denotes speaking, listening.

28 NGO Representative 3, interviewed by XXXX, Phnom Penh, Cambodia, 28 June 2010.
29 NGO Representative 5, interviewed by XXXX, Phnom Penh, Cambodia, 11 June 2010.
30 NGO Representative 3, interview.
31 NGO Representative 9, interviewed by XXXX, Phnom Penh, Cambodia, 29 June 2010.
32 NGO Representative 11, interviewed by XXXX, Phnom Penh, Cambodia, 4 June 2010.
33 NGO Representative 3, interview.
34 Herman, supra n 4 at 172.
acknowledging, disagreeing and connecting through interpersonal or intergroup relationships. In entering into dialogue, the victims of past trauma begin the second part of their journey of recovery, the stage of remembrance and mourning.\(^{35}\)

These avenues can bridge the divide across ethnic, cultural, gender or generational lines to create opportunities for powerful dialogue opportunities. These avenues can create opportunities for relational encounters that break down barriers to communication and over time may be naturally replicated in communities without facilitation.\(^{36}\) Such avenues allow for dialogue where people can articulate their motivations and perceptions of the past, and navigate the complexities of their own and others’ memories, histories and fears.\(^{37}\) These avenues can also assist in allowing people to reclaim and rediscover their voice in situations, where people are stuck in a ‘pre-language’\(^{38}\) state and struggle to articulate a coherent individual and group history because of the violence experienced.

Work by local NGOs in Cambodia around dialogue involved a number of avenues including: individual therapeutic settings; group-based support groups; broader intentionally-constructed spaces where dialogue can occur; creative mediums such as radio programs that open people up to discussion; and spaces that emerge indirectly through projects that bring people together.\(^{39}\) The principle methods identified were the use of testimonial therapy, oral history projects and the utilisation of radio programs. Each is now discussed.

Testimonial therapy has been used working with victims of the Khmer Rouge period. The core process involves victims regaining honour and dignity through the recognition and acknowledgement of a private truth in the presence of others.\(^{40}\) Within Cambodia this has involved a counsellor working with survivors of the Khmer Rouge to document and recall their own painful memories. A story is collated and developed into a testimonial document, which is then read aloud to acknowledge the survivors narrative. A Buddhist monk performs a blessing and cleansing ceremony, using the healing power of water, to allow for the victim to grapple with past pains.\(^{41}\)

The presence of a monk introduces a safe intermediary\(^{42}\) and provides the victim and the audience with a traditional cultural haven. This was reiterated by one NGO: ‘In this kind of testimonial therapy I think we add a safe environment for people to talk’\(^{43}\). The water ceremony also taps into the symbolic and ritualised resources of Cambodia providing a space for healing, re-humanising and agency to act again in the world.\(^{44}\) Safety and space are common themes that allow for this style of dialogue where people can work through their individual legacies of the past.

The second project, an oral history project, also taps into cultural traditions within Cambodia. As the respondent in this project explained: ‘...Cambodia has a traditional history. Cambodians don’t write, there’s no book in Cambodia, they don’t write. They talk, they tell story. So we basically, the way we designed the project was based on oral histories concept’.\(^{45}\) By recording stories, this NGO has been able to create in-depth and detailed oral accounts of people’s past experiences and memories. Importantly too, this avenue also allows for open

\(^{35}\) Herman, supra n 4.
\(^{39}\) NGO Representatives 1, 3, 4, 7, 9, 11 and 14 working in the area.
\(^{41}\) NGO Representative 3, interview.
\(^{43}\) NGO Representative 3, interview.
\(^{45}\) NGO Representative 7, interview.
discussion that can be shared across generations. The sharing of these stories allows the victim to review ‘the meaning of the event’, challenging the victim to reflect on the traumatic event as ‘an ordinary person… become a theologian, a philosopher and a jurist’. The silence and shame of being the victim gives way to the wisdom of the survivor. In this way, oral history projects are strength-based avenues that allow for people’s stories (and their attached histories) to be voiced, acknowledged, and safeguarded. The respondent from this project explained that they have documented over 10,000 survivor stories.

