Genocide, Criminology, and Evolution of the “Crime of Crimes”

The Katyn Forest Genocide, 1940

In the spring of 1940, 22,000 citizens of Poland—mainly officers of the Polish army, police officers, and prominent intellectuals—were systematically executed by members of Josef Stalin’s secret police, the NKVD, in what became known as the Katyn Forest Massacre. The mass slaughter began as soon as the ground, near the camps where the prisoners were held in western Russia, was soft enough to dig pits for the bodies. Due to the great secrecy of the massacre, no one knows exactly where all of these men (and one woman—a second lieutenant) were killed, although skeletal remains show that most were executed with a shot to the back of the neck that went up through the brain and out the skull near the eyes. Eyewitnesses later reported that many victims had been shot in a sound-proofed basement room by a NKVD executioner wearing a butcher’s apron, hat, and long gloves—to protect himself from blood and spattering brains. He was able to kill about 250 Poles a night. Their bodies were then buried in neat rows, one on top of another, in mass graves; one grave site, in the northwest Soviet Union, was in the Katyn (pronounced KA-tin) Forest, which gave the massacre its name.¹

Few of the victims suspected what lay in store for them, for the Soviets had beguiled their prisoners with rumors of release. Some left their prison camps to the music of marching bands; apparently the Soviets were helping celebrate their release. Others were given typhus shots as though to protect them on their journey home. They did not realize that Stalin and his Politburo had condemned them to death; nor did anyone in Poland know about their fate. Their families were hurriedly deported to the far north, where many of them died from hunger or the cold. The prisoners’ disappearance was a mystery that the entire Polish nation struggled to solve for the next fifty years. This was a secret genocide.

¹
Because the victims of the event seem so different from those of the Holocaust—the popular template for genocide—many who read about the Katyn Forest Massacre might be reluctant to term it a genocide. Yet it fits the United Nations’ definition of genocide as an act “committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such”—meaning as a group with those characteristics. The Soviet Union had recently annexed the eastern half of Poland; Stalin planned to incorporate the land into the Soviet Union, erasing that part of Poland entirely or turning it into a satellite state. Yet, because his plans were unknown, when the Soviets captured a large number of Poles—army officers, reservists, professors, lawyers, engineers, and artists who recently had been mobilized into the Polish army—the bewildered prisoners barely resisted, for they had no idea that they were at war. Nevertheless, when spies later secretly interrogated them in the prison camps, they insisted on their loyalty to Poland. Stalin and his Politburo, certain that these Polish patriots, if freed, would resist the Soviet takeover of their country, eventually condemned them to death.

“Stalin was a pioneer of national mass murder,” writes the historian Timothy Snyder, “and the Poles were the preeminent victims among the Soviet nationalities.” The Soviets mistrusted these particular Poles for reasons of ethnicity, nationality, social class (they were educated “bourgeoisie”), and politics. Their removal from Poland and later liquidation was, as Snyder puts it, “a kind of decapitation of Polish society.”

But although the Katyn Forest Massacre meets the UN’s first criterion for genocide—it was intended to destroy, “in whole or in part,” a national group—it differs in so many respects from the Holocaust that even genocide scholars rarely mention it.

Goals of This Book

The omission of the Katyn Forest Massacre from discussions of genocide—common but unfounded—leads directly to a central question of this book: What do genocides look like? Do most or all of them in fact resemble the Holocaust? If not, what—if anything—do genocides have in common? I devote much of the book to answering this question. A second key question asks how genocides have evolved over time. But let me begin by explaining what I hope to accomplish in this book. My goals are
to identify the changing contours of genocide across the twentieth century through comparative study of eight genocides;
• to draw conclusions about the causes of genocide on the basis of comparisons of these eight disparate genocides; and
• to probe the ways in which criminology might contribute to better understanding of the crime of genocide.

I have structured the research to examine genocide as a generic phenomenon—comparing genocides to see if typical patterns appear—and to investigate genocide as a crime. The book is based on a unique data set: detailed comparative information about eight diverse genocides committed throughout the world and throughout the twentieth century. Its approach is that of comparative criminology.

