

The relevance of Dec. 4, 2008

Written by
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In arguments both Thursday and Friday, lawyers debated the relevance of an [altercation that took place](#) between civil parties and Khieu Samphan's defense lawyers last December.

It was the first time hostilities at the court boiled over into public dissent -- and near violence. Angered by the provocative Jacques Verges, and his Cambodian co-lawyer Sa Sovan, Khmer Rouge victims [began a shouting match](#). Sa, as civil party lawyer Silke Studzinsky pointed out Thursday, "did not have the necessary distance to calm the situation," and various parties had to be physically restrained.

To defense lawyers' dismay, attorneys for the civil parties have now argued that the clash proves defendants cannot be released on bail. Anger directed toward the Khmer Rouge is still too raw, they say.

This is "a fragile society where coping mechanisms for the immense suffering have never been developed," Studzinsky said.

Predictably, Sa tried to downplay the relevance of the altercation, and said that even though one woman had "cursed me to die in a plane crash," the debacle was just "a misunderstanding."

Michael Karnavas, attorney for Ieng Sary, argued against the dispute's significance a day earlier, raising an interesting point. If his client supposedly cannot be released on bail because of widespread hostility, what if the tribunal were to return a "not guilty" verdict?

According to the prosecution's logic, he said, you "would have to find the person guilty. ... Otherwise, you would have public violence on your hands."

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