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The cloak of impunity in Cambodia I: cultural foundations

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ABSTRACT

Any attempt to stop cycles of violence requires an understanding of the cultural meanings of impunity, or freedom from consequences. As Cambodia struggles to combat the tide of violence in daily life, at a time when former Khmer Rouge leaders face the Extraordinary Chambers in the Courts of Cambodia (ECCC), this article discusses the cultural underpinnings of impunity in Cambodia. In this ethnographic study, data are gathered from survivors and perpetrators of direct violence (e.g. violence against women and children) and public violence (e.g. land-grabbing). Findings show that some perpetrators ‘remember’ having been victims of violence in a previous incarnation and are reborn as perpetrators, while others, born with particular birthmarks, are prone to impunity. From the Buddhist cultural perspective prevalent in Cambodia, the three ‘unwholesome roots’ – craving, anger, and delusion – poison the perpetrators’ minds and lead them on the ‘road to ruin’, imbuing them with ‘clouded moral vision’ that blinds them and results in a failure of conscience. The study’s findings will add to our understanding of the cultural and psychological footprint of impunity, with implications for the development of culturally responsive strategies to end the cycle of violence.

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In today’s Cambodia, the God of Impunity reigns side by side with the King of Corruption
– King Norodom Sihanouk, 1999

Introduction

Impunity, or freedom from consequences, has long been a scourge of all types of direct and public violence worldwide.¹ It goes hand in hand with corruption,² seems to occur in every cultural and political setting, and is generally considered as a driving force behind human rights violations. Impunity and corruption are passed down through generations, thereby leading to further violence, and these cycles need to be understood and addressed to heal the wounds they cause.

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This article focuses on Cambodia, where impunity is rife, for a variety of reasons. Scholars, journalists, international donors, and non-governmental organisations have fostered the idea that Cambodia has a ‘culture of violence and impunity’, and I would agree with Springer’s argument that violence is mediated ‘through cultural factors in a particular place’, though it will never equate to ‘an entire culture being reducible to violence’.³

This article explores the nature and meaning of impunity from a Cambodian cultural perspective, and how impunity is manifested, experienced, and explained in contemporary society. It first describes human rights from a global perspective and then provides a national perspective (Cambodia’s traditional cultural views of human rights, the Khmer Rouge, the Extraordinary Chambers in the Courts of Cambodia (ECCC), and the Buddhist philosophy of human rights/violence/impunity). I then discuss human rights and violence with impunity in relation to individual people, for example, the incidence of rape and child abuse. Finally, I develop the idea that human rights violations in Cambodia are ‘permitted’ because of high levels of corruption and certain cultural attitudes, and consequently, those who abuse other people are not punished. Throughout this exploration, I focus on the personal experiences and understandings of perpetrators and victims of acts of both direct and public violence which go unpunished. The article draws on my ethnographic experience gained in Cambodia since 1990, and emphasises the relationship between people’s psycho-cultural ‘inner world’ and the socio-cultural ‘outer world’ of communities affected by impunity.

Background

In 1863, the French took their *mission civilisatrice* – their moral duty as an enlightened race to civilise the backward natives in the colonies – to Indochine française⁴ and established a legal system based on a logic of accountability, but not necessarily on human rights, that had hitherto been foreign to Cambodians. However, in the 1970s, the Khmer Rouge smashed this justice system, and killed many lawyers. In the 1980s, a fledgling justice system was recreated in the form of the People’s Revolutionary Tribunals.⁵ Subsequently, in 1992, the United Nations Transitional Authority in Cambodia (UNTAC) law came into being, premised on the popular view that Cambodia was morally bankrupt and in need of Western rehabilitation after the Khmer Rouge era, which had left it bereft of its ethical underpinnings and deepened a culture of impunity.⁶ According to Ledgerwood and Un, the UNTAC brought the concept of human rights to Cambodia.⁷ In the twenty-first century, the ECCC has sought to inject a rule of law that will continue to benefit the nation and its people long after its work has been completed,⁸ with Etcheson,⁹ for one, believing that the tribunal will enable Cambodia to transform its political culture so that the elite can no longer wield power over the vulnerable with impunity – even though patronage is etched in Cambodian society.¹⁰

However, the latest global indicators of corruption show that Cambodia, in its rapid move from communism to free-market capitalism, has surpassed its previous rankings for impunity and corruption. The World Justice Project ranked Cambodia 99th out of 102 countries in its Rule of Law Index, confirming that it has the worst record in the East Asia-Pacific region,¹¹ while Transparency International ranked Cambodia 156th out of 175 countries for the public perception of corruption.¹² While it might seem tempting to ‘blame’ Cambodian culture for this phenomenon, the reasons are more complex,

and they are related to political, economic, and developmental dynamics, as well as to the psycho-cultural context in which these acts of violence and assumptions of impunity occur.