As an exploratory study, this one is not designed to promote a major new theory about genocide or to back one of the many theories already in play—although it does confirm some earlier theoretical positions and disconfirm others. Above all, the study’s value lies in its effort to apply a rigorous, systematic methodology—comparative criminology—to genocide in order to determine what the phenomenon “looks like.” While historians have produced invaluable studies of single genocides, little agreement has as yet been reached about how social science might be used to compare events of this type. Until recently, most “comparative” studies of genocide were edited collections of chapters on individual genocides with introductions that generalize across the examples but do so intuitively and unsystematically. This is changing today with the publication of truly comparative studies that do much to illuminate the nature of genocide. Moreover, quantitative research on genocide is surging ahead. Although the present study is only minimally quantitative, its systematic character helps establish more reliable conclusions about the nature of genocide than edited “comparative” collections were able to reach.

It seems strange that few people have tried to apply criminology to genocide, given that genocide is first and foremost a crime and that criminology, broadly defined to include methods and explanations from sociology, psychology, history, and other fields, offers rich possibilities for improving our grasp of genocide. I try to see how far criminology can carry us toward better comprehension of this type of atrocity.
The prospects might seem dim, given that many criminologists focus on street crime and that criminology is largely a product of the Global North, whereas most genocides, until recently, were thought to have occurred elsewhere. Nonetheless, I want to see how well criminological methods and theories apply elsewhere, including to the Global South and the world’s most serious crime. Moreover, a new generation of scholars is insisting that colonial genocides occurred in both the United States and Canada, atrocities against indigenous peoples that can no longer be dismissed just because they do not conform to the Holocaust template or easily fit with the UN’s definition of genocide. These scholars are leading the way toward a powerful new understanding of the crime of genocide.

It may also seem strange that I, in particular, think criminology is up to these tasks or can be trusted to accomplish them without causing serious harm. In “Criminology’s Darkest Hour,” I wrote about criminology’s role in the Nazi genocides, during which explanations of crime were adapted to eugenic ends and used to justify the extermination of not only criminals but also Jews, “Gypsies,” homosexuals, and other “asocials.” In Creating Born Criminals, I wrote about eugenic criminology, a movement (ca. 1870–1940) in the United States and elsewhere that criminalized people with mental disabilities and established eugenic prisons in which so-called feeble-minded criminals could be held for life. One outcome was the US Supreme Court’s infamous Buck v. Bell decision, in which Justice Oliver Wendell Holmes, Jr., allowed forced sterilization of people deemed feeble-minded; otherwise, Holmes reasoned, their “degenerate offspring” would end up as killers.

However, the eugenics movement has passed, and I have grown less doubtful of criminology’s potential. Over decades of thinking about criminology, I have found it a flexible tool for addressing all sorts of social problems. And genocide is a crime, albeit one that until recently most criminologists ignored. Moreover, criminology has always been deeply engaged with politics and social justice. I wrote this book because I think criminology can improve understandings of the very complex phenomenon of genocide.
A Changing Crime in a Changing World

There was a time, not so long ago, when genocide seemed to have remained fairly static over time as a type of event. The model was set by a biblical story in the book of Numbers, in which Moses sends the Israelites to war against the Midianites. When the Israelites had slain all the males and captured their women, children, and flocks, they returned to Moses, expecting praise for their efforts. But to their surprise, he was furious: “Have ye saved all the women alive? . . . Kill every male among the little ones, and kill every woman that hath known man by lying with him. But all the women children, that have not known a man by lying with him, keep alive for yourselves.”\(^{14}\) In this telling (we might call it the biblical model), genocide begins with a leader who orders his soldiers to destroy all males in the targeted group while permitting them to pillage and keep surviving women (at least the virgins) and female children for themselves as slaves or other chattel.

