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NO JUSTICE, NO PEACE? NATIONAL RECONCILIATION AND LOCAL CONFLICT RESOLUTION IN CAMBODIA

Mneesha Gellman

The Khmer Rouge Tribunal is expected by many in the international community to bring a sense of reconciliation to a nation still grappling with the aftermath of more than thirty years of civil war. Yet the gap between national and local reconciliation initiatives tests post-conflict reconstruction efforts to meet the needs of Cambodian citizens who feel unconnected to the tribunal. This article inquires into the interrelationship between national reconciliation processes and grassroots peacebuilding in the form of conflict resolution trainings. Noting that retributive justice processes cannot take the place of restorative justice, genuine reconciliation in Cambodia will need to incorporate culturally-based ritual derived from Buddhism in order to be relevant to local people. The Khmer Institute of Democracy (KID), a Cambodian NGO, serves as a case study for the successes and obstacles to local peacebuilding initiatives.

Key words: conflict resolution, Cambodia, NGO programs, human rights - East Asia

Introduction

Cambodia today stands at a historic crossroad. The Extraordinary Chambers of the Courts of Cambodia (ECCC), commonly referred to as the Khmer Rouge Tribunal (KRT), opened in 2007 after many years of accumulated expectations. While the KRT is poised to deliver retributive justice at the national level, it may leave the majority of Cambodians bereft of an experience of restorative justice, namely reconciliation in their local communities. This article explores the gap between national and local healing by asking the question: What is the relationship between national reconciliation and local, grassroots-level peacebuilding efforts in the form of conflict resolution trainings? Through a case study of the Khmer Institute of Democracy (KID) in Phnom Penh, Cambodia, I examine nongovernmental organizations (NGOs) that are providing civil society with conflict-focused capacity building to complement the elite, retributive justice mechanism of the KRT. I describe my quest to identify tools and techniques to culturally integrate democratic practice and conflict resolution techniques that honor indigenous knowledge and stress the possibility that these trainings could enhance reconciliation efforts nationally.

I address the question by first unpacking the dynamic between former victims, perpetrators, and alienated community members in a brief historical review of the Cambodian conflict. I then present barriers to reconciliation in the post-conflict political environment. The example of KID is next drawn upon to highlight the role of NGOs in civil society capacity building, with specific attention to the potential for conflict resolution training to facilitate reconciliation. I present Buddhism and Alternative Dispute Resolution (ADR) as tools to move local communities toward their own healing processes and thereby contribute to genuine national reconciliation. The article concludes with a positive assessment of the ability for localized capacity building to contribute to national reconciliation. Fostering local cultures of peace with increased awareness and utilization of the power of communication may be the path to Cambodia's psychosocial rehabilitation.

Contextualizing Violence: The Legacy of the Khmer Rouge

Cambodia does not have a gentle past. In the last half century its people have experienced violence from the U.S. bombings during the Vietnam War from 1965 to 1973, followed by two epochs of civil war, most notably from 1975 to 1979, when more than a million Cambodians, at least one of every eight citizens, died from starvation, overwork, or execution under the Khmer Rouge regime.¹ The idealistic teenagers and former schoolteachers who fueled the Khmer Rouge movement saw forced revolution as the only antidote to U.S. imperialism. Yet their agenda of gender and age-divided collective living and hard labor impacted the country long after their overthrow in 1979 and beyond the subsequent decade of Vietnamese occupation.

In 1991, after twelve years of guerilla warfare, conflicting factions signed the Paris Peace Accords. But more was needed to maintain the ceasefire. Cambodia was administered by the United Nations Transitional Authority (UNTAC) until September 1993, at which point Prince Norodom Sihanouk accepted the newly designed constitution. He became king, and UNTAC-administered elections were held.² Current Prime Minister Hun Sen enacted a bloody coup to oust his co-prime minister in 1997, and despite the existence of multiple political parties and reports of free and fair elections by UNTAC, Cambodian democracy still has a long road ahead. Importantly, there has not been any authentic national reconciliation concerning the Khmer Rouge perpetrators and their victims, nor has this type of healing been mainstreamed at the local level. In fact, there is an annual "Day of Anger," sometimes translated as a "Day of Hatred," to express emotion around the genocide. Even small shifts, such as changing the day to one of "Remembrance," could help transform the national psyche, but there has been little leadership around this issue.³