It is clear, therefore, that violence with impunity remains rampant in Cambodia in the twenty-first century, fomenting the media's impression that escalations in murder, robbery, and political violence are higher here than in most other countries in the region. Conflict at a national level has been linked to intimidation and political terrorism.¹³ Public violence here includes the brutality used by those in power to suppress would-be protesters who oppose evictions and land-grabbing. Land evictions have generated a new response to public violence and human rights violations.

Based on my fieldwork, I assert that the elements of impunity that drive public violence, such as land-grabbing and forced evictions as well as the suppression of public political protests, also seem to fuel direct violence in Cambodia. One in four women is a victim of violence, nine in ten do not report it.¹⁴ The incidence of child abuse, including incest and rape committed by and on children, is increasing. At least one in four women and more than half of the children experience physical, emotional, or sexual violence.¹⁵ The author (2016, 2017, 2018, 2018) found that the impunity accorded to perpetrators of violence against women and children is driven by eight 'cultural attractors', or mutually reinforcing cultural mechanisms: (1) 'bad building' or 'blighted endowment' (*samnaañ mìn lʔaa*), which is determined by deeds in a previous life (*kam*); (2) children with a vicious character (*kmeenʔ kaac* or *doṣa-carita*) who might grow up to be abusers; (3) *kruəh*, or mishaps, especially when a victim's horoscope has a zodiac house on the descent (*riesəy*), which explains the timing of violence with impunity; (4) the pre-ordained meeting of the victim and perpetrator in this life, thus ensuring the abuse will occur (*kuu kam*); (5) the 'Triple Poison' of a perpetrator's craving and greed (*lobha*), anger and aversion (*dosa*), and ignorance (*moha*); (6) 'entering the road to ruin' (*apāyamuk*), e.g. through alcohol and substance abuse, pornography, and consorting with gangs; (7) confusion and loss of judgement (*moha*); and (8) moral blindness (*mo bañ*).

Impunity that drives violence is thus endemic in post-conflict neoliberal Cambodia, where Buddhism is the official religion. In this society, people affected by violence tend to seek solace from monks – the Buddhist moral psychotherapists of Cambodia – who sometimes enable those affected by acts of impunity to make sense of it. The monks and those affected by violence can provide insights into the local experience and understanding of impunity.

The understanding of impunity goes beyond the ECCC, and even beyond the response to contemporary violence. Despite hopes that the ECCC will educate Cambodian people in democratic accountability and give them the confidence needed to participate in the process, those who have attempted to do so have been shot and killed. Previous research on Black Monday victims attests to the failure of the effort,¹⁶ and foment the seductive, albeit pessimistic conclusion that impunity is ineradicably embedded in Cambodian society. However, Springer refutes this view, arguing that it is 'a sweeping caricature shot through with Orientalist imaginaries'.¹⁷

In this article I assess what Cambodian religious and cultural norms are implicit in the ECCC process, and what they say about the psychology of impunity. A key question of this study is how impunity is culturally defined. For purposes of this article, I take as a starting point the Western definition of impunity as an 'exemption or protection from penalty or

punishment'.¹⁸ Amnesty International defines it as 'wrongdoers escaping justice or any serious form of accountability for their deeds'.¹⁹ In terms of transitional justice for those on trial for crimes committed under the guise of political idealism, impunity implies 'the impossibility ... of bringing the perpetrators of human rights violations to account'.²⁰ However, while many attempts by human rights organisations have been made to curb impunity, more needs to be known about what it really is, how it is defined by local cultures, how cultural assumptions sustain it, and how local cultural understanding can be used to quench it.

Despite recent neoliberal changes, Cambodia remains a largely Theravada Buddhist society, and continues to be steeped in supernatural and magical beliefs, particularly in rural communities, and I argue in this article that these beliefs underpin the ways in which ordinary people view impunity. Early Buddhist texts describe the building blocks of impunity and violence – a keystone of which is the Triple Poison or the three roots of evil, namely craving, anger, and delusion – that comprise the mental factors involved in generating anger and violence²¹ and which, I propose, afflict at least some of those who commit crimes and benefit from impunity. Buddhist psychotherapist Leifer explains how the first step towards healing anger is to take responsibility for it,²² and this is a crucial step towards overcoming impunity. Indeed, the concept of the Triple Poison has also influenced peace activists in Western settings,²³ and thus Buddhist teachings can give us clues about the psychology of impunity.