For some people, the biblical model remains a dominant image of genocide, and in some respects, that image is correct. One consistent characteristic is that genocides rarely, if ever, result in total destruction of the victim population—even all of its men. Of the Poles in the Russian prison camps, about 395 survived the Katyn Forest Massacre, approximately 100 of whom were probably informants.\(^{15}\) One who was spared was the nephew of a Soviet film director. Another, who was wanted for interrogation by the NKVD, was led to the forest but pulled back; he ended up teaching economics in Canada.\(^{16}\) There are always some survivors who live to tell their tale. In twentieth-century genocides, as in the war on the Midianites, moreover, wholesale theft of property is common and may even be a central aim of the slaughter. And in more recent genocides, the victors often continue to evince great interest in the captured women’s sexuality, although they are more likely to rape than to kidnap and assimilate the virgins.

In the academic world, static models of genocide were abandoned as Holocaust scholars adopted the idea of genocide as a process. There followed stage models and, with them, sensitivity to internal dynamics in genocidal events.\(^{17}\) But scholars produced few broad overviews that might give a sense of changes over time in genocide itself—not in individual genocidal events but in the phenomenon per se—until the
Genocide Is Changing

The crime itself is evolving. From the arrival of the Spanish in the New World and well into the twentieth century, genocides often were precipitated by colonialism, with its hunger for land, physical resources, and the labor of the indigenous population. Later (and into the present) genocide was often linked to decolonization and efforts by postcolonial states to establish themselves as homogeneous nations. During the first half of the twentieth century, the crime tended to be committed by nation-states against other states. Both colonialist and interstate genocides drew on imperialism, nationalism, and grand ideologies of race and ethnicity to justify their atrocities. These justifications were still used to rationalize genocides at the end of the twentieth century, but they had lost their former power. Today, as Karstedt writes, contemporary genocides and other mass atrocities “typically occur beneath the level of the nation-state and independently of its boundaries. They evolve in the environment, social formation and the complex actor configurations of ‘extremely violent societies.’ . . . Diverse groups of perpetrators participate for a multitude of reasons, ranging from state government forces to militias. . . . Perpetrators are located beyond borders, and recruited across borders.” One of the most prominent changes, then, is the fluidity and localization of recent genocides. That genocides now tend to be committed within a country, often as part of a civil war, helps explain why the pace of genocide picked up in the second half of the twentieth century. Genocide was simply not as big or costly an enterprise as it often had been in the past.

The location of genocides and their frequency by global location also changed over the twentieth century (fig. 1.1). Genocides in Asia declined; there was but one genocide in Europe (in the former Yugo-
slavia) after the middle of the twentieth century; and genocide in Latin America started to die out with the end of the Cold War, which was fought by proxy in countries like Guatemala. In contrast, Africa—which had little genocide through the mid-twentieth century—was thereafter beset by atrocities of this type. Many occurred in Central Africa, where they were tied to ethnic conflicts (especially between Hutu and Tutsi; see appendix A) and where the struggles flowed back and forth across borders. Victims and offenders sometimes exchanged roles in the process. “While genocide scholars routinely place people into categories such as ‘victim,’ ‘perpetrator,’ or ‘bystander,’” one research team observes, “these categories are not mutually exclusive in reality. Rather, a Rwandan may have killed a neighbor and saved the life of another neighbor, perhaps within the course of a single day.” In early twenty-first-century struggles in Central Africa, warring parties grabbed for whatever resources were available; some sold illegally seized goods such as diamonds and precious metals to organized crime groups, which supplied them with weapons in return.

Some political analysts have attempted to explain the global shift of genocide to Central Africa by arguing that globalization stimulated
atrocities in this area. When one looks at the embeddedness of the conflicts in international networks such as those of arms sales and illegal trading, globalization may indeed seem to have been a culprit. However, globalization coincided with declines in genocide elsewhere and may even have encouraged them. So the role of globalization is at best unclear, and in any case, one needs to consider globalization in the context of ongoing regional conflicts.

The most plausible explanation of the global shift in genocide is ethnic conflicts—themselves rooted in the racism of colonization—in newly forming (or re-forming) African states.