It doesn’t matter how poor they are, they can tell you a story. And I think also because we know their past, we know what they did with regard to the former Khmer Rouge, we have study before we go to the village and because we’re Cambodian so it won’t be difficult for us, and we have their interest. Using the local way of sharing that’s very effective.

The importance, according to this NGO representative, of such an avenue is that it creates ‘... self-ownership and [people can] speak their own voice’.

The final projects that initiate safe places for dialogue use radio shows and trauma hotlines. These allow victims or perpetrators to share stories anonymously. These NGO representatives argued that these provide another significant avenue for people to voice their experiences and enter into dialogue. One call-in show allows former Khmer Rouge to share their stories; another allows for victims to share their stories; and a third uses trained therapists through the talk show and hotline to explore issues associated with trauma. Radio and call-in programs offer possibilities for dialogue that reach a far wider audience. As one representative argued: ‘… radio is one very important part in order to multiply the efforts’.

Those people who are marginalised, isolated or illiterate are able to participate relatively easily through such avenues.

One issue in Khmer society is that perpetrators have few opportunities to share their experience and trauma associated with their role in the Khmer Rouge period. This is particularly important for the children forced into acts of violence under the Khmer Rouge. A call-in radio show provides the anonymous space for ‘… the forgotten needs of the former KR and their child solders… [those who] don’t dare to speak out as fear is still amongst them’. Distinctly different to other avenues, this approach offers a space for dialogue to occur for those who live with guilt and pain as perpetrators. One NGO representative described a positive outcome of such an avenue: ‘we hope that [this] can lead to truth telling and truth seeking in the process’. The emphasis of this call-in show is to bring about openness surrounding the atrocities committed, and the multiple and competing narratives. In this vein, it is envisioned that such an avenue will allow for alternative truths to be shared with the wider public.

These examples highlight the importance of Herman’s first two stages of recovery from trauma. In Cambodia, the Hun Sen regime has followed an approach that places the atrocities of the Khmer period under a cloud of amnesia. The government is also compromised by the extent to which amnesties have allowed former Khmer cadre to return to their communities

46 Herman, supra n 4 at 178.
48 NGO Representative 7, interview.
49 NGO Representative 7, interview.
50 NGO Representative 3, 4 and 9, interview.
51 NGO Representative 9, interview.
53 NGO Representative 4, interviewed by XXXX, Phnom Penh, Cambodia, 24 June 2010.
54 Ibid.
and in many cases rise to positions of power. These processes have inhibited the processes of recovery from trauma that survivors need. Some NGOs have sought to fill these gaps by providing unofficial grass roots ways that survivors can begin to address their experiences. In each of the cases examined, NGOs have sought to provide a safe environment from which survivors can begin to name their experience. The safety is provided either through providing a culturally safe and appropriate vehicle for shaping the story of survival or by offering anonymity. In order to take survivors to a place where they can name their experience, an audience is engaged so that their stories can be listened to. In this way, NGOs are providing an effective opportunity to allow at least the first two stages of healing that Herman identifies: safety; and remembrance and mourning.

Theme #2: Cultural Memory - The Process of Restoring “Alternative” Truths

A second group of non-judicial processes of transitional justice broadly fall into what can be categorised as restoring cultural memory surrounding the past. To begin a discussion of cultural memory and how it links to transitional justice and reconciliation a brief overview of the term is undertaken.

An associated concept, political memory, can be transmitted from generation to generation and relies on national identities or ideologies being passed down. It often uses various types of triggers to ensure that the message created by those in power, continues to be transmitted. Described by many scholars, political memory is often transmitted through places such as memorials and museums. These places reinforce dominant and official discourses and agendas. These places also serve as triggers for people to accept and embrace the memory, which the government seeks to be remembered. Political memory is powerful in its ability to shape a people’s history.

Cultural memory is in many ways linked to political memory. It is the means through which a society ensures cultural continuity by selecting and maintaining its collective knowledge from one generation to the next. This can be greatly assisted by cultural triggers such as books, films, literature, performance, memorials, monuments, museums and rights of commemoration. The importance of cultural memory is articulated eloquently by Assmann, and is worth quoting at length:

… the symbolic signs of cultural memory have a more variegated and complex structure that allows and calls for continuous reassessments and reinterpretations by individuals. Political memory addresses individuals first and foremost as members of a group; cultural memory relates to members of a group first and foremost as individuals. While political memory draws individuals into a tight collective community centered around one seminal experience, the content of cultural memory privileges individual forms of participation such as reading, writing, learning, scrutinizing, criticizing, and appreciating and draws individuals into a wider historical horizon that is not only transgenerational but also trans-national.