There is an ongoing debate between scholars who have adopted the 'culture of violence' model, and those who have accepted Springer's rejection of this stereotype. For example, Heder argues that the idea of individual responsibility was imposed on Asia by the West 'as part of victors' justice' at the end of World War II. 'After the fall of the Khmer Rouge', Heder says, 'Cambodians were given ... a lesson by the United States on impunity as a de facto international norm'.²⁴ Meanwhile, the Vietnamese valued politics over accountability and entrenched impunity for their puppets, while Prime Minister Hun Sen later granted Ieng Sary, 'Brother Number Three in the Khmer Rouge', immunity in return for his support of his regime.

In addition, there is a tension between formal/legal transgressions on the one hand and moral transgressions (as they are perceived in terms of local values) on the other. *Mala in se* crimes are about conduct that is inherently wrong, and which breaches community moral norms independent of its illegality,²⁵ but the legal and moral transgressions may be at odds with one another. For example, in today's Cambodia, powerful people use (and control) the law to condemn people who are moral exemplars (e.g. the arrest in September 2017 of the leader of the opposition party, Kem Sokha). It is also helpful to consider how definitions of what constitutes a moral transgression differ, according to the perspectives and interests of different actors. For example, we were told of the existence of earlier surveys showing that up to 25% of Cambodian women consider it morally justifiable for a husband to kill his wife under certain circumstances. Thus, while domestic violence may seem immoral to Western observers, some Cambodians may deem it to be legitimate or morally necessary (even though it is now formally illegal).

Another example of impunity is provided by the developers in contemporary Phnom Penh who are responsible for widespread evictions. Kent compares the impunity of developers with the impunity of defendants at the ECCC, and challenges the assumption that the court's legacy will further the liberal peace model's humanitarian rhetoric. Kent makes

the point that ‘transitional justice’ entails a supposed transition from repression or violence to peace in which ‘victims’ rights will be recognised, impunity will end, and the rule of law will obtain’.²⁶ However, Kent also argues that in countries like Cambodia, leaders ‘simply reiterate official ... justice narratives while following “hidden transcripts” [and thus] entrenched power patterns may persist or deepen’.²⁷

Methods

The National Ethics Committee for Health Research (NECHR) in Cambodia approved this study. The principal researcher is a Khmer-speaking medical anthropologist and transcultural psychiatrist, who was not involved in the clinical care of those in the study. This research is based on work conducted in an ethnographic and clinical research programme in Cambodia, in which the author has been involved since 1990. The research team for the wider research programme also included a medical anthropologist, a Buddhist psychotherapist, a Khmer linguist, a former Buddhist monk, and a local research assistant. All fieldwork was conducted in Khmer and translated into English.

The research method used to explore the psychological impacts of being a victim of a wrongdoing for which the perpetrator goes unpunished, and the psychological effects experienced by perpetrators who were free to act with impunity, was the person-centred ethnography of ‘ordinary discourse’ by Bernard.²⁸ This method involves the in-depth study of a small number of cases, for which cultural data are collected to identify and describe a cultural phenomenon rather than to identify and describe individuals. In this study, we emphasised the relationship between people’s psycho-cultural ‘inner world’ and the socio-cultural ‘outer world’ of communities affected by impunity.

Procedure

The Cambodian research assistant was based in Phnom Penh. Between 1990 and 2017, I visited on numerous occasions, and we conducted fieldwork in every province of Cambodia, visiting villagers and seeking information on families affected by impunity.

We explained to them the purpose of the research, and obtained informed consent. When interviewing informants, we preferred oral consent.²⁹ Our encounters were mindful of culturally encoded barriers to disclosing shameful family secrets. We emphasised that we were not news reporters and that we would not share sensitive information or reveal families’ identities. We explained our procedure for safely storing data according to standard ethics protocols. The names of informants and their locations have been changed. All families agreed to participate, and, indeed, many seemed relieved to be able to tell their story. Once consent was obtained, we arranged a convenient time and place for the interviews. A natural tendency in Cambodian rural life is to meet and talk in an open setting, such as in front of the house, where bystanders tend to gather. We took strenuous steps to conduct the interviews in private ways, lowering our voices so that others could not overhear the conversations. Ensuring confidentiality went hand in hand with taking time to build trust with the families. No family refused to participate.

We met people caught up in public violence, including the ‘Borei Kela’ women who had been evicted from their homes, and families who were forcibly evicted and dumped without support into new settlements in Sen Sok. We saw families affected by direct

violence such as intimate partner violence or acid attack, parents whose children had been sexually or physically abused, and even cases where monks or lay ritual officiants had abused people. We occasionally followed families as they sought help from the village head, the local health clinic, or monks and traditional healers. These meetings were sometimes brief, sometimes went on for several hours, or took place during a ritual healing ceremony, as long as the ceremony lasted; these encounters took place through a free-flowing exchange in Khmer. This ethnographic research included participation in ritual processes, such as the pouring of lustral water or the exorcism of a malevolent spirit cast by an enemy, as well as follow-up interviews, which involved meeting with informants at calendrical ceremonies and exploring their experiences after the initial and subsequent episodes.