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1. David Chandler, *The Tragedy of Cambodian History: Politics, War, and Revolution Since 1945* (New Haven, Conn.: Yale University Press, 1991), p. 1.
 2. Zhou Mei, *Radio UNTAC of Cambodia: Winning Ears, Hearts and Minds* (Bangkok: White Lotus Press, 1994), pp. xiii-xiv.
 3. Laura McGrew, "Truth, Justice, Reconciliation and Peace in Cambodia: 20 Years after the Khmer Rouge," Canadian Embassy, Phnom Penh

Today, the older generation that survived the Khmer Rouge genocide remains shell-shocked, whether living in the extended diaspora in Southern California, Minneapolis, and France, or persevering near the same rice fields where they were forced to farm by Khmer Rouge comrades. Many elders refuse to rehash history because of the nightmares it unleashes, but others feel the need to pass their stories on to their children in hope of preventing future violence.⁴ Yet, Prime Minister Hun Sen has fostered a culture of impunity by pardoning several high-level former Khmer Rouge leaders and appointing them to national government posts.

History—the essential memory-keeper of society—is perceived as unjust by the grassroots when a culture of impunity is modeled by leaders.⁵ While a mixed national and international Khmer Rouge Tribunal opened in 2007 to hold former Khmer Rouge leaders accountable for their crimes, it has been repeatedly contested by Sen and other Cambodian elites. There is considerable debate (or even doubt) about whether a tribunal at this point will actually facilitate reconciliation, or simply serve the need for retributive justice. Others question whether a truth and reconciliation commission or alternative community-based survivors' forum would be more effective in relieving past trauma.⁶ Meanwhile, NGO surveys show that the majority of Cambodians want national reconciliation to take place in some manner so that lessons from the past can be incorporated into the collective Cambodian conscious.⁷

Significantly, for a country that has 33 percent of its citizens under the age of 15,⁸ many children do not believe the suffering

(1999-2000), p. 36.

4. See Dith Pran, ed., *Children of Cambodia's Killing Fields: Memoirs by Survivors* (New Haven, Conn.: Yale University Press, 1997).
5. Wendy Lambourne, "Post-Conflict Peacebuilding: Meeting Human Needs for Justice and Reconciliation," *Peace, Conflict and Development*, vol. 4 (April, 2004), p. 5.
6. See, for example, Suzannah Linton, *Reconciliation in Cambodia* (Phnom Penh: Documentation Center of Cambodia, 2004).
7. Center for Social Development, *The Khmer Rouge and National Reconciliation—Opinions from the Cambodians* (Phnom Penh, Cambodia, 2002).
8. Central Intelligence Agency, *World Factbook: Cambodia*, online at www.cia.gov/library/publications/the-world-factbook/geos/cb.html.

their parents describe because it is too impossible to imagine that Khmers could kill other Khmers.⁹ Furthermore, the Cambodian government has never reached a decision about which version of history is appropriate to teach school children.¹⁰ The perpetual revising and recalling of texts adds to the confusion for youth about what they should believe: As recently as 2001, a new section on Khmer Rouge events was added to 12th grade social science texts but the book was recalled by the Cambodian national government and re-released without the Khmer Rouge section.¹¹ This situation has led to a dangerous loss of memory in the collective Cambodian context.

NGOs, meanwhile, are stepping in to run education campaigns about the Khmer Rouge and to do outreach around the KRT, but they have also identified wider goals for their work, including peacebuilding. KID has produced a poster series explaining how the KRT works, as well as a documentary about the Khmer Rouge era. KID staff conduct information sessions about the KRT in each community where posters are hung and the documentary screened. This forum for information dissemination taps into KID's larger objective of increasing awareness of human rights throughout the country.¹² In addition to KID's conflict resolution trainings discussed later, such activities offer tools for empowerment that contribute to growing cultures of peace.

Peacebuilding, the construction of healthy, sustainable, and non-violent relationships in the aftermath of war, requires attending not only to memory and reconciliation but also to building the capacity of people to meet their own needs and those of their families. Capacity building can incorporate a range

9. "Khmer" is the Anglicized word for indigenous, ethnically Cambodian people. Cambodia's population is 90 percent Khmer, 5 percent Vietnamese, 1 percent Chinese, and 4 percent "other" according to the U.S. Central Intelligence Agency, *World Factbook: Cambodia*, online at www.cia.gov/library/publications/the-world-factbook/geos/cb.html. Concerning the views of children, see the documentary of the Open Society Justice Institute, *Seeing Proof*, Phnom Penh, Tara Urs, Producer, 2006.

