Introduction

In April 1979, the International Association of Democratic Lawyers (IADL)\(^1\) sent an eight-member solidarity mission to a devastated Cambodia.\(^2\) This paper traces one of the mission members – a jurist and scholar – to better understand the mission’s subsequent report and an early campaign for an international law response to Cambodia’s situation. A critical geopolitics of justice approach (Jeffrey 2011; Hughes 2015) foregrounds the international solidarities and late Cold War geopolitics that made certain legal analyses and political actions possible, and others less so. Such an approach also attends to the affective qualities and materiality of the connections made between actors and justice processes in Cambodia and actors and processes elsewhere. In this case, relations were particularly dense in and between the cities of Phnom Penh and New York, not least because this early campaign for justice worked towards effecting change for Cambodians via the 1979 and 1980 sessions of the United Nations General Assembly (UNGA) held in New York.

This solidarity mission and early campaign is absent from contemporary accounts of ‘transitional justice’ in Cambodia, as if nothing of consequence was said or done about the alleged crimes of the Khmer Rouge until 1999, when a UN Group of Experts reported on the potential for trials of the regime’s former leaders. As Alexander Hinton argues, a dehistoricising and depoliticising transitional justice imaginary obscures key events and dynamics of contemporary relevance (Hinton 2018, 38). I argue here that the forgetting of what Hinton terms the ‘first transition’ of Cambodia after 1979 – into the socialist People’s Republic of Kampuchea (PRK) – may in part be explained by the non-recognition or illegality of this state internationally. Even at the time, key actors found themselves aghast at Cambodia’s isolation and invisibility. United Nations (UN) Senior Advisor Sir Robert Jackson, a veteran of European post-war reconstruction and coordinator of aid to the Thailand-Cambodia border in the 1980s, noted the ‘extraordinary phenomenon’ of what he termed ‘the “Forget Kampuchea” syndrome’ (Jackson in Mysliwiec 1988, iii; see also Amer 1990). It is necessary to understand the early campaigns that sought recognition and assistance for Cambodia after 1979, how they drew on forms of law and internationalism forged in post-war Europe, why they failed and how they remain relevant to contemporary justice processes.

\(^1\) Also known as l’Association Internationale des Juristes Démocrates (AIJD).
\(^2\) ‘Kampuchea’ and ‘Cambodia’ are transliterations of the same word; I use ‘Cambodia’ throughout, except when referring to specific historical states or groups, or quoting directly from a source that uses ‘Kampuchea’.
The second aim of this paper is to bring to light a new source: a set of historical visitor books kept by the Tuol Sleng Genocide Museum, located in the Cambodian capital, Phnom Penh. The museum was visited by the 1979 IADL mission, and mission members contributed comments at the museum to the first of its visitor books. Recently digitised, these books now provide significant insight into the early museum and its geopolitical role: how the new Cambodian state reconnected diplomatically with other states and discursively with wider inter-state processes in the first few years after 1979.

I first saw the comment of mission member John H. E. Fried in the year 2000. I glanced at it only briefly, one hundred and twenty-five pages into a photocopy marathon of some fifteen-hundred pages. Copying the six historical visitor books of the Tuol Sleng Museum was busywork I’d set for myself during my doctoral fieldwork. With no funding to put towards the translation of comments and faced with such an ‘abundant archive’ (Hodder 2017), I hardly scratched at the source for my thesis. Much later, Fried’s comment struck me as being of unusual provenance: put to paper in Cambodia, written in French, he signed as a ‘retired professor of Political Science (City University New York) and former Legal Advisor to the Nuremberg Military Trials’. Three distinct places and times were gathered up in the comment: the moment of writing in Phnom Penh, a past academic career in New York City, and an even more distant role in Nuremberg. There were also two academic disciplines, Politics and Law, and two responses to very different kinds of violence: a legal trial focussed on Nazi aggression, and a museum of Khmer Rouge crimes. Most surprisingly, the date on the comment was 29 April 1979, only three months after the end of Khmer Rouge rule in Cambodia. What was an American academic doing in Cambodia at that time? During the chaotic rebuilding of Cambodia after Khmer Rouge rule, hadn’t the country remained closed off to most visitors, aside from a few journalists and advisors from Vietnam and the Eastern bloc?

The title of this paper – left justified – refers most immediately to the page formatting convention of aligning sentences and paragraphs to the left-hand margin. Fried handwrote his comment in the visitor book left-justified. He also typed left-justified, as did his secretary, to produce the hundreds of pages of draft essays, letters and reports that now make up his archives.³ Marginalia, found extensively on these pages, both supports and interrupts justification, as will be explored below. The second and related meaning of my title refers to the ways in which the Tuol Sleng Museum visitor books were integral to a shared political-affective practice of visitors, one that aligned them as a group and sought to align others to a left ‘margin’, position or line. Many comments offered an explicit legitimisation of the new Cambodian socialist state, a leftist justification. Here hides an archaic legal definition of

³ Fried’s personal papers are held at the University of Albany, New York, and at the Leo Baeck Institute, New York City.
‘justify’: ‘to offer a defence that [an] act was lawful’ (OED). Justification in 1979 Cambodia wasn’t only a matter of style, it was the difference between life and death – a kind of living death – for the new state.

Uncertainty, solidarity and biography

For southeast Asian states, the 1970s were geopolitically choppy waters. Soon after the end of the Second Indochina War (with Vietnam’s defeat of the United States) came the unsettling Third Indochina War, a series of conflicts involving five different ‘red’ regimes (Evans and Rowley 1990). One of these conflicts – arguably its ‘immediate catalyst’ (Evans and Rowley 1990, 301) – was Vietnam’s invasion of Cambodia, which was then under Khmer Rouge rule and known as Democratic Kampuchea (DK). The invasion of DK and the toppling of its Khmer Rouge leaders was heavily criticised as Vietnamese aggression and opposed by the United States (US) and its southeast Asian allies, as well as many other UN member states worldwide. Mounting evidence of past DK attacks inside Vietnam, and existing Cambodian refugee accounts of Khmer Rouge atrocities – for example, at the international hearings in Oslo in April 1978⁴ – held little justificatory weight for most international observers. The fledgling state installed with Vietnam’s assistance was known as the People’s Republic of Kampuchea (PRK), though many capitalist countries would refer only to the ‘Heng Samrin regime’. As the PRK was founded, geopolitical relations warmed between the US and China. This significant geopolitical and geoeconomic realignment led to the recalibration of different states’ interests worldwide, but perhaps no state was more affected than the PRK.