Using the method described above, informants' views of impunity were documented in fieldnotes and in the recordings of some of our encounters. The informants' lexicons were recorded, including their use of images and metaphors, and popular folk legends were probed for echoes of the lexicon. Survivors and perpetrators' mental states were noted using local idioms, and we recorded the rituals performed and the legends recited by monks in relation to their work with survivors and perpetrators. We continued sampling until we had reached data saturation.

Our fieldnotes and recordings were then transcribed and translated into English. Samples of recordings were translated and then back-translated in order to analyse the cultural idioms of impunity. We examined informants' expressions with regard to their state of mind, to ascertain how meaning was drawn from context, and gave careful attention to their cultural registers and use of popular Khmer cultural references.

Khmer terms are presented in this article because the local idioms had no precise English equivalents, and are spelled using Huffman's adaptation of the IPA phonetic transcription, rather than transliteration, to help non-speakers of Khmer more easily and consistently pronounce the terms.³⁰ Informants agreed to participate in the study, and their names have been changed and their locations de-identified.

Results

In this section, before discussing the data collected from the interviews, I will consider how the government politically manipulated hatred. Chandler notes that there has been a remarkable transformation in the manipulation of hate, from demonisation to induced amnesia, in Cambodia.³¹ On 20 May each year between 1984 and 1993, the government promoted a 'National Day of Tying Anger' (*ti'vie caaŋ kamhəŋ*, also 'National Day of Hatred' or 'Day of Maintaining Rage'). However, in 1998, Prime Minister Hun Sen told people to 'dig a hole and bury the past', and by 2001, the annual event had officially been renamed 'Day of Remembrance', in an attempt to 'release the anger' rather than nourish it. Our older informants, however, described how their anger over the past, far from dissipating, seemed to be enfolded into anger over contemporary acts of injustice that had been perpetrated against them.

In a media broadcast titled 'Can Cambodia eliminate the culture of impunity?' impunity was defined as the 'failure to bring a perpetrator who violates the law (*cəən lməəh cbap*) to judgement because he had high rank or was powerful', that is, the law protected him.³² The legal term for impunity is *nittoandea?p^{hi}ep*, which is also the term used by local Cambodian human rights agencies such as LICADHO (Cambodian League for the

Promotion and Defense of Human Rights). *Nittoandea?phiep* is, in fact, made up of three words. *Ni* comes from a Pali prefix meaning ‘out’ or ‘away’, *danḍa* from Sanskrit or Pali meaning ‘a club or cane used as an instrument of punishment by the king in ancient India’, and the suffix *phiep* meaning ‘the state of being’. Its ancient usage means ‘the position of no penalty’, literally ‘no rod’. Finally, as Bowker defines it, ‘*Danḍa* is also the personified form of punishment, especially as penance, thus ameliorating the punishments of a future birth. Yama’s staff ... creates fear of the next life and better behaviour in this one’.³³ In Buddhism, *danḍa* is frowned upon as a form of violence even if it seems justified, as it arguably is in the *Danḍa Sutta* (The Stick Sutta), in which the Buddha preaches that those who club a snake will have no ease in the next life.

To illustrate how the concept of impunity is rooted in cultural idioms, and therefore in the national psyche, and how this might differ from Western notions of impunity, it is important to analyse the local language to gain an understanding of the local cultural perspective of impunity. The simplest way to depict the concept of impunity in Khmer is with the expression *phiep kmien touh pey*, literally ‘the state where there is no punishment to be taken into account’. The word *touh*, which is embedded in Indian mythology and Buddhism, means a ‘pastiche of fault, blame, and punishment’. *Pey* is derived from the Sanskrit *vaira* meaning ‘vengeance’, perpetrators of which face no consequences for their actions. Thus, the compound word *toohpey* means ‘the crime of vengeance with impunity’.