10. Linton, *Reconciliation in Cambodia*, p. 176.

11. See *ibid.* for more details.

12. See KID's online site at www.bigpond.com.kh/users/kid/index.htm for more details.

of skills such as the comprehension and implementation of the rule of law, domestic violence prevention, or education about democratic rights of participation and subsequent voter registration drives. These skills are generally passed down through intensive trainings or seminars where the basic concepts are provided and then examples of how to implement them in daily life are worked out in group activities. NGOs such as KID provide training to civil society members and elected officials alike in basic human rights, democracy education, and other foundational peacebuilding skills. This form of peacebuilding—building basic cultural norms around social behavior—can serve as the medium by which grassroots citizens become empowered to create cultures of peace at the village level.

Cultures of peace offer a basis for multitudes of cultural traditions to interdependently create reality through nonviolent means. The central claim of this article is that when incorporated as components of macro-level peace processes, peacebuilding skills can pave the way for national reconciliation. However, this is no easy task, and there are myriad cultural and political barriers inhibiting this process. I next describe a selection of these challenges to contextualize the efforts of NGOs in peacebuilding work.

Barriers to Reconciliation: Lacking the Will to Reconcile

In the larger framework of peacebuilding, NGO mobilization of grassroots communities may equal preparation for reconciliation in ways that a tribunal or truth commission could not. But the national government must also bear some of the responsibility for facilitating reconciliation processes, in part because many Cambodians perceive the government as the central conduit for the history of violence they have experienced. Cambodian citizens see the national reconciliation process as being integrally linked with changing individual and social behavior, which is the essence of training in conflict resolution skills.¹³ Peacebuilding incorporates the idea that structural violence can be deconstructed through social justice.¹⁴ Obtaining justice with-

13. Linton, *Reconciliation in Cambodia*, p. 183.

14. Steve Utterwulge, "Conflict Management in Complex Humanitarian

out national participation is therefore unlikely.

Thus, the Cambodian national government must take part in peacebuilding efforts in some concrete way to ensure structural capacity. Rhetorical or superficial commitment to capacity will not work. This article supports the maxim “think globally, act locally,” in that I put forth the idea that local cultures of peace could potentially grow out of successful village-level conflict resolution trainings, which in turn assist the facilitation of the national reconciliation process. Local and national actors may operate in separate realms, but the issues they are engaged with transcend community boundaries through extended social webs as well as political and economic relationships.

Government Barriers

Historically, tribunals have been used to obtain retributive justice, while truth commissions have been created for restorative justice. Though reconciliation may be easier for victims when perpetrators have been held accountable in some way, the reconciliation process is a restorative rather than retributive approach. In Cambodia, the national government has shown official pardons of former Khmer Rouge leaders as evidence of its efforts to reconcile, ignoring the fact that such pardons were politically charged and worked in the interest of the dominant Cambodia People’s Party (CPP).

At the same time, the notoriously corrupt legal system in Cambodia has not been able to provide conflict resolution training sought after by community leaders charged with rebuilding social order in their jurisdictions. The weakness of the legal system in general is a major hindrance to reconciliatory measures being supported by the rule of law. Disputes that require juridical resolution often wither in the wait to legally address grievances. Some are more quickly “solved” by violence within the community. Though in a 2003 speech Senior Minister Sok An called for restorative justice, no such measures have actually been proposed.¹⁵ Financial constraints, lack of motivation, and

Situations: Peacemaking and Peacebuilding Work with Angolan IDPs,” *Journal of Refugee Studies*, vol. 17 (2004), p. 234.

15. An’s speech cited in Linton, *Reconciliation in Cambodia*, p. 89.

underdeveloped legal frameworks may all be reasons for the absence of both central and local government participation in fomenting reconciliation. None of these reasons, however, diminish the importance of reconciliation.

Because the national government does not appear to have the resources or the will to facilitate meaningful national reconciliation, it has chosen instead to allow the upcoming Khmer Rouge Tribunal to occur in hopes that this will satisfy the needs of surviving victims through retributive justice mechanisms. Yet, the KRT remains a punitive measure: It does not require conflict to be resolved or transformed, but instead pacifies survivors and the international community by showing that the culture of impunity is being addressed.