Though the historical juncture sketched above suggests a special case or time of highly contested Cambodian sovereignty, I work here from the premise that states are not ever monolithic, unchanging entities that ‘just are’. Instead, states are state effects (Mitchell 1999), precarious and unfinished collections-in-concert of different and differently-positioned actors, practices and forces. Key practices include improvisation (Jeffrey 2012) and rehearsal (McConnell 2016). The state-ness of the PRK was precarious, offering ‘a screen for political hopes, desires and aspirations’ (McConnell 2016, 33) – less for a population exiled from their homeland, and more for a homeland of people that found itself exiled from international fora. David Delaney has recently remarked that legal geographers, with some notable exceptions, have not sufficiently engaged with ‘the international’, even as the topics of international legality of interest to geographers are vast (Delaney 2017, 670). I here engage with a historical campaign for international legality, while also keeping faith with a critical

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⁴ Amnesty International and the International Commission of Jurists made submissions based on refugee accounts to the UN Human Rights Commission in 1978, resulting in a damning report that was subsequently disregarded (Hawk 1982: 18).
geopolitics of justice approach that, following Alex Jeffrey (2008, 2011), enquires into historical and present-day claims to justice and memory that are in various ways internationalised.

As mentioned, this historical legal geography also has a biographical focus: a twentieth-century jurist and émigré who came to serve international law (including at Nuremberg) and work his whole life for peace and nuclear disarmament causes (see Fried 1994). In this way, the paper responds to Cheryl McGeachan’s call for more active engagement with ‘the darkest of histories’ by ‘centraliz[ing] lives in the midst of struggle, conflict and demise’ (2016, 136). Jake Hodder demonstrates how this engagement might proceed, namely by using ‘a life moving in and out of view to force broader historical political processes into the foreground’ (Hodder 2017), and Hayden Lorimer urges biography as ‘kaleidoscopic configuration’ of spaces produced in a life (Lorimer 2015, 52). I have also employed biography as a way through two abundant archives (Hodder 2017, 457): visitor book comments and Fried’s personal papers.

In these two archives, material traces of activity and advocacy have urged the following, admittedly partial, story. Taking documents seriously ‘points us to an embarrassment of material forms’ (Gitelman 2014, 6). As Weisser argues, documents have ‘effects in practice’ as much as they are ‘effects of practice’, not least in the formal spaces of inter-state negotiation (Weisser 2014). In the following story, reports, letters, drafted speeches, even single pages, emerge as key grounds. In an analogue world, as Dittmer (2017) has explored in relation to paper storage at the British Foreign Office, paper pages were quite (a) specific and weighty matter. Pages are here understood as valuable actants that facilitated actions and affects in solidarity, whether they were ‘in place’, like the visitor book pages, ‘in hand’, like the pages of a speech, or sent long distance to petition and inform, like mailed reports and cover letters. These affordances arise from what Gitelman identifies as the larger ‘epistemic power of the know-show function’ of documents (Gitelman 2014, 1). But within this paper storm, I draw attention to handwriting and marginal annotation as crucial elements of the production, (re)circulation and reception of these particular pages. Bonnie Mak uses the phrase ‘architecture of the page’ to refer to:

> a complex and responsive entanglement of platform, text, image, graphic markings and blank space. The page hosts a changing interplay of form and content, of message and medium, of the conceptual and physical, and this shifting tension is vital to the ability of the page to remain persuasive (Mak 2011, 5).

Handwriting for visitor books and the use of marginalia to dissent or authorise, are intentional and politically effective media-genre combinations. Media and genre are mutually supportive, their histories and geographies not so much overlapping as intersecting (Gitelman 2014, 10). These particular forms of justificatory document and persuasive page were put to work within the larger campaign for the recognition of PRK statehood and Khmer Rouge criminality.
While international law gave this historical jurist means to argue his case, and the paper page an architecture within which to argue it, Fried’s propulsive force was solidarity. David Featherstone theorises solidarities as transformative political relations, world-making processes that can shape diverse outcomes (Featherstone 2012). Geraldine Pratt and her colleagues, writing of solidarity missions, add that ‘it is the intermingling of spaces, geographies, histories and labour, and the intimate, local and specific nature of international solidarity that our reports on solidarity … must include (Pratt and Philippines-Canada Task Force on Human Rights 2008, 773). Following Pratt et al., I trace the intimate and specific nature of a visit outward to further actions in solidarity. Taking his eye-witness account back to UN forums, Fried spoke and wrote pages in solidarity with Cambodian survivors, their new leaders, and their international allies. I turn now to the museum that Fried visited, and the visitor books kept there.

Tuol Sleng Genocide Museum and its visitor books

Soon after January 1979, journalists, jurists, delegates and diplomats were able to gain visas to travel to the new state of the People’s Republic of Kampuchea. Early visitors were carefully guided to a small number of locations (Benzaquen-Gautier 2016, 112). One such location was a school-turned-interrogation centre, known as S-21. S-21 had been the apex of the santebal (security system) overseen by the Central Committee of the Communist Party of Kampuchea, the leadership group of the Khmer Rouge regime (see Chandler 1999; Hinton 2016). Tens of thousands of ‘enemies’ of the regime were tortured and killed after entering S-21. Soon after 1979, S-21 was transformed into the Tuol Sleng Museum of Genocide Crimes to preserve it as a site of particular atrocity.

The museum utilised a handful of buildings at the centre of what had been a much larger complex (Porée forthcoming). Installed in these buildings were material traces of the administration, imprisonment, torture and execution of prisoners, accompanied by limited signage. Many aspects of the site were left untouched, both to shock visitors and because of a general lack of funding and assistance for curation (Ledgerwood 1997). Individual visitors and delegations were generally guided through the museum, often by its first Director, Ung Pech, who was also a survivor of S-21. From March 1979 onwards, visitors were invited to leave behind their impressions, commitments and condolences in written form.

Visitor books are now an indispensable institutional technology of many public museums and galleries. Indeed, encouraging visitors’ feedback is part of what characterises the ‘new museology’ of the late twentieth century. As the role of the museum changed from cultural authority and imperial repository to space of self-authorised encounter and social and political debate (McCall and Gray, 2013; Fleming 2005), dialogue with visitors has become increasingly valued. Visitor books provide
opportunities to record personal experiences and are often viewed as a kind of reverse souvenir, a record of a transient presence. There appears to be especial interest in installing visitor books where reflection on mass political violence is considered pedagogically or morally imperative, from Hiroshima to Kigali (Chen 2012; Gahongayire and Nyiracumi 2014).

Tuol Sleng’s visitor books⁵ mirror these wider developments, but also suggest other genres of visitor record. The six books date from two main periods, 1979 and the early 1980s, and the late 1980s to the early 1990s. These two periods correspond to the first few years of the PRK, and the end of the PRK period into the State of Cambodia and United Nations Transitional Authority (UNTAC) periods.⁶ Many of the books’ comments are lengthy, impassioned and written in a formal register. Individuals write on behalf of their fellow delegates, or of constituencies elsewhere (for example, fellow citizens, or members of their organisations, collectives or unions). Comments address not only guides and curators of the museum, but also the new government and Cambodians as a national group. The comments are inherently contradictory, somehow being at once generic and specific, formulaic and heartfelt, poetic and pedantic.