This comment illustrates the importance of cultural memory for reconciliation. If alternative truth telling about the past is actively sought and restored as cultural memory, then individuals can participate and absorb what they choose. If this evolves people may develop historical knowledge about the past and the memory of the past may also be incorporated into an

57 Ibid., 221.
individual’s identity. Creative mediums or mnemonics, which I use hereafter to refer to triggers of cultural memory, such as documentaries, books, poems, theatre, artwork, radio segments and memorials can allow individuals to scrutinise and draw their own conclusions about the contested historical past. Such a process recognises that there is no simple dichotomy between official memories presented by political elites and the unsanctioned forms of alternative memory, but a complex intersection that individuals make between the official and alternative in order to interpret for themselves. These places or mnemonics where cultural memory can be expressed allows people to negotiate among various groups and social forces which aspects of the past will be remembered by current and future generations.

Safeguarding and developing cultural memory is most evident through creating or maintaining places such as museums and memorials, physical artefacts such as photographs, personal biographies, artwork and creative mediums such as theatre and dance. The decision to describe the process of safeguarding and engaging with cultural memory as ‘restoring’ respects the argument put forward by Assmann, that cultural memory can exist but not actively be remembered nor totally forgotten. ‘Restoring’ suggests that there has to be a conscious commitment to interact with these mnemonics. All of these mnemonics can create opportunities for alternative truth telling, explorations of memories, opening of diverse narratives and possibly allow for encounters for healing and reconciliation. Furthermore, the memoryscapes created from these mnemonics ‘… recapture public spaces and transform them into the sites of memory…’. Mnemonics such as those described above play a critical role in forming avenues for public discussion and memory, and prevent the concealment and silencing of the past.

Mnemonics of alternative cultural memory can trigger a process of change in the self-perception of a nation, whereby historical or political memory can be debated and competing narratives can be voiced. Influencing the official government discourse or political memory driven by the government is even possible through such a process. Active memory is what a society consciously selects and maintains. The idea of creating alternative cultural memory (places and other mnemonics that do not reinforce the scripted political discourse of the past) is therefore intended to invigorate the active memory of society to acknowledge the atrocities committed, commemorate and mourn losses, and learn and engage with the past.

In the context of Cambodia, like many other post-conflict societies, restoring and triggering cultural memory about the various truths of the period of atrocity is extremely important. It is even more so in light of the fact that the political memory and the official discourse surrounding the past in Cambodia have been distinctly engineered to capture a particular narrative of the DK period and have driven particular nationalistic and patronage agendas. By allowing for these alternative cultural memories to emerge, the diverse and competing experience and narratives of the past can be illuminated for all. Belief in the importance of restoring cultural memory in Cambodia has led a number of local NGOs to pursue this in their work.

58 Ibid., 223.
59 Ibid.
60 Forest et al, supra n 55.
62 Assmann, supra n 56.
64 Ibid., 96.
65 Watkins and Shulman, supra n 52 at 323.
67 Bickford et al, supra n 61.
68 Assmann, supra n 56.
All the NGO representatives interviewed in Cambodia, who dedicated some time on cultural memory work, believed that such endeavours play vital roles in assisting Cambodia move forward. In particular, this commitment to cultural memory allows for spaces to acknowledge those who have suffered in the past, helps survivors deal with the trauma of the past, generates localised survivor discourses, and creates platforms for dialogue and avenues for genocide education. Evoking and restoring alternative cultural memory surrounding the past was considered crucial to prevent future atrocities by a number of NGO representatives, and a core reason for them to focus their work in such areas. One NGO representative stated the importance of instilling memories in all generations, stating: ‘so we focus on what we refer to as memory… for the living to learn every day, they must remember every day and this will continue to prevent genocide every day’. Referring to memories of the past that are distinct from the official accounts, the view of this representative was that by placing the past at the forefront of people’s minds would prevent history from repeating itself. Another NGO supported such a view stating in a document that mnemonics of cultural memory, as well as other approaches help ‘… in preventing such events from reoccurring in the future. As soon as people became faced with these horrible events, they will work towards their prevention as they become aware of their horrible consequences’.