Is the rate of genocide increasing, or do states and other large-scale groups, perhaps constrained by the growth of humanitarian law since the mid-twentieth century, resort less frequently to mass atrocities today than in the past? A number of scholars claim that genocide is declining, a position reinforced by the high-profile erudition of Steven Pinker, the Harvard University psychologist, in his 2011 book *The Better Angels of Our Nature: Why Violence Has Declined.* This is a comforting message, but if anything, the genocide scholar Robert Melson argues, genocides have increased in frequency since the breakup of the Soviet Union and emergence of the “third world.” My data (fig. 1.1) point to the same conclusion—a conclusion reinforced by the tendency of twenty-first-century genocides to simmer under the radar as prolonged and episodic struggles among paramilitary groups in weak states and, thus, perhaps, to be invisible to those who are tallying genocides. I return to this issue later, when I discuss the political scientist Kathryn Sikkink’s identification of a “justice cascade” that may have started deterring genocides the world over. Scholars should be able to reach a definite conclusion in this debate in another few years.

Among the notable changes in genocide over time is the apparent increase in the use of mass rape as an instrument of genocide, although it is hard to know whether the increase is real or simply a byproduct of greater awareness and poor records on earlier atrocities. In any case, there is less abduction of women and children today than in earlier periods, no doubt because slavery is now outlawed. Another change—although this impression is harder to prove—is that genocide today involves less deliberate dehumanization than in earlier decades. At the very least, there seems to be a falling off from the high-water mark of systematic victim degradation set by the Nazis, even though the decrease
is ragged and broken by ugly exceptions. A final change is the spread in worldwide recognition of genocide as crime.

Responses to Genocide Are Changing

“Who, after all, speaks today of the annihilation of the Armenians?” Adolf Hitler asked, announcing his decision to commit genocide against the Poles and trying, at the same time, to reassure his military.28 Hitler expected history to grant the Nazis impunity—freedom to commit genocide without consequences—and his expectation was not unfounded: at the time (1939), no group had ever been brought to trial and punished for genocide. But in the aftermath of World War II, nations mobilized to bring the Nazis to justice, and the Nuremberg trials of Nazi leaders marked the beginning of the end for impunity—at least for high-level perpetrators. Those who defeated the perpetrators tended to treat themselves to victor’s justice, even when they, too, had arguably committed atrocities.

It was not easy, however, to persuade nations to give up their traditional sovereignty—their autonomy and independence to do as they pleased, even if what pleased them was genocide. The world had to wait until the early 1990s for the next international challenges to impunity, which came from the United Nations in the form of two special courts, the International Criminal Tribunal for the former Yugoslavia (May 1993) and the International Criminal Tribunal for Rwanda (November 1994), both established in response to conflicts that looked genocidal. Today, among those who are most concerned with human rights, everyone remembers the annihilation of the Armenians.

Another change in responses to genocide came with the 2002 establishment of the International Criminal Court, a court of last resort with jurisdiction over genocide, crimes against humanity, war crimes, and the crime of aggression.29 As of January 2015, 123 countries had ratified or acceded to its establishing document, the Rome Statute, which defines and prohibits these crimes. (The United States, reluctant to cede sovereignty, is not one of them.) Establishment of the International Criminal Court breathed new life into the global trend of holding leaders criminally accountable for human rights violations.30

One of the most visible signs of that trend is the transitional justice movement—judicial and nonjudicial measures to redress massive
human rights abuses and improve accountability, survivor support, and the building of democratic institutions. The transitional justice movement includes truth commission officials, genocide prosecution teams, NGOs (nongovernmental organizations such as Human Rights Watch), academics, and local judges (such as those of Rwanda’s informal gacaca courts). Extending far beyond formal criminal justice, its goals range from helping survivors of genocidal rape to putting shattered nations back together.\textsuperscript{31} The transitional justice movement is something new under the sun.