The books worked performatively to formalise encounters between visitors and staff, even as they were also pragmatic records for museum staff. As communications between visitors and staff, and present and past visitors, the comments approach dialogue. Declarations of solidarity by state officials may have been of particular interest to senior Cambodians. But there is another kind of dialogue here: one between the visitor and the bereaved. As such, the Tuol Sleng Museum visitor books are also books of condolence, a performance of sympathy for those killed by the regime, a means of grieving-with survivors. In this way, writing in the books produced a hallowed time and space: at the end of a tour and as visitors sat at low tables, sometimes furnished with vases of flowers. One visitor remembers:

we were taken in there and seated [on] a little couch and chairs around a coffee table and I think some sort of drinks were served and then the book was proffered. I mean, you didn’t have to sign, but everybody did (Bill Herod, pers. comm. Phnom Penh, 25 April 2000).

Crossing between private loss and public remembrance, books (and e-books) of condolence are commonplace at funerals. They also play a performative geopolitical role at sites for publicly-curated dead bodies such as state mausoleums and tombs of unknown soldiers. Similarly, embassies open

⁵ In 2000, the then Museum Director, Chey Sophera, showed me six historical visitor books. With his permission, I made two sets of photocopies, taking one back to Australia. I digitised this set in Melbourne in 2017 and the digital files were returned to the Museum in 2019.

⁶ A VIP visitor book is currently kept at the museum. Graffiti on the walls of the museum has long been an additional informal practice of (handwritten) response to visiting Tuol Sleng (Chhay 2018).
books of condolence in cases where the deceased individual was internationally revered. Importantly, the condolences offered in the Tuol Sleng visitor books are not only for the thousands who lost their lives during the Khmer Rouge regime, but also for the death of innocence – the innocence with which leftists worldwide had welcomed the Khmer Rouge overthrow in 1975 as a people’s revolution that would finally bring peace to Cambodia.

Approaching visitor books
Visitor books generally give little information about visitors themselves. This is considered a problem for using them in research on museum visitors. But visitor books can provide insight into visitors’ own meaning-making if subjected to a critical reading which takes into account the context for such inscriptions, the voices that the museum allows or inhibits, what forms of address are used, and how visitors position themselves in relation to difficult histories (Macdonald 2005; Conley 2019). More recent studies have drawn attention to the ‘meaning-making’ that occurs in dialogue within visitor books, when visitors read or respond to prior comments (Noy 2008; Chen 2012; Isaac and Budryte-Ausiejiene 2015).

This study analysed only one of Tuol Sleng’s six historical visitor books. Methodologically, the book was approached as a simultaneously material, textual and performative source. Since it is currently lost, I tried to recall the material object I’d once handled. It had been fragile and difficult to manoeuvre on and off the photocopier. (This memory was confirmed by loose string binding being visible in the photocopy images.) I’d have said back then that the book was ‘falling apart’, but perhaps it was not much more ‘together’ in the first place. An apology in Khmer appears on an early page, seemingly written by a junior staff member to his or her senior: ‘Please excuse me Uncle, [I] did not bind this book well, apologies in advance. [Signed] Noeun’. Pages in this book are also of various sizes and paper tones. From these observations, it appears that the book began as a collection of comments written on scraps of paper (at one time kept in a binder folder) that were later bound into book form. Keeping visitor comments, and comment books, likely evolved over the early months after January 1979.

To analyse the textual content of comments in this first visitor book (which spanned the period from March 1979 to September 1980), I collaborated with eight translators who were all scholars in their own right – of history, politics, literature, memory studies and museum studies. I first engaged them to translate comments from Khmer, Russian, Indonesian, Vietnamese, German, Spanish, Portuguese, Japanese and French into English. The translations were entered into an online spreadsheet totalling

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7 This occurred recently at the Cuban Embassy in Phnom Penh, for example, following Fidel Castro’s death.
8 See Acknowledgements section for the names of these scholar-translators.
more than two hundred comments and tagged against date of visit, visitor’s name, organisation or
government position, and country of origin, where available. Ten different visitor types were
identified: academics, four kinds of delegate (external state, internal state, international organisation
and national organisation), film and ‘other media’ journalists, medical professionals, faith-based NGO
and ‘other NGO’ representatives. The scholar-translators were also interviewed about their personal
experience of reading and translating the comments. I did this to better understand the cultural,
political, linguistic and historical complexities of the comments – their language and political
phraseology, what was happening in visitors’ countries of origin at the time, and how that country had
been geopolitically positioned. My scholar-translators pointed out names of well-known public
figures: poets, survivors, military generals, diplomats, authors and activists. We jointly analysed the
legible statements and puzzled together over the indecipherable ones.\footnote{Handwriting demanded additional effort. One scholar-translator asked a colleague for help, who then checked with her elderly mother (who had similar handwriting). This generosity firm up the translation.}

Analysis of the comments moved between dialogue with the scholar-translators, the online
spreadsheet populated with their translations and insights, my ‘original’ photocopied pages and the
digital (PDF) versions, and further sources for verification, where available. I combed the spreadsheet
for key terms, such as particular crimes and names of UN agencies. This allowed me to identify both
expert and popular calls\footnote{Some comments by non-jurists referred to ‘genocide’, ‘crimes against humanity’, ‘massacre’, ‘torture’ and ‘murder’. The stark lettering above the early museum’s entrance – ‘museum of genocide crimes’ – undoubtedly primed some visitors to comment in this way.} for the application of international law, and to consider the IADL mission
alongside contemporaneous legal and political processes. Comments could be ‘sorted’ by visitor type
and then read carefully and chronologically to ‘hear’ whether particular types of visitor shared views.
General chronological sorting allowed me to dig into key lead-up periods and responses to events,
particularly the UNGA sessions of 1979 and 1980.\footnote{For example, French journalists Roger Pic and Jacky Kargayan wrote on 18 January 1980: ‘How … in perfect knowledge of the atrocities of the Pol Pot regime, could Western nations tolerate the presence of the Khmer Rouge having a seat at the United Nations? (P26). (Pages in the first visitor book are denoted hereafter by the use of a capital-P before the page number.)}

Returning to the page images of the first book was important for picking up marginalia. Marginal
annotations in Khmer appear semi-regularly and note how many visitors are represented by a single
comment – ‘two people’, ‘sixty people’. They suggest that the book passed from museum staff to
more senior office-bearers. These individuals may have wished to know visitor numbers, where
visitors had come from, what sense they’d made of their experience and what had been pledged in
response. The page images also immediately showed whose comments shared the same page and date,
sometimes indicating joint visits. For example, on 17 July 1979, a UNICEF representative and an
International Committee of the Red Cross (ICRC) representative left comments on the same page (P166). Such sharing a page was likely intentional, as visitors were generally free to take a new page anywhere in the book for their comment. Given this, co-located comments performed being ‘on the same page’, in the sense of being ‘in solidarity’ or of ‘one mind’. Given the dearth of formal diplomatic spaces (such as embassies) in Phnom Penh at this time, the Tuol Sleng Museum became a space where these kinds of performances cemented bonds of fraternity between socialist allies. To understand more about the performativity of the embodied act of writing in the books, I interviewed two individuals about their experience of visiting and penning a comment and consulted the Museum’s archive of photographs from the museum’s early days.