Importantly, these places and mnemonics are extremely helpful to commemorate and honour the dead. For example, physical memorials can allow people to gather together ‘… to pay respect to those who suffered during this time…’. Such sites, if constructed with community aspirations in mind, can allow for people to find solace and even be cathartic through visits and collective commemorations. Stated simply, creating and maintaining alternative cultural memory ‘…is a creative and interactive way of working in the direction towards symbolic reparations’.

There are many examples of how alternative methods have been used to generate, create and restore cultural memory. Peace theatre for instance was described by one NGO as having ‘… creative power to touch people’s hearts and to evoke deep understandings’. All places and other mnemonics however require protection and safety to flourish. If these places or spaces where other mediums can be expressed are safe, communities can not only commemorate the past but also begin to dialogue about the past, present and future. Such was the belief by NGO representatives interviewed, who argued that these places and mnemonics were not only for remembrance and reflection, but are also important platforms for education, dialogue (both inter-generational and intra-generational) and ongoing alternative truth-telling. A number of creative processes of restoring cultural memory are documented below through school-based memorials, local community-based memorials and alternative cultural memory mnemonics.

The first NGO representative, who described the importance of cultural memory and use of public spaces for remembrance, explained in detail the project they are involved in to meet these objectives. They stated: ‘… last week we got approval to put a genocide educational memorial in Indra Devi and then in every school across the country… one thousand seven hundred high schools across the country’. The significance of these memorials, based around historical accounts and educational material, is that they are locally based and easily accessible. The NGO representative goes on to describe: ‘they’re busy with

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69 NGOs involved include 1, 4, 7, 9 and 13.
70 NGO Representative 7, interview.
71 NGO Representative 4, interview.
72 NGO Representative 4, interview
73 Hite, supra n 55.
74 NGO Representative 4, interview.
75 NGO Representative 4, interview.
76 Herman, supra n 4.
77 NGO Representative 7, interview.
their daily life. Everyone is you know. But when you have a school most people go there every day. Children go and parents go. So that’s why I thought this can be an effective positioning for memorials. The justification for locating memorials at schools is that they are frequented daily not just by students but also by parents. With the young demographic of Cambodia, such an approach ensures a larger and intergenerational audience is captured through the development of such memorials in school environments. Simply put, the NGO representative explained the purpose of such memorials: ‘it’s just like a local way of remembering, a way of dealing with the past’.

The idea behind this project is to create memorials that are unique to each school. It was evident from the interview and supplementary grey literature from this NGO that these memorial sites were not only to be locally based, but also utilise different mediums to express cultural memory. The NGO representative document explained: ‘these memorials can take the form of a banner, plaque, wall painting, or another creative form and contain two slogans that both memorialise the tragedy of Democratic Kampuchea and promote post-genocide reconciliation’.

By working alongside the government and within the official system, this NGO has developed an effective campaign to instil cultural memory into schools and will deliver memory places (through the establishment of memorials) throughout the country. The NGO representative suggested that these memorials will not be static, so as to not become meaningless to parents and students. The NGO will also create a space for learning through the participating schools being equipped to continue sharing alternative narratives, historical details about the events of the past, as well as imparting the need to commemorate and learn. Repeated collective participation and education are vital components for restoring cultural memory. This NGO representative has employed these above core elements, and importantly, has grounded the whole project in the local school setting.

The focus on the local was emphasised by this NGO representative: ‘[s]o for me, I’m using local, they have a teacher, they have a student, they have the classroom. They have the history. They are the victim; they are the perpetrator… so doing something with local genocide memorial in the school is very important’. Distinct from any other cultural memory projects, the NGO representative, explained: ‘it’s nothing from the sky or imported from other parts of the world’. Through careful planning and research, this unique approach of using government institutions, such as high schools, to build cultural memory places that connect and teach people about the past has evolved in Cambodia.