More disturbingly, in an analysis made on January 21, 1999, Prime Minister Hun Sen declared: "The national reconciliation in Cambodia, which was the source of peace and stability, had been fulfilled once and for all."¹⁶ Sen gave no details as to how he perceived reconciliation being fulfilled, nor did he make a convincing argument as to why others should feel reconciled. Senior Minister Hor Namhong, in a 2001 speech, superficially echoed this sentiment, stating that "Cambodia has secured and maintained political stability through the concerted efforts of national reconciliation and coalition building."¹⁷ The repeated claims of government officials that reconciliation has already happened and that the KRT will fill in any remaining gaps illuminate the deficit of care for psychosocial healing across the country. The misuse of transitional justice terminology by the national government, whether accidental or deliberate, has distracted the debate from the core needs in Cambodia.

Attempting to stimulate dialogue and make these needs visible, KID has posited conflict resolution training as a way to address local leadership in reconciliation, all the while advocating for the KRT as a basic justice mechanism. NGOs such as KID attempt to fill the need for grassroots capacity building despite resources being stretched thin. However able to assist in growing local empowerment, they are unable individually to rectify the structural trauma that a national reconciliation process could

16. Sen in "Cambodia New Vision," cited *ibid.*, p. 225.

17. Namhong at the National Conference on Peace, cited *ibid.*

address.

In a survey by the Documentation Center of Cambodia, about 59 percent of all participants said they still thought about the past, with 52 percent admitting having current problems because of the past killings.¹⁸ The need for psychosocial healing in Cambodia remains, but actors are approaching this need from divergent standpoints. The national government's reluctance genuinely to examine past grievances through dialogue does not create the space citizens need to revitalize their social contract. Instead, the government is relying on retributive justice to prove that it is addressing Cambodia's past, while claiming that reconciliation has already been achieved.

Retributive and restorative justice need not be mutually exclusive. Many at the community and grassroots level want to have an honest and accurate understanding of history and hold perpetrators accountable while proactively constructing healthy communities. Ideally, justice and reconciliation processes would mutually support each other in Cambodia, rather than be presented as an either/or decision. As argued by Lederach, the point of reconciliation is to "create a time and a place, within various levels of the affected population, to address, integrate, and embrace the painful past and the necessary shared future as a means of dealing with the present."¹⁹

The tension around reconciliation is not unique to Cambodia but serves as a reminder to both the academic and practitioner peacebuilding communities that the process is contentious. Stakeholders may have different and contradictory visions as to how peacebuilding should be approached, but they must find ways to work together for the process to succeed. Post-conflict governments need to support peacebuilding activities to make the process endemic, and Cambodia, despite proclamations from its leaders to the contrary, still has work to do in fostering national reconciliation.

18. Cited *ibid.*, p. 225.

19. John Paul Lederach, *Building Peace: Sustainable Reconciliation in Divided Societies* (Washington, D.C.: United States Institute of Peace Press, 1997), p. 35.

Social Barriers

The national government's will does not pose the only barrier to reconciliation, however. Socially, Cambodia maintains elements of rigid, patrimonial, authority-based governance that prize political party patronage, stability, and status. One disturbing example of this is Prime Minister Hun Sen's recruitment of former Khmer Rouge leaders into the CPP in the post-UNTAC transition period, an act of political party patronage that granted status to those leaders in exchange for their party loyalty and, arguably, national stability. This came to pass because former Khmer Rouge leaders "understood by 1994 that their only hope of enjoying any power in the country was to become a legitimate political party."²⁰ Patronage in the form of pacification came when former Khmer Rouge leader Ieng Sary was granted royal pardon in exchange for defecting from the Khmer Rouge. He was then courted by Sen's CPP and Prince Ranariddh's FUNC-INPEC (Front Uni National pour un Cambodge Independant, Neutre, Pacifique, et Cooperatif) and given free rein over Pailin province.²¹

In a 2001 survey by the Center for Advanced Studies, 56 percent of Cambodians reported that the government is like a father and the people like children, showing how ingrained the paternalistic view of politics is.²² Such paternalism challenges the capacity of the national government and donor community to invest in long-term peacebuilding driven by civil society, since the power is already concentrated in the state. Also, the lengthy time frame of the peacebuilding process is often at odds with meeting people's basic, immediate needs including food security, health services, and human rights guarantees. This time frame clash, in conjunction with the national government's lack of expertise and agenda autonomy, corruption, and paternalism, creates an impediment to peacebuilding. Such low capacity is an

20. Elizabeth Becker, *When the War Was Over: Cambodia and the Khmer Rouge Revolution* (New York: PublicAffairs, 1998), p. 515.