The visitor book page images are visually captivating and unique. Regular blocks of text might march down one page, while on another, lines stumble upwards or slope away, as if the experience of the museum already weighs on the body of the author. The comments express emotions, in addition to naming them. Representationally and non-representationally, visitors bear witness to suffering and loss: in Cambodia under the Khmer Rouge, but also in their own parts of the world. The expressions of emotion and anger encountered in these pages perform a readiness for reckoning, a kind of beckoning of law.

But the law that is invited or demanded is not the kind of international law that currently licenses ‘humanitarian intervention’, nor the standardised forms of legal reckoning promoted by ‘transitional justice’. Comments speak of solidarity and assistance, not intervention or transition. Visitors demand international legal investigation of the evidence of crimes they have witnessed and call for international political action to prevent any return to violence. These early comments date from a time when socialist states and solidarity groups saw international law as capable of working for peace and progressive internationalism. Many legal scholars writing on the use of force, invasion and assistance in relation to Vietnam and Cambodia in the 1960s and 1970s also held this view. They wrote passionately and urgently, drawing on their lived experience and expertise to articulate what was at stake in these legal dilemmas (Modirzadeh forthcoming). John H. E. Fried was one such scholar.

**John H. E. Fried**

Fried wrote in French at Tuol Sleng Museum on 29 April 1979:

> The dreadful experience of this visit to the prison of the Pol Pot regime – the proof of unimaginable systematic or methodical sadism, and the masses of the clothes of the victims – is comparable to the extermination camps of the Nazis ‘in miniature’ (P124, see Figure 1).

It is no large stretch to imagine that this opinion was informed by both professional and personal experience. Fried, along with his psychoanalyst wife, Edrita, emigrated to the US from Vienna in 1938, shortly after the annexation of Austria by Hitler’s forces. At the time of their emigration, Fried
already held a doctorate in Law (Anon. 1). From 1938 to 1944, the Frieds lived in New York City, where he completed a PhD in Political Science at Columbia University. In 1944, they moved to Montreal, where he worked for the International Labour Office. From 1947 to 1949, they returned to Europe, he to serve as a Special Legal Consultant to the US Nuremberg Military Tribunals that followed the better-known International Military Tribunal. After the end of the trials in 1949, he co-edited the official 15-volume ‘green series’ of trial records. In the 1960s, Fried served as a Legal Advisor (on international law) to the Government of Nepal, and in the 1960s and 1970s, he was outspoken on the international law dimensions of the Second Indochina War (the Vietnam War). He was rapporteur for the Consultative Council of the Lawyers Committee on American Policy Towards Vietnam, an eleven-member group that went on record against their own government to contend that the US military involvement in Vietnam was illegal (Falk in Andersson 2017, 74 [fn 12]).

Fried published a chapter titled ‘United States military intervention in Cambodia in the light of international law’ in the 1972 collection The Vietnam War and International Law: the widening context. His chapter has recently been recognised as a ‘rigorous analysis of what is today called the ‘unable/unwilling’ argument’ and part of a body of Vietnam-era legal scholarship that was:

- deeply invested in the project of international law: [these authors] committed themselves to contextual and historical analysis in order to bolster legal arguments … because they were passionate about their discipline and about the meaning and effects of their work (Modirzadeh forthcoming).

In a Foreword to a posthumous collection of Fried’s academic writing, his friend and colleague Roger Clark observed that Fried was known for applying the lessons of Nuremburg to the war in Vietnam, encouraging his colleagues and students to consider the discipline of Law as speaking ‘directly to the most significant issues of war and peace of the moment’ (Clark in Fried 1994, x). Fried’s work also called for an International Criminal Code and an International Criminal Court (see Fried 1994) significantly ahead of time.

‘Forty-eight hours in and around Phnom Penh’: the IADL report
A group of lawyers, some of whom had participated in the Nuremberg trials, founded the IADL in Paris in 1946. The IADL was one of the original non-government organisations to be accredited with consultative status at the UN Economic and Social Council. Rene Cassin, a drafter of the Universal Declaration of Human Rights, was the organisation’s first President, and Joë Nordmann, a lawyer and former member of the French resistance, was also a founding figure. As Federico Ferretti argues, it

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12 Fried appears to have assisted Nordmann during the trial of Nazi torturer Klaus Barbie in 1987, see page title at Box 24, Folder 2, p. 70 (Albany collection).
is important to root internationalism in its places, institutional and non-institutional, and in
motivations:

voluntarism, activism, multilingualism, and political radicalism constitute a strong drive
towards the creation of non-institutional spaces, networks and circuits for international and
transnational scholarly work (Ferretti 2018, 18).

While Fried had worked for the UN and the US government, he also spent many years working
voluntarily: researching and writing papers in multiple languages, corresponding with other scholars,
and being active in organisations like the IADL. In early 1979, the IADL decided to send a mission to
Vietnam and Cambodia in response to an invitation of the Association of Vietnamese Lawyers
(Review of Contemporary Law 1978). Fried, then aged in his early seventies, was a mission member.

The IADL mission was led by Roland Weyl of the Paris Bar and included seven other jurists from
France, the US, Italy and Japan. They visited Vietnam and Cambodia over the period 25 April to 5
May 1979. Fried may have been included on the mission because of his previous writing on
Cambodia and Vietnam, or because he was fluent in French (spoken by at least two other mission
members, and by some of their Vietnamese and Cambodian hosts). The mission visited Lạng Sơn (a
site of Vietnam-China conflict in early 1979), Tây Ninh (a site of conflict between Vietnam and DK
forces in December 1978), and Phnom Penh, where it spent forty-eight hours interviewing people and
consulting documentary evidence. On 29 April, during the very hottest time of the Cambodian year,
the mission visited Tuol Sleng Museum (see Figure 2). One mission member still recalls the
‘savagery, barbarity, inhumanity’ of the site (Monique Chemillier-Gendreau, pers. comm., Paris, 26
June 2019). Fried and five other mission members left comments in the visitor book. In the next
section I examine the report that resulted from the IADL mission, including its legal analysis and role
as a submission to the UNGA.