Popular proverbs convey the notion that any resistance to impunity is not only futile but dangerous. Proverbs discourage those at the bottom of the social order from challenging those above them – ‘don’t grind an egg against a stone’, or ‘don’t take an egg to strike a stone’. Within the extended family, grandparents and in-laws, husbands, wives, and older and younger children and siblings know that they must follow prescribed roles and expectations of how each should interact with (and even address) the other.³⁴ This emphasis on hierarchy shapes Cambodians’ understandings of the concept of children’s rights.³⁵ In public violence, the concept applies to land tenure³⁶ and to political impunity. Human Rights Watch refers to this proverb in its report of the murder of Soy Sophea, whose sister said after one year that she had no hope the case would be resolved, because ‘it involves powerful men. The small people do not dare do anything against them. When I go to the provincial office, local government workers encourage me to drop the case’.³⁷

Popular culture in Cambodia, as anywhere else, includes many allusions to impunity. For example, informants reported proverbs such as, ‘don’t die like a snake, don’t live like a frog’. By way of explanation, snakes and frogs normally share the same habitat. When it rains and people hear the frogs’ croaks, they try to catch the frogs, and they may also catch crabs at the same time. The frog is thus condemned by its own mouth, and the hapless crab by its proximity to the frog. However, snakes share the same habitat, and, to protect themselves, people kill the snakes. Anyone can do so with impunity, even if the snake has done no harm, and is simply in the wrong place at the wrong time.

The moral of these proverbs is that it is futile and dangerous to croak in protest against violence and impunity. Rather, you should keep your head down, and avoid drawing attention to yourself, or you and your relatives will be eaten. Furthermore, you should not get too close to the croaking protesters, or, like the crab and the snake, you too will be ‘smashed’ (the Khmer Rouge expression for eliminating the enemy, and still in use today).

One group of the study's informants comprised Buddhist monks, who drew on Buddhist texts and stories to heal people and communities. As can be seen from the preceding linguistic analysis, the concept of impunity is imbued in local language and idioms, and, as will be seen here, it is also addressed in Buddhist texts. However, while early Buddhist texts describe the origins of impunity, few studies have been conducted on the practical use of these potential instruments of reconciliation in transitional justice. The Buddhist monks and healers interviewed in this study noted the relevance of the *Angulimāla sutta* for ameliorating a killer's sense of impunity. This *sutta* (or scripture), in the 'Collection of Middle-length Discourses' (Majjhima Nikāya),³⁸ dating from approximately the first century BCE, tells the story of the baby son of the Brahmin Bhaggava, chaplain to the king of Kosala, who was born under the thieves' constellation. His helpless parents could do nothing to avert the astrologer's predictions that he would grow up to be a mass murderer, and indeed he did just that, killing almost a thousand people in the Jalini forest – because of which whole villages were deserted – and placing a garland or necklace of their fingers around his neck.

However, the Buddha intercepted Angulimāla on his way to slay his mother, and even though at that moment Angulimāla ran after him, grasping his sword, intending to kill the Buddha too, the Buddha used his supernatural powers to seem to slow down, thereby encouraging Angulimāla even more in his murderous pursuit, but Angulimāla could not catch the Buddha. The Buddha poses a riddle, 'I am always still. It is you who are not still'. The Buddha explains that he is always still because he does not harm anything or anyone, whereas Angulimāla is not still because he does.

As Furda summarised, 'Although Angulimāla has taken stillness and non-stillness in a literal sense, equating them with physical movement, the Buddha's response reveals the metaphoric level of his riddle'.³⁹ He thus received Enlightenment and was spiritually transformed from a serial murderer to a saint. Nevertheless, following his conversion, the Buddha stood by as children stoned him to death, since this was a necessary consequence of his *karmic* demerits.⁴⁰ This story exemplifies the legends used in the monks' interventions, and offers not only meaning to the survivors of acts of violence, by which it could alleviate their suffering, but also the hope that perpetrators of violence can be reformed and can be accountable for their actions. The Angulimāla story is one of karmic justice which, as King puts it, 'like the mills of the Greek gods, may grind very slowly but grinds exceedingly fine'.⁴¹ Davidson et al. report that survivors of violent trauma in the United States are more likely to subscribe to a belief in karmic justice, which may be an important way of coping.⁴² Surely, many Cambodians are comforted by the thought that those who do not receive punishment for their wrongdoings in this life can never escape the laws of karma – they will ultimately have to pay the price. Performing violent acts of vengeance also exacts a karmic price for the perpetrator, so doing so is risky.

In this study, however, five of our female informants who had joined the 'Black Monday' protesters told us that they went out on the streets each Monday wearing black shirts, to signal that the government was black, just like the Khmer Rouge. Their union leader reported that he had trained these women to fight using words, a form of non-violence (*a-həŋsaa*) used to avoid inevitable defeat against the government's superior weapons and power (*həŋsaa*). They called this mode of non-violence *taa suu mea?te?* (literally, 'to persevere in expressing your opinion bravely', from the Sanskrit *mati*, meaning 'mind'). The union leader likened the *taa suu* to Lon Nol's soldiers waging war against the

Khmer Rouge, when *taa suu* had been associated with armaments; now, the weapons comprised the protesters' angry speech. He thus fanned the women's outrage by teaching them to concentrate their indignation and to discharge their fury verbally, also stating that the anger of the oppressed is normal, and that if the women did not express this anger, nothing would be achieved.