21. *Ibid.*

22. T. Meisburger, *Democracy in Cambodia: A Survey of the Cambodian Electorate* (Phnom Penh: Center for Advanced Study and The Asia Foundation, 2001), p. 4.

ingredient in the perpetuation of cultures of violence and illustrates the need to link capacity building with reconciliation.

Improved democratic capacity at the national level might assist in rebuilding trust and enthusiasm at the local levels, especially as curbing corruption, guiding sustainable development, building staff knowledge, and democratic relations are modeled by the national government. Conversely, building trust at the community level will give government the much needed social capital to implement peacebuilding agendas. Support by infrastructure such as competent leadership and democratic organizations that encourage public input and participation can motivate people to develop a positive vision of the future rather than cling to past grievances.

Yet strict hierarchy not only challenges the national and local government level, it compromises NGOs as well.²³ Another social barrier to reconciliation can be seen in individual and group behavior, for example, in the Cambodian peoples' deference to the guidance of those who are older or are monks.²⁴ This poses problems for young NGO staff who have new ideas they want to share with their usually older bosses. The trend of authoritarian old-style governance commanding more respect informs the teaching methodology of younger NGO trainers who need to establish respect with trainees who are their elders. With both bosses and clients, NGO staff face formidable challenges in rewriting Cambodia's oppressive communication code that continues to limit the creative space for dialogue that is available to civil-society actors.

The quest to model internally the policies promoted externally could be undertaken by NGOs and governments alike to combat the negative elements of paternalism while promoting real democratic equality.²⁵ For NGOs to serve as advocates in this way, however, they must manage their own interactions in

23. SPM Consultants, "Civil Society and Uncivilized Politics: Trends and Roles of the Cambodian Civil Society and Possibilities for Sida Support," *The Eighth Report of the Sida Advisory Team (SAT) on Democratic Governance in Cambodia* (Stockholm and Phnom Penh: Sida Advisory Team, 2006), pp. 12-13.

24. Thanak Sovutha, Deputy Director, The Alliance for Conflict Transformation, interview with the author, Phnom Penh, December 18, 2006.

25. SPM Consultants, "Civil Society and Uncivilized Politics."

empowering ways even as they work under the pressure of donor agendas and timelines as well as problematic sociocultural norms. One moderate success story is that of the Khmer Institute of Democracy and its conflict resolution training program for civil-society members who have offered to serve as community resources for their peers. I now offer their story as an example of how local-level initiatives are attempting to fill the gap between the lives of ordinary Cambodian citizens and the national justice and reconciliation project.

The Khmer Institute for Democracy: Increasing Conflict Resolution Capacity

Reconciliation and conflict resolution activities are emotion-laden and culturally embedded, providing both hope and challenges for those involved. As discussed in the preceding section, there is a palpable need for reconciliation in Cambodia, but connecting all the actors necessary to make reconciliation happen (including the national government, former Khmer Rouge perpetrators, survivors from the older generation, youth, neutral third parties, mentors, and advocates) is a staggering and costly task. KID's approach of offering conflict resolution trainings to motivated local volunteers is a potentially sustainable model for addressing the challenging task of reconciliation.

The Khmer Institute for Democracy is housed in a barbed wire compound in a section of Phnom Penh that contains dozens of neatly pressed expatriates zipping around on motorbikes with briefcases balanced on their laps. A Cambodian-staffed organization operating on international funding, KID provides training to elected officials, typically the Commune Councilors brought into office with Cambodia's recent decentralization of governance. It also trains grassroots community leaders and members of their Citizen Advisors Network (CAN). I served as a Conflict Resolution Trainer at KID from December 2006 to February 2007. During this time, I designed training curricula for CAN members and Commune Councilors, trained NGO staff in communication and teaching methodology, and studied the potential to blend indigenous and Western dispute-resolution mechanisms.