The IADL report
A thirteen-page report of the IADL mission was submitted by the Permanent Representative of
Vietnam to the thirty-fourth session of the UNGA in October 1979. The IADL report gave a legal
analysis of: ‘frontier incidents’ between China and Vietnam, including ‘Chinese military action on
and after February 17 1979’; ‘the situation in Cambodia’; and ‘a historical and political analysis of
these issues’. I concentrate here on the report’s discussion of military incursions into Vietnam by the
former Khmer Rouge state of DK, and of ‘the [subsequent] entry of Vietnamese troops into

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14 Included in the same submission was a second document: a seventeen-page compilation of statements made
by jurists from the trial in absentia of Pol Pot and Ieng Sary held in Phnom Penh in August 1979, known as the
People’s Revolutionary Tribunal (PRT).
Kampuchean territory and their maintenance there [since December 1978]’ (UNGA A/34/559, Annex 1 pp. 7-13).

The report states that border ‘incidents’ on the part of DK amounted to ‘non-compliance with lawfully signed treaties and failure to observe the fundamental rule of respect for territorial integrity’ (UNGA A/34/559, Annex 1 p. 8). By specific reference to Article 51 of the UN Charter, the Khmer Rouge border incursions into Vietnam were found to be a ‘threat to peace’ and ‘aggression’ (UNGA A/34/559, 1979, Annex 1 p. 9). In the second discussion, also by reference to Article 51, the ‘entry’ of the Vietnamese Army into Cambodia is seen as an exercise of Vietnam’s ‘inherent right of self-defence’ (UNGA A/34/559, 1979, Annex 1 p. 9), given the ongoing nature of border militarisation and violent breaches made by its neighbour, DK, since 1975. It was also justified by the ‘atrocities and massacres’ committed by DK forces against Vietnamese civilians inside the Vietnamese border.

The report then turns to the situation in Cambodia prior to Vietnamese forces entering the country in late 1978. It vividly identifies a space of political terror involving the ‘total violation of all human rights’; ‘destruction of any form of organized community’; and ‘wholesale extermination of large sections of the population amounting to no less than a crime against humanity’ (UNGA A/34/559, 1979, Annex 1 p. 10). On the same page, it states ‘the doctrine of humanitarian intervention by unilateral action on the part of a State has [to date] lacked any actual legal basis’, but then notes other recent (uncontroversial) examples: India’s intervention in Bangladesh, and Tanzania’s intervention in Uganda (UNGA A/34/559, 1979, Annex 1 p. 10). As Hoang Vu and others have noted, Vietnam could not formally claim theirs was a humanitarian intervention because the norms of humanitarian intervention were only emerging at the time (Vu, forthcoming; Klintworth 1989).

In a sole-authored essay from the same period, Fried sets out his personal opinion on ‘humanitarian intervention’. Perhaps in contrast to his fellow mission members, Fried did not believe the concept of humanitarian intervention (as far as it then existed) applied to the Cambodian case. As he saw it, Cambodia was an example of ‘humanitarian military assistance’ to a ‘criminally oppressed people’ (Fried 1979, 104) and not intervention, because ‘at the time of [Vietnam’s] assistance that government [of DK] factually no longer exist[ed] [and so] Vietnam’s military actions were not directed against a functioning (Pol Pot) regime (Fried 1979, 103 emphasis in original). Fried also cautions that his concept of ‘humanitarian military assistance’:

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\text{has nothing in common with ‘anticipatory self-defence’ or ‘armed reprisal’ or ‘military self-help’ or such constructs as ‘surgical strike’ – all of which are incompatible with the fundamental precepts of the contemporary world order (Fried 1979, 104).}
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Some of these legal concepts, perhaps less familiar in 1979, have since entered the geopolitical rationales and geolegalities (Smith 2014) of new kinds of conflict. Fried’s statement offers insight
into a progressive politics that saw a role for international law in which ‘world order’ meant liberation, peace, and social and economic justice for all. This is at significant odds with the new world order envisioned by powerful capitalist states since the Cold War era.

Fried’s argument of the time (that Vietnam’s action was not ‘humanitarian intervention’ but was humanitarian in nature) appears to have prevailed in the writing of the IADL report. The report does not return to the notion of humanitarian intervention after the initial use of this phrase, instead highlighting ‘the duty of States, in very carefully defined situations, to afford their support to peoples fighting for their liberation’ (UNGA A/34/559, 1979, Annex 1, p 12). In the Preamble and fourth and fifth principles of UNGA Resolution 2625 the report finds legal basis for Vietnam’s actions as ‘Vietnamese military aid’ to a national liberation movement, namely the FUNSK or Front Uni National pour le Salut du Kampuchéa (Kampuchean United Front for National Salvation) in their fight against the Khmer Rouge regime. The report further notes that the same legal texts which provide this justification also set limits upon it (UNGA A/34/559, 1979, Annex 1, pp. 12-13). It then argues that a de facto Cambodian government has existed since 7 January 1979 (UNGA A/34/559, 1979, Annex 1, p. 13). Further proof of the respect for Cambodian state sovereignty, the report states, is found in a treaty signed between the PRK and Vietnam on 18 February 1979, concerned with ‘governing Vietnamese aid [and] providing for the withdrawal of Vietnamese troops [if requested]’ (UNGA A/34/559, 1979, Annex 1, p. 12-13).

Submitted by Vietnam to the thirty-fourth session of the UNGA (1979), the IADL report was discussed in the UNGA in relation to two draft resolutions: A/34/L.7/Rev.1 (hereafter L.7), proposed by ten states sympathetic to the PRK, and A/34/L.13/Rev.1 (hereafter L.13), proposed by the countries of the Association of South-East Asian Nations [ASEAN] and some two-dozen others. On the afternoon of 13 November 1979, representatives of the Lao PDR, Albania, Hungary, Czechoslovakia, Cuba and Nicaragua, all spoke in support of draft resolution L.7 and the PRK, with the Czech representative, Mr. Hulinsky, making specific reference to the IADL report (A/34/PV.65-EN, paragraph 113). The following day, however, the UNGA adopted the rival draft resolution (L.13).

This resolution called for the withdrawal of ‘foreign forces’ and the end of ‘foreign interference’ in Southeast Asian states (A/RES/34/22), meaning Vietnam in Cambodia and Laos. The adoption of this resolution disregarded the IADL report and confirmed the illegitimate and illegal status of the PRK.

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15 ‘The Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States’ was adopted by the UNGA on 24 October 1970.

16 There is no mention of the crime of genocide in the IADL report. Four months later, the IADL sent the Algerian lawyer Amar Bentoumi to the PRT, however, and Bentoumi there recognised and supported the tribunal’s genocide finding.

17 On the chaos caused in Cambodia by the 1979 vote, see Benzaquen-Gautier 2016, 141; Gottesman 2003, 44; 81-86.
Thus, the question of the political recognition of the PRK was always a legal one, with repercussions for legal (in the sense of allowable) international assistance. If the new Cambodian state had been recognised and seated at the UNGA in any of the years of 1979, 1980, 1981 or 1982 (the four times the seat was subject to a credentials committee vote), then assistance to the new Cambodian state would have been considered legal within the UN system of member states and UN agencies. Greater emergency and, more importantly, development aid might have followed (Amer 1990). The country may even have seen some earlier form of UN-supported trial of Khmer Rouge leaders, had there also been the geopolitical will and militarised means to arrest those individuals. Because only one government could be recognised at the UNGA, recognising the PRK as Cambodia’s rightful government would have had the immediate advantage of making the ‘Pol Pot group’ illegal, at least in this forum.