Some of these informants told me that by venting their anger they had been relieved of their 'nerve tubule disorder', and felt less suicidal than before. Such reports are open to interpretation. Was it simply the expression of anger that supposedly gave relief? Or might it have been the experience of solidarity and the international visibility the women gained that gave them a positive feeling? Would a lone woman expressing her anger have experienced this as positively if her community had then spurned her for improper behaviour?

However, while this union leader's tactics were at odds with the Buddhist teaching on dissipating the 'poison tip of anger', he claimed that he had tried to find the 'Middle Way', i.e. to whip up the anger of women who were intimidated, while conversely scaling back the anger of women who were inured to intimidation.

Despite these intentions, the police retaliated against the women's verbal anger, and arrested and carried off the protesters like animals. Having supposedly been trained in 'human rights', this made the women even angrier, because they were indignant that the government's reaction to them could be likened to having 'a bone stuck in the throat'. They reported that their protest had received a great deal of press coverage, and would lead to the strengthening of human rights.

This method of alleviating anger is at odds with the strictly non-violent approach followed by other protest groups, and the union leader may simply have harnessed the tendency of wronged people to harbour vengeful anger. How such vengefulness engenders further violence is visible throughout Cambodian society. For example, the former head of S21 Kaing Guek Eav testified at his trial that he had directed the killing of thousands because of his grudge against the wealthy people who had humiliated him and his family, and was a reminder of Cambodian folk notions of disproportionate revenge.⁴³ Disproportionate revenge co-exists in Cambodian society with Buddhist notions of calming the mind, and the belief that each individual must struggle to navigate conflicting cultural options when dealing with others' transgressions.

Many women in Cambodia have developed new tactics for dealing with their anger. In 2012, many women were forcibly evicted from their land in Boeung Kak, Sen Sok, and Borei Keila, and left in squalid conditions in Phnom Penh. They reported how the Cambodian leaders called themselves champions of Buddhism, while simultaneously committing violence against the masses with their insatiable and mindless greed (*lobha*). Impotent with resentment and rage (*dosa*), yet fearful of challenging those in power, the women lay awake, terrorised by nightmares of attacking spirits. They depicted their reactions to impunity in a local idiom, reported that they were 'thinking too much', and that their rage rose from their hearts through the nerve-tubules (*saa say prasaat*) to their throats and brains, where it attacked the brain. Some succumbed to 'nerve tubule illness'.⁴⁴ Some of these women, unable to attack the government, instead directed their rage towards their husbands or children.

These women understood that the authorities had inverted good and bad. 'Good' women were driven to angry protests and became 'bad', while 'bad' authorities and

developers were whitewashed as ‘good’, as in the Khmer expression ‘wicked people became virtuous, virtuous people became evil’ (*?aa neak ?aakrak tiv cie l?aa, ?aa neak l?aa tiv cie ?aakrak*). This sort of ‘moral inversion’ bears further consideration; for example, whether Western notions of democratic protest are at odds with deep-seated ideas of moral propriety for women. Buddhist millenarians and Cambodians in particular have a well-established system, the ‘Buddha Predictions’ (*Buddh Damnāy*),⁴⁵ to forecast and explain why such moral inversion has broken out and led to wholesale acts of impunity. People draw on these predictions as a way of steeling themselves against unbridled violence, including that against women, and their ideas are given expression in *yantra*, such as the ‘Three Vast Plains of War, Famine, and Disease’ which were drawn by monks to help dispirited victims of violence committed with impunity.⁴⁶

Clearly, there was a need to channel the rage stoked by acts of impunity. Several Khmer-speaking expatriate workers that lived with these women became involved in the Peace Bridge NGO and engaged in peace-building work with activists such as the Prey Lang Community Network (PLCN) who patrolled the rainforest to combat large-scale illegal logging and land-grabbing.⁴⁷ These workers delivered active non-violence training to activists, monks, and human rights defenders to promote KASH (knowledge, attitudes, skills, and habits).

Finally, with regard to the participation of the Buddhist monks in these personal-political protests, monks are assumed to be non-violent⁴⁸ and are banned from political acts such as demonstrations. They too, however, participated in non-violent protests (*a-həŋsaa*) at Democracy Square, went on hunger strikes, and performed rituals for people’s safety and happiness. Furthermore, they beseeched the government to halt the violence, solve land conflicts, and release the victims from prison. However, they were driven out and beaten by security guards, and some subsequently defrocked themselves to be able to continue their work on social issues, while others left the country.