A contrasting approach to restoring cultural memory places, although also using memorials and other mnemonics, is the project of another NGO working with local memorials and local killing sites. Starkly different to the previous approach, this NGO is working outside the official system and instead, is collaborating in partnership with local communities. Naidu argued that this distinction is important because many initiatives that are government-funded often unwittingly or knowingly become tools to advance political agendas and power-consolidating forces for the ruling party. Moreover, many of these government initiatives fail to actively involve local communities, therefore undermining local ownership over projects and the reconciliation processes overall. As a result of these cautions of working within the official system (as the NGO in the above section did), this

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78 NGO Representative 7, interview.
79 Ibid.
80 Ibid.
81 Ibid.
82 Assmann, supra n 56.
83 NGO Representative 7, interview.
84 Ibid.
86 Ibid.
NGO has been undertaking local community-based memorial projects outside the official system.

The NGO representative explained the problem: ‘So this country have done a great job on an overall national level history documenting with masses and everything for the national level but looking at the community level, the mass killing sites all across Cambodia, nothing happened there.’ Essentially, none of the local memorials or killing sites offer any detailed information about the history of what took place during the DK period. Further to this, material in a shared document from this NGO expanded on this: ‘some mass killing sites are forgotten and abandoned. The people living around the killing sites are not aware of them and [do not] understand the value of them…even not to protect and maintain them’. The very limited maintenance, and at least acknowledgement, of cultural memory sites such as the local mass killing locations is a major concern for this NGO, in need of redress.

The approach that this NGO uses, in light of the above, is to create localised memories around local memorials and local mass killing sites. The NGO representative described the work that they undertake in the following way:

… [We] do a lot of work on memorialisation, legacy of memory… we have been very successfully at looking at the local approach where communities around the mass killing sites can create the meaningful memories and the representation of memory… they can create for themselves and the next generation so that this can be a truth for all.

The process that this NGO is involved in supports communities in developing their own memorials based on their own memories. This involves sourcing the community’s memories around particular public places to build the memorials. The NGO representative emphasised that these memorials will provide an alternative truth about the past regime, which can be shared with present and future generations. The NGO representative further explained they try to find a ‘… way to build legacy of memory where people at the local community level can initiate their own memorials’. According to Drozdzewski, ‘… place(s) are constructed through the (re)creation of specifically selected images of the past’. For this NGO, the local killing sites and memorials require assistance by them, along with the community, to develop into genuine and restored places of alternative cultural memory.

With the support of this NGO, the community creates the interpretive material, based around their stories of past atrocities, and together they develop a localised history of the area. Artistic expression from the community themselves is used to develop the interpretive material based on the stories generated. These other mnemonics can assist in creating more meaning for those who visit the memorials.

This NGO expanded on how the stories are gathered and thus how localised history is developed: ‘this is the approach so far… now we are doing more about writing history of that location and writing the survivor story…’. Community workers and students, along with a memory committee (community-based committee that works on the memorial formation), come together to reconstruct the memories and stories of the local area. Interestingly, the NGO representative noted the importance of illumining the ‘survivor’ stories. The survivor stories were considered important to build an alternative discourse surrounding the past: a

87 NGO Representative 4, interview.
88 Ibid.
89 Ibid.
90 Ibid.
92 NGO Representative 4, interview.
localised survival discourse. It therefore brings to the surface the ‘voices from below’ and as such attempts to create alternative memory places.

Building further on the creation of an alternative discourse, the NGO representative explained that they focus on positive and empowering stories of resistance in the locations that they work. This NGO works with communities to tell ‘… the story of the hero in that location… where the community can create the beautiful memory where the community can create healthy representations of the past’.93 This method, with a focus on acknowledging the resilience of community members, therefore attempts to strengthen the community’s perceptions about the past. This counters the common belief that all people during the era simply allowed themselves to be subjugated, persecuted and brutalised. Such a process attempts to empower the community so that they have a ‘voice’.