The World Church Centre Forum

More than a year after his Cambodia visit, Fried was invited to publicly share his views. The ‘Kampuchea Credentials: Legal Views’ Forum was convened by the American Friends Service Committee (AFSC) for 15 September 1980 – the day before the opening of the thirty-fifth UNGA session – at the World Church Centre in UN Plaza, New York. Earlier in 1980, a paper on ‘the credentials question’ had been commissioned by the AFSC, and prepared by Todd Michael Landau of the Lawyers Committee for International Human Rights (hereafter Lawyers Committee). This report had concluded that conflicts over representation at the UN ‘are commonly dealt with politically rather than legally’, that ‘standards, such as the effective authority concept … have not been consistently applied’, but also that ‘while there is no precedent for leaving a seat vacant in the General Assembly in the case of contested representation, this does not foreclose the possibility of such an occurrence’ (Lawyers Committee 1980, 30-31). In circulating this report to its members, the AFSC hoped it would ‘help to clarify the history and precedence in view of the forthcoming discussion of the Kampuchea credentials at the thirty-fifth session of the General Assembly’ (Bennett unpub. 1980). In the same typewritten cover letter, the AFSC invited members to attend the 15 September Forum to hear two panellists, Fried and international law expert Roger Clark (speaking for the Lawyers Committee).

Fried evidently thought a great deal about how to argue his opinion at the Forum, an opinion he neatly summed up on a single hand-written page in his files: ‘The so-called Pol Pot regime cannot

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18 Also known as the Lawyers Committee for Human Rights, now Human Rights First.
legitimately represent Kampuchea in the UN General Assembly’. His willingness to speak at the forum attests to his belief that the 1980 credentials committee vote would (again) have enormous political, economic and social consequences for Cambodians. In preparing for the event, he carefully read his colleagues’ Lawyers Committee report along with numerous newsmagazine articles. Fried’s documents show that his habit was to actively engage with texts during reading, including his own drafts, by way underlining (of various thickness and darkness of pencil tone) and marginal annotations. This approach can be seen on copies of both the AFSC cover letter quoted from above, and the Lawyers Committee report itself. On the letter, he heavily underlines the word ‘distressed’ in the sentence that argues ‘[many Khmer people] are distressed that the United Nations community still accepts the credentials of the regime that executed so many of their relatives and friends’ (Bennett 1980). A cross in the margin at this line suggests an interest in bringing this idea into his own presentation at the Forum, which he did (in his typed draft, at least). Fried’s scribbling on his copy of the Lawyers Committee report includes much underlining, the addition of a question mark and the circling of a key claim. Other marginal responses are more forceful: in the left-hand margin beside the claim that a foreign power which conquers territory by force should not be recognised, even when it is able to demonstrate effective authority, Fried demurs: ‘the General Assembly did not say that’. Fried’s marginalia subjects the page to the passion of his politics, a drive more widely evident in his professional roles and voluntary activities, such as speaking at the Forum. As motivated and sometimes dissenting interventions inside ‘the architecture of the page’ (Mak 2011), marginalia demand further thinking about the labour and emotion of writing, reading and contesting documents’ know-show claims.

The Forum effectively staged a debate between the two reports, the 1979 IADL report, and the 1980 Lawyers Committee report. Clark recalls that he argued against the then US government’s position of continuing the UNGA representation by ‘the genocidaires’, favouring instead the direction that had been proposed by India: to leave the seat vacant (Roger Clark, pers. comm., New Jersey, 11 September 2018). For his part, Fried began by noting the ‘principal legal guideline’ for the credentials committee is Rule 27 (of the Rules of Procedure of the General Assembly). He argued that Rule 27 ‘grants considerable discretion’ should anyone but the head of state, head of government or Minister for Foreign Affairs of a Member State, submit credentials to the committee. Since only a chargé

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19 At Box 16, Folder 40, p.1 (Albany collection). Whether Fried placed the page here as a title page is unclear. Fried’s second wife, Nancy M. Buckley, MD, confirms that Fried maintained an office (and secretary) and worked on his archives until his death (Nancy Buckley, pers. comm., New Jersey, 20 January 2019).

20 Including Gareth Porter in The Nation (June 1979) and Indochina Issues (July 1980), a Mother Jones forum (April 1979), Wilfred Burchett in In These Times (May-June 1979), John Pilger in the New Statesman (August 1979) and articles and editorials in the NYT, Bangkok Post, Philadelphia Inquirer and Washington Post.

21 Fried once noted of Nazi documents: ‘handwritten marginal notations, abbreviations [and] receipt stamps [are] indicators of [documents’] probative value – essential also to professional research’ (Fried 1976, 194).
of the Permanent Mission of Democratic Kampuchea in New York provided the credentials in 1979 – which he said ‘reflected the vague character of the Pol Pot group’ – this alone might have led to a rejection of the Democratic Kampuchea group by the credentials committee. The immediate implication of this observation was if credentials were submitted in the same manner a second time (in 1980), the committee could reject Democratic Kampuchea on a technicality.

Fried’s view also differed from that of the Lawyers Committee report on the substantive issue of whether there were two ‘rival regimes’ vying for Cambodia’s seat. The Lawyers Committee report considered that there were rival regimes, while Fried argued that the Pol Pot entity was ‘not a government, or rival government, but an insurrectionist movement’. Elsewhere in his personal documents, he expands on his position, writing that:

During the existence of the UN, numerous governments have been overthrown and, if we are historically honest, often with support from outside. … Not in a single such case, however, has the UN seen fit to keep the country’s UN seat in the hands of the deposed government. … Hence it would be highly inconsistent with this practice, or customary rule, now to posit for the Kampuchea case, that the existence of a rebellious or insurgent pocket, makes the leaders of the insurgency a rival State, that may claim, in the Legal Counsel’s words, to be Kampuchea’s real government. This would be sheer fiction.

After the Forum, Fried sent a corrected summary of his presentation to Vietnam’s Permanent Mission, thereby adding his expert opinion to Vietnam’s 1980 campaign for the UNGA seat to be given to the PRK.