Changes in response to genocide have been made apparent through reportage and media, notably through treatment in film. Some of the earliest footage of the Holocaust, shot as Russian and Western troops opened up Nazi concentration and death camps, has been unearthed, processed, analyzed, and included in documentaries such as Alain Resnais’s monumental \textit{Night and Fog} (1955).\textsuperscript{32} More recent contributions to this genre include films about genocides such as the Katyn Forest Massacre (\textit{Katyn}, 2007, made by Andrzej Wajda, the great Polish director whose father was one of the victims) and the French genocide against Algerians (\textit{The Battle of Algiers}, 1966, Gillo Pontecorvo’s shocking movie). Genocide films both reflect and promote a worldwide consciousness of genocide that did not exist a generation or two ago.\textsuperscript{33}

Another change is the emergence of genocide tourism, which raises public consciousness through creating memorials—not simply monuments but transformations of genocide sites into places where visitors can see what happened, mourn, and struggle to understand. Nazi concentration and death camps are now well-established tourist sites, with Auschwitz, Buchenwald, Dachau, and others visited by millions of people a year, many of them German. (One scholar estimates that “as many people now visit Holocaust memorials every year as died during the Holocaust itself.”)\textsuperscript{34} Cambodia has established a “dark tourism” site at Tuol Sleng, the torture and extermination prison in Phnom Penh, and Rwanda is hoping to become a destination where tourists can visit its Memorial Centre and study its genocide. Such memorials are a byproduct of globalization. They are one of the most powerful of recent changes in the treatment of genocide because they are points where genocide narratives—those of victims, torturers, commandants, slaugh-
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In a sign of the changing response to genocide in recent years, former president Bill Clinton traveled to Rwanda to apologize for not having done more to prevent the genocide there. “All over the world,” he said, “there were people like me sitting in offices, day after day after day, who did not fully appreciate the depth and the speed with which you were being engulfed by this unimaginable terror.” Clinton had a lot to apologize for: timely action might have prevented the genocide entirely, and the lack of action possibly intensified the genocide by signaling that no one cared; but nonetheless, Clinton did, voluntarily, publicly apologize. The contrast of his apology with Hitler’s cavalier self-exculpation— “Who, after all, speaks today of the annihilation of the Armenians?”—is a measure of the changes in attitudes toward genocide over the past seventy years. Even the Soviets—albeit much more grudgingly—in 1990 apologized to the Poles for the Katyn tragedy.

The Study of Genocide Is Changing

The foremost change in response to genocide came in 1948, when the United Nations condemned genocide as an international crime and gave it a legal definition. The UN’s Genocide Convention was a milestone of the greatest significance in the struggle to protect human rights, and the UN’s definition of genocide in terms of “acts committed with intent to destroy . . . a national, ethnical, racial or religious group, as such” remains the norm in international law. However, the UN’s definition omits the political groups that are often targeted during genocide. Activists and academics alike often informally change the original phrase to read “a national, ethnical, racial, religious, or political group,” but eventually a more formal change may be needed. Meanwhile, the definition of genocide is widely debated. In chapter 7, I argue that, given the frequency and horror of genocidal rape, it is unconscionable to exclude women from the protected groups. However, instead of advocating the addition of “women” to the list of groups protected against genocide, I argue that the list itself should be deleted in favor of a definition that protects all groups harmed by genocide, including groups victimized by colonial genocides. Meanwhile, I base this study only on attempted group
exterminations that meet the UN’s definition of genocide, modified to include attempted extermination of political groups.

Today, more people are studying genocide than at any time in the past, and more of them live outside the countries, the United States and the United Kingdom, that long dominated genocide studies. Historical and anthropological studies based on painstaking archival and field research, including publication of a massive and definitive volume of Katyn documents, continue to be crucial. They form the bedrock of genocide studies. Today, however, scholars from other disciplines—and even these same disciplines of history and anthropology—use these foundational studies as secondary literature and build on them. Indeed, this approach is typical of what the genocide scholar Scott Straus calls second-generation research on genocide. The focus of scholarship is also changing. Today scholars concentrate less on the decision making of leaders and macro-structural background conditions such as race and ethnicity and more on micro variables such as friendship networks and subtle interactions between leaders. For instance, in a study of the Srebrenica massacre during the Bosnian civil war, the sociologist Stefan Klusemann shows that the atrocity “emerged from short-run shifts in emotions over a period of a day” as the Serbian commander General Mladić established dominance over the UN peacekeepers.

Psychology and social psychology, which used to play prominent roles in the theoretical literature on victims and perpetrators, have to some extent been eclipsed by political interpretations. In chapter 5, however, I show that we still must rely on psychology and social psychology to answer the crucial, perennial question about perpetrators: How could they do it?