Such an approach taken by this NGO – to create community-driven processes of cultural memory restoration – is similar to some processes described by Bickford.94 In countries such as Peru and Chile, memorials and museums of memory have been initiated by victim association and human rights organisations.95 Through dialogue with this NGO representative and analysis of this project there is clear evidence that the restoration of alternative cultural memory through these local community-based memorials is being achieved. This NGO built on the local, used participatory methodology and drew from lessons from other countries to reshape the memoriescape in rural communities around Cambodia. I argue that through such a process a ‘ritual space’ is created, set apart from the ‘everyday’ or ‘normal’ space which ‘may be emotionally or physically dangerous or painful’, and can allow for multiple voices and ‘flexibility in thought and acceptance of dissonant or new information’.96

A number of local NGO representatives explored a number of ways in which they were restoring cultural memory through the generation and/or support of other alternative truth-telling mnemonics such as theatre, dance, art, songs, poems, books and films. Fair eloquently expressed how these types of creative mnemonics can have transformative potential: ‘art often exposes truths about a nation’s violent past, [and] contributes to the construction of social memories’.97 Moreover, ‘movies, work of art, performance, written memoirs and novels, [and] recorded music…are parallel fora for discussion about the authoritarian past and its meaning in everyday life’.

One project on which one NGO representative focused on was peace theatre. This is a creative avenue for people to express their understandings of the DK period, and learn lessons of tolerance and compassion that are needed for the healing process. Another project, implemented by the same NGO, uses art workshops to assist people to come to terms with the past. This process allows for a type of therapy to take place for the participants. Some of this artwork is displayed in public exhibitions throughout the country, allowing for peoples’ stories and experiences (through their paintings) to be bought into a broader public context. Similarly, these and other works of art have also been published into a book. One book which includes poems, songs, narratives, and paintings is the ‘… first ever art book that shows paintings of the survivor generations about their experiences during the Khmer Rouge period…’.100 A final project developed by this NGO is a calendar, displaying the local memorial sites that they have been working on as well as stories from local community members about these memory places.

93 NGO Representative 4, interview.
95 Ibid.
96 Schirch, supra n 44 at 72.
97 Ibid., 104.
100 NGO Representative 4, interview.
Another NGO through ongoing correspondence shared the numerous projects that they work on towards creating and maintaining creative mediums for alternative cultural memory. Project outputs have included: over 25 books on the Khmer Rouge regime and related issues; over five monographs of peoples’ experience during the DK period; a monthly magazine discussing the latest developments in the areas of Cambodian reconciliation and justice; and a number of theatre productions and photo exhibitions. \(^{101}\)

A third NGO representative provided details of a creative and participatory cultural memory mnemonic that they, in collaboration with the community and other NGOs, had created. This project adopted a participatory approach to work with various communities in creating a film about peoples’ experiences during and after the Khmer Rouge era. Community members worked behind the scenes and starred in the film. This creative medium allowed for stories to be shared and the younger generation in particular to understand their communities’ past. A number of NGOs have used this film as a tool to further promote dialogue, counseling, and other appropriate services for survivors and their families. \(^{102}\)

Each of the creative mediums, which evoke, create and restore cultural memory, serves as testament to the existence of alternative discourse strategies surrounding the past in Cambodia. These mediums allow for a suppressed history, and often-quelled pain, to be bought to the surface and offer creative spaces where reconciliation encounters may be possible. Through these projects local NGOs have been attempting to creatively restore and develop alternative cultural memory.

**Discussion**

Herman describes the first stage of recovering from trauma as restoring safety, enabling the trauma victim to name and share their experience so that their feelings can be seen as ‘normal human responses to extreme circumstances’. \(^{103}\) Establishing a sense of safety in any post-conflict environment is extremely challenging. In Cambodia, this is compounded by the circumstances of the post-conflict environment. For a variety of reasons, a culture of silence constrains the ability to talk about the experience of the Khmer Rouge years and prevents healing dialogue.

Enduring life in this sense of unresolved crisis exacerbates the isolation that stems from violent conflict situations. Violent conflict divides people and breaks down interpersonal bonds. \(^{104}\) The lack of trusting interpersonal relationships in society ruptures communication channels, and individuals end up feeling isolated and alone. In post conflict settings, people often express a profound sense of powerlessness and that they do not have a voice. \(^{105}\) Not being heard and listened to and remaining silent creates deeper feelings of isolation. \(^{106}\) Violence contributes to the obliteration of language and a loss of voice for those who have suffered.