Fried’s notes for the Forum suggest that he presented souvenired pre-1975 Cambodian bank notes to his audience, perhaps to prove the claim (also made in the IADL report) that the ‘monetary system’ had suffered ‘liquidation’ under the Khmer Rouge, involving ‘the actual dynamiting of the Central [sic] Bank’ (UNGA A/34/559 Annex 1, p. 10). Like other early visitors, Fried had probably found the worthless notes blowing through Phnom Penh’s streets. A second reference to Fried’s visit to Cambodia reveals something of its affective force. In what may have been concluding remarks – they are prefaced with ‘Ladies and Gentlemen’, as if in summation – he writes:

All these unsolvable questions and legal and practical self-contradictions [regarding credentials] are, however, not matters for a seminar. They would mean more tears, suffering,

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22 Box 16, Folder 40, p. 45 (Albany collection). Fried raises the unknown location of the Pol Pot group as a point of political illegitimacy. He asks: ‘should the UN now deal officially with a Pol Pot office somewhere in the remote mountains, or in Thailand or China?’ referring to such an office as a ‘Werwolf’ (Hitler’s Eastern Front military headquarters).

23 Box 16, Folder 40, p. 28 (Albany collection), emphasis in original.

24 A typewritten cover letter to Vietnam’s Permanent Mission is in Fried’s personal papers at Box 16, Folder 40, p. 49 (Albany collection).
terror, fear for the Kampuchean people. One can only cry over the cynical cruelty of the proposition, sometimes argued, even in print, that the Pol Pot forces should be enabled, by outside support, to continue their endeavours, by force, to undermine the [PRK] regime and *muerbe machen* [break it up, make it fray].

Fried’s souveniring of bank notes, and this evocative reference to breaking up or fraying, communicates a sensitivity to the emotional and material worlds he had encountered in Cambodia. The material remains of former regimes can be as obdurate as they are worthless, while present regimes, and people, can be fragile, moved to tears, and made to fray. These comments of Fried’s help to understand the IADL report that he co-authored, and the draft resolution it had attempted to bolster (L.7), as simultaneously ‘embroiled texts [and] emotional artefacts’ (Weisser 2014, 54). As Weisser argues ‘once established, documents play a performative role – they constitute the organisation’s conditions of possibility’ (Weisser 2014, 51). In this case, the report and draft resolution mattered for the possibility of the UNGA taking the unprecedented action of leaving a seat vacant, but also and as part of this, for the political-affective states that might motivate this action: outrage, sympathy and solidarity.

‘Punishing the Poor’

While Vietnam didn’t directly refer to the IADL report on the UNGA floor in September 1979, its findings were implicit in a claim made there by Phan Hien, who stated that

> the United Front for the National Salvation of Kampuchea, which rose up to overthrow [the Pol Pot regime] and to save the Kampuchean people, represents *revolutionary legality*. Hence it is fully in keeping with international law and the United Nations Charter for Vietnam to lend its support to this just struggle (A/34/PV.13, p. 264, my emphasis).

But Phan had a number of competing priorities in 1979: justifying the presence of Vietnamese forces in Cambodia and Laos, decrying China for its recent border aggressions, and generally responding to what he called the ‘slanderous campaign’ against Vietnam by ‘Peking expansionists’. This claim of legality of action, indeed of ‘revolutionary legality’, went unexplained and unrepeated.

One year later, Nguyen Co Thach spoke for Vietnam at the thirty-fifth session of the UNGA. If he had received and read Fried’s further arguments after the World Church Centre Forum, he did not refer to them. By this time, Vietnam’s prior approach – to appeal to international law as providing justification for its actions in Cambodia, and for the PRK as a state – seemed diminished, if not abandoned. Nguyen represented the issue of Cambodia’s seat as a moral rather than legal issue:

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25 Box 16, Folder 40, p. 32.

26 The title of an important book from 1988 on ‘the international isolation of Cambodia’, written by Eva Mysliwiec.
[the PRK] is the only genuine and authentic representative of the Kampuchean people because it symbolizes their will to rid themselves of the genocidal regime and thus enables the Kampuchean nation to live again. Kampuchea’s seat in this hall should be returned (A/35/PV.II, p. 189)

Nguyen had also witnessed the horrors of S-21. At Tuol Sleng Museum some six weeks prior to his speech in the UNGA, he wrote in the visitor book: ‘[W]e need to make more people in the world become aware of this unprecedented crime, so that these scenes will never recur on earth’ (P105). In his speech, however, Nguyen’s only reference to crimes and the law was to say that: ‘no rationale can ever justify any action to legalise the actions of the genocidal Pol Pot clique against the resurrection of the Kampuchean people’ (A/35/PV.II, p. 189). Rather than imagining international law to be a means for legalising the PRK as Fried had, Nguyen voiced his fear of the legalisation of Khmer Rouge actions. This ‘legalisation’ is described by the US delegate on the 1979 credentials committee, Robert Rosenstock, who later reported: ‘I was told to engineer the result … so I engineered the result’ (cited in Power 2002, 150). Rosenstock has further stated that ‘the choice for us was between moral principles and international law … the scale weighed in favour of law, because that also served our security interests’ (cited in Fawthrop and Jarvis 2004, 30). Rosenstock meant international law prohibiting aggression. Fried and his peers would have objected to this reading of Vietnam’s actions, as well as to Rosenstock’s characterisation of international law as a realm apart from morality. Rosenstock’s statement nonetheless articulates a view of international law as useful when and where it aligned with security interests, regardless of ‘moral principles’. This differs from post-Cold War intervention and security discourses in which moral and legal imperatives are generally held to align with – if not impel – international action undertaken by the US.

The UN seating issue was tested several times in 1979 with the overthrow of a number of repressive regimes – Tanzania intervened in Uganda against Idi Amin, and French troops moved against Emperor Bokassa in Central Africa (Fawthrop and Jarvis 2004). In these cases, and in the historical case of the 1975 Indonesia invasion of East Timor, however, ‘the hue and cry raised with such vehemence against Vietnam [in 1979] was curiously absent’ (Fawthrop and Jarvis 2004, 31). From 1979, the seating of the Khmer Rouge in the UNGA lent legality to support (including military support) for the Khmer Rouge (Amer 1990, 58), and later to support for the Coalition Government of Democratic Kampuchea (CGDK) which included the Khmer Rouge. This also meant that only those agencies with a mandate to work as politically neutral agents, the International Committee of the Red

27 In 1982, the Khmer Rouge joined with two additional Cambodian political groups, forming the Coalition Government of Democratic Kampuchea (CGDK; the group was ‘in reality neither a coalition, nor a government, nor democratic, nor in Cambodia’ (Kiernan 2002, 488). This group retained the UNGA seat until 1990, when negotiations between the PRK and the three CGDK groups resulted in a de facto vacant seat (Amer 1990, 60).
Cross and UNICEF, could work within the PRK (along with a handful of NGOs). Many other UN agencies were limited to working on the Thai side of the Cambodian border with Cambodian refugees, setting up a situation of enormous disparity in funding (Cambodians on the border compared to the majority who remained inside the country). States, UN agencies and NGOs, in doing undoubtedly important and life-saving work in these places, also served to maintain the Khmer Rouge as a political force (Kiernan 2002, 488).