CAN is a KID-established group of nearly 200 volunteers in nine provinces, mostly schoolteachers and administrators, who have offered to serve as resource point people, mentors, and conciliators for their local communities. Before working in this capacity, Citizen Advisors attend several KID training sessions in topics such as land law, family law and domestic violence, and democracy and human rights. The purpose of CAN (as I see it) is to increase the information resources of a community so that if Commune Councilors are not seen as neutral, residents can bring queries and conflicts to the Citizen Adviser instead. Additionally, if the councilors themselves need more information on a topic, Citizen Advisors (theoretically) would have the training to consult with them and thus avoid the lengthy process of contacting a resource person in the national government. Citizen Advisors write regular reports about their interactions with councilors and community members so that KID can chart their work, offer feedback, and monitor the impact of their capacity-building efforts.

Drawing on these reports, I identified family violence and land disputes as the two greatest causes of conflict in rural provinces. By creating culturally appropriate role-plays, small-group activities, and nonviolent communication exercises, my training curricula was a small addition to the canon of material from which KID pieced together its capacity-building trainings. The challenges for cultural outsiders like me to participate in the conflict resolution process loom large, but by meeting them with an open mind, an interchange of information can occur. My enthusiasm for the potential of Buddhist ritual to be fused with alternative dispute resolution came from meeting with community leaders already versed in the former but seeking out training in the latter. The following section sketches the unique way that ADR and other conflict resolution processes are being put to the test in Cambodian civil society, and offers suggestions on how to move forward.

Buddhism, Communication, and Peacebuilding

In this section, I present Buddhist and Western notions of conflict resolution and promote hybrid training for expanding

village-level empowerment in approaches to conflict that can address entrenched patterns of violence lingering since the civil war. I argue that these trainings, in addition to the education project and community forums mentioned in previous sections, are important to culturally contextualize the KRT and extend the justice of a national trial into the social transformation mechanisms that can foster reconciliation at the village level. Acknowledging the tension between Buddhist ways of repairing social wounds and punitive techniques favored by the West, the stage is set to explore complementary processes to the KRT and their potential for both bringing justice to and promoting reconciliation in Cambodia.

Fusing Buddhist Precepts with Western Approaches

Khmer social organization and communication systems require a conflict transformation and reconciliation approach that avoids the commonplace pitfalls of uniform, Western-centric approaches. Alternative dispute resolution alone is not adequate for the cultural context of Cambodia, but rather a fusion of ADR with traditional Cambodian conflict resolution mechanisms as seen through Buddhist institutions and rituals could shape the reconciliation process.

The strongest consistent cultural characteristic in Cambodia is Theravada Buddhism, which persevered through the repression of religion under the Khmer Rouge. Nearly 95 percent of Cambodians identify as Buddhist²⁶ and the teachings have much to say about ethical guidelines for living, including “right speech,” and the precept of not lying. Many Cambodians have re-embraced their religion even more vigorously after the Khmer Rouge’s attempt to wipe it out, and the pagoda or temple remains the hub of social, educational, and spiritual activities in many communities.

Buddhist doctrine has much to say about justice and reconciliation. From the Buddhist perspective, justice is not a necessary ingredient in socio-political relationships as long as people hold the “right intention” to correct their mistakes. Wrong perceptions, those that stray from the teachings of loving-kindness,

26. Central Intelligence Agency, *World Factbook: Cambodia*.

lead to wrong actions. Therefore, if Khmer Rouge leaders would admit the truth of their actions and seek to correct them, some assume Cambodians would forgive them on the basis of the Buddhist code of conduct.²⁷ Since there has been no recognition of “wrong action,” let alone remorse on the part of former Khmer Rouge leaders, Buddhist doctrine is, to some extent, marginalized in the demand for Western-style justice from the KRT. Instead of voluntary right action, justice as defined by retributive or punitive action seeks to *enforce* right action (in this context confession of the truth, remorse, and apology) onto the perpetrators. Yet in Buddhist teachings, right action is a voluntary behavior that can only be mandated by one’s individual intention. A tension is therefore present between Buddhist forgiveness, which may be more easily paired with restorative justice, and retributive justice that the KRT seeks to hand down.