The most prominent monk, Venerable Luon Sovath, became an activist after land disputes in his home province of Siem Reap. He promoted ‘engaged Buddhism’, stating that the Buddha was a human rights defender, and supported communities that were forcibly evicted from their land. While supporting a peaceful demonstration, he was violently detained and forcibly removed by religious authorities with the help of nearby police. Through their actions, these activist monks provided much re-moralisation and emotional support for their followers.

I now shift focus back to the personal. What follows is the story of Tep Vanny (her real name), a 35-year-old mother of two, a land-rights activist and human rights defender from the early Boeung Kak land-grabbing evictions. Recruited into the early *taa suu mea?te?* protests in 2008, within a few years, she had become a ringleader of the Boeung Kak Lake communities.

Vanny reported how, in 2010, when the evictions were well underway, she dreamt that a nine-headed Nāga serpent approached her. Allowing it to enter her body through her mouth, she developed the courage to become a leader of the protest movement. This illustrates how, following the evictions, women had to change from their traditional roles and begin to protest violations of their human rights. In August 2016, Vanny was put in Prey Sar prison, to await further charges. By February 2017, she had spent 333 days in arbitrary pre-trial detention, while the Council of Ministers’ spokesman, in response to assertions that the International Covenant on Civil and Political Rights had been infringed, simply

said that ‘to respect [international law] does not mean that it has to be carried out 100 percent’, and finally, in the face of global outrage, she was convicted.⁴⁹

Another interesting aspect of impunity in Cambodia is the role of sorcerers, who have long been part of the traditional village equilibrium.⁵⁰ Villagers looking for a scapegoat project their blame onto a designated sorcerer, usually a marginal societal man, thus allowing them to kill him with impunity. These accusations of sorcery have also been exploited to target human rights activists from abroad. For example, Marga Bujosa Segado, a Spanish researcher and activist, was deported from Cambodia in August 2016, after demonstrating for the release of Boeung Kak community activists Tep Vanny and Bov Sophea, who had been detained during a Black Monday protest. According to Segado’s account, while in custody before her deportation, immigration officials filmed her being beaten. However, the immigration official who oversaw her deportation refuted this accusation and branded her a drug user and sorcerer.

Discussion

These various issues – such as public protests, involvement of monks, political acts, and activities of internationally supported NGOs – together help shed light on the cultural nature of impunity in Cambodia. It is important to understand these various aspects of Cambodian culture in order to understand the culture of violence and impunity.

When one considers the actions of those in leadership positions in Cambodia, it becomes easier to understand the escalation in violence among all strata of society. Impunity at the top is paraded politically in the public gaze. In July 2015, for example, Cambodia’s Prime Minister Hun Sen, after allegations of electoral fraud, clung to power, daring his nemesis, opposition leader Sam Rainsy, to take an oath that he should ‘die through bullets, lightning and everything’ if his party’s claims about the 2013 election being rigged were wrong. Sam Rainsy agreed to the challenge, but Hun Sen’s spokesman said that an election recount was out of the question.⁵¹

Examples such as these highlight a thread that runs through this article: Cambodia’s long history of impunity for its leaders. This is not to say that a history of ‘dictatorship’ necessarily prevents democratic developments, but Cambodians have not experienced any other form of rule, and do not have a strong history of grassroots solidarity movements – despite procedural elections and protests in recent decades. Patron–client relationships continue to work throughout Cambodian society. People know that the more powerful party wins, and they usually navigate their world accordingly.

Shattered societies without strong institutions, such as Cambodian society, which have undergone rapid transitions from command economies to the free-market system at the bidding of the international community, are fertile grounds for what Springer⁵² contends is the transformation of exceptional violence, recognisable by all as repugnant, into exemplary violence. This, I argue, becomes so routine in the culture of impunity – one in which, as Opatow puts it, direct and structural violence become indistinguishable – that it becomes invisible and is consigned to the collective unconscious.⁵³ Springer is right to advocate the study of ‘invisible geographies of violence’.⁵⁴ As indigenous Buddhist psychotherapists, monks can be useful in this respect, unearthing aspects of the national/collective psyche that have been buried in the unconscious, and thus possibly advancing human rights.

Limitations

I do not want to suggest that violence is an essential aspect of Cambodian ‘culture’. First, the emphasis in the article on violence and impunity across time in Cambodia, from Democratic Kampuchea until today, is not intended to suggest that Cambodian culture is static, suspended across time and political space, rather than dynamic. Second, there is need for discussion of the structural impediments to accountability, which have led to decades-long impunity in Cambodia, including, for example, the incorrigible corruption of Cambodian power-brokers and the geopolitical dimensions of Cambodian conflicts such as the long-running impunity of Khmer Rouge leaders.