This disastrous situation notwithstanding, the actions of jurists like Fried and others, along with the AFSC and many other individuals visiting Cambodia in the early years, forged transformative connections between their own governments, constituencies and activities and places, activities and needs in Cambodia. Pratt et al. (2008) write of solidarity visits as emotionally and politically messy, such that they might be best approached ‘from lived experience, and not just [from] abstracted ethical principles devised in relation to static, stable geographies of north/south, west/east, first world/third world, here/there’ (Pratt and Philippines-Canada Task Force on Human Rights 2008, 757). Fried’s view diverged from the dominant west/east dualism and drew on his lived experience of Cambodia and Vietnam in 1979. In his passionate activism and writing, it is possible to glimpse his hopes for international law: legal representation, reckoning and redress, with true international scrutiny and a lasting commitment to peace and nuclear non-proliferation.

**Conclusion**

In the decade after 1979, hundreds of journalists, activists and delegates travelled to Cambodia to bear witness to the horrors of S-21 at Tuol Sleng Museum. One important subset of ‘early responders’ were jurists who visited with an eye to legal exposure and reckoning. Contemporary ‘transitional justice’ prescriptions for Cambodia generally overlook the visits and analyses of these jurists, but many such reports and opinions have stood the test of time. The benefits of critically examining these visits and analyses are multiple: they show that the period immediately after the Khmer Rouge was a period of dialogue and action around legal redress and international assistance; they expose a decade-long process of a state’s becoming legal vis-à-vis the United Nations; they help to make sense of the ways in which Cambodians today talk about justice and respond to recent ‘transitional justice’ activities; and they give a second meaning to the UN’s current investment in ‘dealing with the past’ in Cambodia (as dealing with the UN’s past role in a situation of representative and developmental injustice). This is a story of messy and mattersome stops and starts – cycles of appeal met by silence, followed by renewed appeal, for example – not the neat temporal and political transitions of ‘transitional justice’. It is also a story of complicity of now-celebrated actors in a prior situation of injustice.
The analysis contained in the 1979 IADL report, for example, is too easily dismissed as ‘pro-Vietnam’ propaganda. It was pro-Vietnam, but it was also produced by eight experienced jurists, the majority of whom were citizens of non-socialist countries. The immediate goal of the report – recognition of the PRK state – went unmet; the Khmer Rouge continued to occupy the UNGA seat through the 1980s. In Cambodia, they remained a violent threat into the 1990s, repaying their inclusion in the UN-sponsored elections of 1993 by way of boycott and murder of peacekeepers (Kiernan 2002, 490). In hindsight, this is a case of the liberal internationalism of the UN system was unable to accommodate activist and progressive approaches even when faced with something as atrocious as the Khmer Rouge. As Featherstone reminds us, however, solidarities can have significant effects that are invisible if only narrow goal-based accounts are given (Featherstone 2012, 33). Here I have sought to give a wider account of the effects of solidarity practices like visiting, commenting, reporting, reading and debating. What was left justified on the page at Tuol Sleng Museum carried justifying arguments into a campaign by many and across various professions, media and fora. As journalists, aid workers and delegates returned home from the PRK, small and slow changes were undoubtedly wrought. These mundane, dispersed and domestic practices – fundraising, book writing and letter writing – must join critical geopolitical accounts of justice for Cambodia. The geographical extensiveness of these practices proves the inadequacy of conceptualisations of post-conflict justice as being ‘in’ or ‘of’ a singular place.

But how to examine the moving parts and passions of such historical activism, especially around legal redress? I have here invited historical legal and political geography to consider the constitution of the inter-state through its idiosyncratic actors, key reports and pre-digital writing, reading and embodied practices. Activist reports and visitor book comments aren’t simply effects of practice, rather they have effects in practice. Eye-witness reports and pledges of solidarity contain the affective charge of ‘having been there’ that further works to publicise and persuade. The paper has also shown how marginalia intervene in the know-show performances of pages and reports, producing emphasis, authorisation and dissent. Legal sources are often seen as ‘dry’ or ‘abstract’ but when animated by accompanying material in personal or organisational archives, they can tell highly consequential stories about law and wider political processes.

Historical legal and political geography might also attend to the changing or continuous role of particular places in justice campaigns. The work of Fried, the Lawyers Committee and the AFSC that took place in and through New York is just one instance of that city’s local culture of thriving and different perspectives on international law – with its very material connection into the UN system. From New York and elsewhere in the US (AFSC headquarters in Philadelphia, for example), the campaign politicised and connected with many other actors in response to the ongoing suffering of
Cambodians and the positions taken by the US and UN. In time, a new group of actors and organisations, many based in the US, took up the campaign to hold Khmer Rouge leaders to account. This group included Cambodian refugees Arn Chorn, Dith Pran, Haing Ngor and Kassie Neou, scholars Chanthou Boua, Ben Kiernan, Judy Ledgerwood, Gareth Porter and Steve Heder, jurists Hurst Hannum, John Quigley, Greg Stanton and Roger Clark, human rights specialist David Hawk, and documentalist and scholar Helen Jarvis. Hawk and Hannum, for example, targeted the Australian and Swedish governments (among others) to mount a case against Democratic Kampuchea in the International Court of Justice in The Hague (see Hannum 1989). In Cambodia, the S-21 site/ Tuol Sleng Museum has continued to be a key site of witnessing and archival research, playing a crucial role in the cases before the internationalised tribunal, the Extraordinary Chambers in the Courts of Cambodia (ECCC).

Fried himself, and the kind of the international law he served, moves further out of view as these later processes are foregrounded. In the pages of his personal papers, I comb for evidence of how he received news of the third and fourth credentials committee votes (in 1981 and 1982) that also maintained the Khmer Rouge in the UNGA. Did these events, and the ‘stalemate’ over Cambodia that persisted for years afterwards, ever undermine, even minimally, his personal belief in a UN system that he’d served over a long career? If Fried had lived longer, how might he have responded to the Paris-drawn Comprehensive Political Settlement of the Cambodian Conflict of 1991, the UNTAC-supervised election in 1993, or even to the recent conviction of three former Khmer Rouge for war crimes, crimes against humanity and genocide at the ECCC? Of answers to these questions, no pages give trace.

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S-0990-0006-04-00001. Copy on file with author.

**Other documents**

L'expérience effroyante de cette visite à la prison du régime Pol Pot - les preuves d'un sadisme méthodique inimaginable - et les traces de vêtements des victimes, n'est comparable qu'avec des champs d'extermination des Nazis "en miniature."

Bouen Peuk, le 29 avril 1979

John Fried
(John J.F. Fried)

Professeur du Études Polaires, Université de la City University of New York, ancien Consultant légal aux Tribunaux, Anciens de Guerre à Nuremberg.
Figure 2: The IADL mission at Tuol Sleng Genocide Museum. John Fried is rightmost. Photo credit: Agence Kampuchea Presse (AKP).