When this is compounded by the continuation of forms of authoritarian rule in which opposition or differing perspectives is suppressed, a climate of suspicion and fear adds to the silencing effect. Secrecy is a means of survival and this counters a culture of dialogue. People who live through such experiences often encounter, in a post-conflict environment, a culture where they feel denied and shamed. Simpson argues that victims of political violence almost lose their narrative function and capacity due to a continuing period or state of crisis. \(^{107}\)

\(^{101}\) NGO Representative 7, interview.

\(^{102}\) NGO Representative 13, interviewed by XXXX, Phnom Penh, Cambodia, 8 June 2010.

\(^{103}\) Herman, supra n 4 at 158.


\(^{107}\) Simpson supra n 38.
are stuck in a liminal space where stories, feelings and emotions cannot be shared. As argued by Watkins and Shulman, ‘[i]n cultures of silence, there is a suppression of voice, dialogue, and memory that obscures and normalises the context to maintain status quo arrangements of power’.

This research argues that intentional dialogue and restoring cultural memory, constructed in a safe space, can allow for opportunities for trauma to be worked through. This builds on Herman’s work where restoring safety is crucial for recovery but extends her work into the applicability in a social (not therapeutic) field. Further to this, these intentional spaces of dialogue catalysed by local NGOs allow the trauma victim to name and share their experience and thus engage in a recovery process. Many of the spaces of dialogue are social settings far removed from the individualised therapeutic arena. From this perspective transitional justice mechanism should considered grassroots approaches that enable ‘safety’ and ‘sharing of experience’ through dialogue.

Distinctly different from the courtroom where victims are generally devalued and their experiences are not validated, the various mnemonics of cultural memory offer creative opportunities and spaces for victims and even perpetrators to tell their stories and open up. Sites, memorials, artwork, performances, novels and other creative avenues can assist people to remember their history and understand a richer narrative about the past. Such places where alternative cultural memory can be shared are often less direct and confronting for people, and offer safety to people to either freely work through issues from their direct experience of atrocities or those who are learning of their countries past. Using an example of the mnemonic of theatre in Sri Lanka, such initiatives can provide avenues for people to come to terms with their own personal experience, heal emotional wounds, and add to more diverse and alternative historical narratives in society.

The process of restoring cultural memory described by many NGOs in many ways also builds on Herman’s work. This work allows people to move from dissociated trauma to acknowledged memory. In terms of healing, cultural memory work allows for individuals and groups to work through trauma in a more gentle and creative social process. Such mediums of truth telling allow people to articulate their voice again in a safe social space and allow people to share alternative truths. In the art of truth-telling such processes can allow for social and collective healing and reconciliation.

Herman’s recovery manifesto for individuals suffering from trauma holds particularly relevance to transitional justice. As illustrated in this article, the key tenants of trauma recovery can be expanded to social healing in transitional justice approaches can build on these tenants where safety, sharing of experience, and acknowledged memory are grounded in grassroots process of dialogue and cultural memory.

Conclusion

This article set out to document the diverse ‘local’ processes of transitional justice taking place in Cambodia that fall within the non-judicial realm of the transitional justice spectrum. Broadly fitting into dialogue and restoring cultural memory each of the documented processes illustrate attempts by local NGOs to understand the local nuances of transitional justice in the ‘local setting’ and develop appropriate interventions. Each of the attempts

109 Watkins and Shulman, supra n 52 at 192.
110 Bickford, supra n 94.
111 Bickford et al, supra n 61.
113 Herman, supra n 4 at 155.
undertaken by local NGOs aim at breaking down cultures of silence, fear and submissiveness about the past by creating ‘safety’ in ‘places’ and ‘spaces’ to enable some kind of engagement and ‘voice’ with the legacies of Cambodia’s past. Each of these documented avenues build a case for a more nuanced look at Herman’s work of trauma recovery in post-conflict environments and extends it to the social field.

Many of the documented cases illustrate that cultural assets have been utilised in the development of appropriate transitional justice techniques in Cambodia. Some of these are unique to Cambodia and illustrate the innovative work of local NGOs. Others build on approaches used elsewhere but ground them in the local context. Collectively, this synthesis highlights the importance of transitional justice ‘from below’ and articulates the importance of social process of finding safety to articulate voice, sharing of experience through dialogue and acknowledging memory through dialogue and restoring cultural memory.