Some NGOs have found that using Buddhist teachings about moral behavior helps culturally situate human rights concepts, and this outreach strategy has led to advocacy for mutually respectful relationships and nonviolent action.²⁸ Thus, modern adaptation of ancient religious teachings may serve as a bridge between Buddhist practice and Western notions of human rights and democratic accountability. Compassion, the fundamental underlying attribute of Buddhist practice that is supposed to permeate all other activities, can be a great attribute in conflict resolution and reconciliation processes because it promotes open listening and caring speech. The practice of loving-kindness to help people abandon their wrong actions can be paired with retributive responses from authorities to deter or address wrong actions, according to one of Cambodia’s Buddhist leaders.²⁹

In this way the KRT, in conjunction with community-based

27. Vannarith Chheang, “The Establishment of the Khmer Rouge Tribunal and the Issue of Justice,” RCAPS Working Paper No. 06-2, online at www.apu.ac.jp/rcaps/modules/librarypages/index.php?id=31.

28. Judy Ledgerwood and Un Kheang, “Global Concepts and Local Meaning: Human Rights and Buddhism in Cambodia,” *Journal of Human Rights*, vol. 2 (2003), p. 546.

29. Wendy Lambourne, “Post-Conflict Peacebuilding: Meeting Human Needs for Justice and Reconciliation,” *Peace, Conflict and Development*, vol. 4 (April, 2004), p. 348.

dialogue and conflict resolution trainings supported by NGOs, could be viewed as consistent with Buddhist approaches to dealing with transgressions.³⁰ In fact, Buddhism has much wisdom to offer about the presence of conflict as discussed in the *dharma*, or teachings of the Buddha. Buddhist conceptions of conflict discussed below are also useful for outsiders working in Cambodia to better understand the philosophy behind the actions of those with whom they engage. In my own experience I found trainings that socially embed conflict resolution ideas in culturally comfortable terminology and processes to be more successful with Cambodian participants than strictly Western ADR techniques.

The key to conflict resolution has been located by some scholars in the noble truths of Buddhism.³¹ First, life is suffering (and conflict is suffering); second, greed, hate, and delusion cause conflict and suffering; third, suffering can be overcome (and conflict can be resolved); and fourth, the way to do this is through the eightfold path: right understanding, right thought, right speech, right action, right livelihood, right effort, right mindfulness, and right concentration.³² McConnell identifies the challenge of Buddhism in conflict resolution as lying in finding how to follow the eightfold path in the midst of aggravating conflicts.³³ In a devout Buddhist society such as Cambodia that has been ravaged by conflict at the national level and continues to grapple with constant localized conflicts, turning to the eightfold path for guidance seems a viable strategy.

The Buddhist approach stands in contrast to ADR, nonviolent communication, and other formula-based conflict resolution processes that are popular among mediators and development practitioners in Western countries. Such approaches carry implicit assumptions about communication norms, conceptions

30. Ibid.

31. John McConnell, "Buddhism and Peacemaking: Western Conflict Resolution and Buddhist Wisdom," paper presented at the Conference on Dispute Resolution in Cambodia: A Road to Peace and Reconciliation, Phnom Penh, Cambodia, sponsored by the Cambodian Development Resource Institute, Commission on Resources and Environment, UVic Institute for Dispute Resolution, 1995.

32. Ibid., p. 28.

33. Ibid.

of time, sociological patterns, and legal frameworks of the affected communities. Conflict and its resolution are managed in culturally situated ways, and therefore Western assumptions may not function outside a Western framework.³⁴ However, for those donors and NGOs that are willing to spend time developing hybrid approaches to conflict resolution, such joint Buddhist-ADR approaches could be rewarding tools in the quest for reconciliation.

The Virtues of a Diverse Approach for Reconciliation

Although Cambodian culture does represent traditional social constructs, Khmer tradition was undermined in thirty years of protracted violence and inevitably has led to the incorporation of foreign customs. After all, "Khmer traditions (as so defined by both scholars and native Khmer) have long undergone transformations wrought by both endogenous and exogenous forces."³⁵ While some cultural norms do persist, others have been reinvented or adapted by the various encounters Khmer people have gone through.³⁶ The flexibility in this environment of hybridized ritual can allow for interesting reconciliation practices where diverse communication processes are fused to retain the vital elements of each unique practice.

Thus, Buddhist ritual can be joined with aspects of ADR to foster culturally situated conflict resolution. NGOs in Cambodia are actively training citizens in this type of hybrid approach, though more time is necessary before an evaluation can be conducted of their effectiveness. The success of such local conflict transformation techniques could serve as an important companion to the KRT, because it offers personal involvement in conflict resolution at the same time that the national government demonstrates a commitment to bring accountability and closure to the

34. Christine B. Harrington and Sally E. Merry, "Ideological Production: The Making of Community Mediation," *Law & Society Review*, vol. 22, No. 4 (1988), p. 731.