I have also emphasised the impunity of individuals rather than of political actors and systems of power. I do not want to imply that the source of violence lies in public gatherings and opposition protests rather than in the violent repression of (mostly peaceful) protests by police and state-sponsored thugs, or that the citizens who protest against state violence are the main actors of violence in Cambodia. More needs to be understood of the connection between structural and cultural violence.

A further limitation is the balancing of the arguments in this article with the account of mapping violence. While a great deal of early scholarship on transitional justice has treated the relationship between past violence and present disorder as fairly clear, causal, and self-evident, there have been moves away from these kinds of assumptions – see, for example, Claire Moon’s work on South Africa.⁵⁵ Moon discusses the effects of impunity as a generalisable and at times a seemingly determinant cultural phenomenon, although I have attempted to temper this. Care is needed when advancing these kinds of arguments with regard to specific episodes of violence, which might stem from, rather than subsume, a wider Cambodian experience of conflict and atrocities within one envelope, and, crucially, properly identify how cultures of impunity and violence are actively and contingently reproduced.

Local understanding is no magical wand for eliminating impunity or fostering transitional justice. For example, while the *Angulimala sutta* seems a nice-enough homily for converting impunity to accountability, there are flaws. As pointed out by Loy, the stoning illustrates that ‘there has been no attempt at restorative or transformative justice that takes account of his effects on society. The social fabric of the community has been torn, but the particular situation of the offender is addressed by abstracting him from his social context and from those affected by his offences’.⁵⁶

Conclusions

It is tempting to blame the violence associated with impunity in Cambodia on an essentialised notion of Cambodian culture, yet doing so would be misleading. As shown in this article, the reasons are complex, and rooted in the political, economic, and developmental dynamics, as well as the psycho-cultural context. This article focuses on how impunity is ‘culturally defined’. The focus on local idioms invites consideration of the importance of understanding people’s realities on their own terms – much may be distorted or lost in translation. The central question is about local notions of transgression and redress for wrongdoings.

Curbing contemporary violence in Cambodia requires an understanding of the religious and cultural drivers and the meanings of impunity. To this end, this article has

discussed the underpinnings of impunity in Cambodia, a nation struggling to combat the tide of direct and public violence in daily life. Cambodia is a Theravada Buddhist and neo-liberal country wracked by direct violence (e.g. child abuse, acid attacks, violence against women) and public violence (e.g. land-grabbing). Its Khmer Rouge antecedents are never far from the national consciousness, and this article has provided the first account of the cultural and psychological epigenesis of impunity.

The study's findings suggest that a cultural grasp of impunity in countries like Cambodia must go far beyond the stereotype of 'karma' to consider the entire cosmology of violence and its causes, the 'cultural attractors' such as intergenerational 'remembering' of violence, the congenital stigmata, the role of fate and astrological destiny, Buddhist 'unwholesome roots' or the Triple Poison (i.e. cravings, anger, and delusions), entering the 'road to ruin', developing 'clouded moral vision', and a breakdown of *hiri-ottappa* – a failure of conscience.

However, culture is not static and shifts responsively over time, while nonetheless becoming recursive. Even as Cambodians appear to modernise, at some deep level the vein of impunity seems to endure, the roots of historical violence merging with post-conflict neoliberal forces to regenerate grotesque levels of violence and impunity. Taking a cultural and psychological perspective, how ordinary people see violence through popular idioms and Buddhist ontologies of violence – as is happening at the local level in post-conflict and neoliberal societies like Cambodia – clearly delineates 'local realities on the ground'.

Such a discussion will illuminate how this complex set of beliefs relates to today's continuing problems of impunity in Cambodian society, and the key to healing will be to understand whether the perpetrators – be they Khmer Rouge defendants or contemporary perpetrators – have evil intent. Finally, this study's findings add to our understanding of the cultural footprint of evil and impunity, with implications for the development of culturally responsive strategies to end contemporary violence against women and children, and public violence.

To conclude, local understandings and experiences of impunity are highly complex, and they sometimes conflict, and sometimes reinforce one another. They also seem to reflect actors' positions in relation to one another, particularly with reference to power differentials, which may shift over time. This article touches on parallel narratives of moral transgression and repair: Buddhist, Western/legal, Brahmanist/cosmological. All these worldviews seem to be drawn on by the Cambodians described in this article in ways that reflect the political and economic context.

Declarations

Ethics approval and consent to participate

The National Ethics Committee for Health Research (NECHR), Government of Cambodia, chaired by Professor Eng Huot, approved this research. Verbal consent was obtained from participants where appropriate.

Consent for publication

No individual's data were published.

Availability of data and material

The data for this study cannot be made publicly available but can be accessed upon request from the principal investigator (Prof. Maurice Eisenbruch, maurice.eisenbruch@monash.edu).

Competing interests

The author declares that he has no competing interests.

Authors' contributions

The author is the sole author.

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