35. Mary M. Ebihara, Carol A. Mortland, and Judy Ledgerwood, eds., *Cambodia Culture since 1975: Homeland and Exile* (Ithaca, N.Y.: Cornell University Press, 1994), p. 6.

36. *Ibid.*, p. 22.

country's historical conflict. These trainings can contextualize the importance of the KRT for village-based Cambodians by opening the discourse about what constitutes justice and how reconciliation can be reached.

The role of conflict resolution as an element of peacebuilding work on the path to national reconciliation is a challenging one. First, one must establish who national reconciliation is for, who will benefit from it, and why national participation in Cambodian reconciliation efforts has been less than successful. Reconciliation is a daunting task because it needs to involve all people at every level of society. This encompasses "individual, inter-personal, communal and national relations, and is tied into notions of physical, political, socio-economic and cultural reintegration."³⁷ Essentially, reconciliation involves the broadest spectrum of actors, and trainings in conflict resolution skills such as those I was involved in through KID equip one type of actor with tools to foster peace locally. Actors at the national level who engage with civil society groups may observe the formation of cultures of peace, and choose to continue the transformation within their own spheres of influence.

Relatively straightforward from a Western standpoint, conflict resolution is difficult to culturally integrate into a Cambodian post-conflict context.³⁸ ADR's Western framework of direct communication styles and emotional processing threatens the Cambodian tradition of avoiding conflict and choosing a rational approach to emotive issues. Yet, ADR is a low-cost form of non-judicial problem solving that has the potential to diminish violence through increased communication in the Cambodian provinces. By fusing ADR with culturally relevant Buddhist rituals, conflict resolution may root itself as an embedded tradition among those interested in community and national reconciliation.

37. Linton, *Reconciliation in Cambodia*, p. 106.

38. Interestingly, conflict resolution between Southeast Asian nations has also had trouble being codified. The Association of Southeast Asian Nations (ASEAN) originally did not contain specific conflict management tools; but the Bali Treaty, signed February 24, 1976, created Articles 14, 15, and 16 which designate a mediating body and shape international dispute protocol. See Ramses Amer, "Conflict Management and Constructive Engagement in ASEAN's Expansion," *Third World Quarterly*, vol. 20 (1999), pp. 1031-48 for further discussion.

Practically speaking, communication techniques such as reflective listening, “I” statements, active listening, and creating safe space for dialogue can shift the local psyche away from violence and toward a sustainable future of participation in, and expectations of, democratic governance. But the long-term success of conflict resolution will be seen in generational visions of peace that often the original trainers and evaluators are not around to see.³⁹ As one of many peacebuilding processes spanning the spectrum of local, regional, and national activities, conflict resolution training can increase citizen capacity to be empowered in their own lives. At the same time, training contributes to national reconciliation by building trust and increasing communication between community members who engage in social, political, and economic relationships.

Conclusion: The Journey Toward Peace

In this article I have examined how KID, a Cambodian civil society organization, is contributing to peacebuilding efforts via conflict-resolution capacity building for civil society. In the quest to restore a sense of harmony and reconciliation in Cambodian society, local and national peacebuilding initiatives are being coupled with the retributive justice process. The Khmer Rouge Tribunal is an impunity-dispelling mechanism, but it is not sufficient by itself to promote national reconciliation. On its own, the KRT is at risk of appearing to be a mechanism of the international community to impose justice. By combining the KRT with community-based dialogue forums, conflict resolution training and capacity building, the KRT can be situated within Cambodian assumptions about what conflict is and how it should be addressed.

Local peacebuilding initiatives facilitated by NGOs like KID offer tools to culturally integrate democratic practice and conflict resolution techniques that honor indigenous knowledge. Practical reforms in both government and NGO behavior need also to be addressed in order not to derail Cambodia’s reconciliation process.

39. Lederach, *Building Peace*, pp. 76-77.

I have argued in this article that cultures of peace can emerge from conscious communication skills typical of ADR practices, and can act as grassroots catalysts to national dialogue and reconciliation. When dispersed through structures such as KID's Citizen Advisors Network, peacebuilding techniques that gently shift sociocultural boundaries support a more holistic reconciliation process in Cambodia. Though challenges abound, civil society and government can and should work together to fulfill the persistent local and national need for justice and reconciliation.

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