Another interpretive change is the shift away from obedience to authority as a major explanation in genocide studies. In earlier decades, obedience to authority was used to account for the behavior of subordinate killers and, sometimes, victims who seemed to act against their own self-interest. Enthusiasm for the obedience explanation was stoked in the 1960s by a confluence of high-profile events. First, in 1960, Israel put Adolf Eichmann, the architect of the Final Solution, on trial. Not long after Eichmann’s spectacular trial (he testified from a glass booth that protected him from assassination) and execution, the political theorist Hannah Arendt published Eichmann in Jerusalem: A Report on the Banality of Evil, a controversial work that stressed what she saw as the
unimaginative, bureaucratic, and almost automaton-like nature of Eichmann’s behavior. Shortly thereafter, the psychologist Stanley Milgram published the first article on his obedience experiments, “Some Conditions of Obedience and Disobedience to Authority,” following it up a decade later with Obedience to Authority: An Experimental View. Milgram seemed to prove that the majority of people would, like the Eichmann portrayed by Arendt, be willing to harm others, even severely, if they were instructed to do so by an authority figure.43

However, the Australian psychologist Gina Perry has now exposed Milgram as, if not a fraud, at least an imprecise scientist who found what he wanted to find.44 “Milgram’s obedience experiments,” Perry writes, “are as misunderstood as they are famous. This is partly because of Milgram’s presentation of his findings—his downplaying of contradictions and inconsistencies—and partly because it was the heart-attack variation [in which the subjects shocked the make-believe “learner” until his screams fell silent] that was embraced by the popular media, magnified and reinforced into a powerful story.”45 Obedience to authority—once an almost ubiquitous explanation for why men (and some women) would kill during genocides—no longer seems automatically plausible as an account of perpetrators’ behavior. This is a significant substantive change in the study of genocide.

Another change is the introduction of new types of scholarship. One of the most unusual is use of aircraft and satellite photography, which reveals shifts in earth formations and vegetation. An early example of this type of research emerged—partly by happy accident—in the Katyn case. After the massacre, Poles whose relatives and friends had vanished were desperate to find out what had happened. Meanwhile, the Germans and Soviets, now battling each other across Poland and into western Russia, did their best to hide or fabricate the truth of the massacre. In 1943, when the Germans controlled the Katyn Forest territory, a wolf carrying a human bone led to discovery of a mass grave. The Germans staged an elaborate propaganda event at the gravesite to demonstrate that the Soviets were responsible for the slaughter. The Soviets retaliated with denials that threw the blame on the Germans. The struggle over the truth continued while US and British officials withheld evidence that implicated their Soviet allies, and Poles vainly petitioned the Soviets for documents related to the victims’ capture and death.
In 1990, a Polish American investigator discovered German aerial reconnaissance photographs taken during World War II; these images, spanning the period 1941–1944, demonstrated that the area of the mass graves had not been disturbed during the German occupation—and that thus the Germans could not have been responsible for the genocide. The photographs indicated, moreover, that the area had been disturbed before the Germans’ arrival, thus implicating the Soviets. Further, they showed Soviets bulldozing some of the graves and removing what seemed to be bodies (thus suggesting a Soviet cover-up). Discovery of these photographs coincided with dissolution of the Soviet Union and the policy of greater openness known as glasnost. The Russian leader Mikhail Gorbachev finally admitted Soviet responsibility for the genocide.

More recently, in Rwanda, aircraft and satellite photography has been used to discover changes in agriculture before and after the genocide. Although in this case there was no question about whether genocide had occurred or who was responsible, the photographs did show a severe die-off in vegetation after the genocide, highlighting the need for investigators to gauge environmental as well as human damage when calculating the toll of such events. In a study of the Cambodian genocide, the Yale University Genocide Studies Program uses layers of digital maps to show sites hit by US bombing sorties in the disruptive lead-up to the genocide as well as the location of Khmer Rouge prisons and mass
graves. Such geographical tools are leading the way to a new generation of methods for studying genocide.

The most radical recent challenge to the study of genocide began with the idea of cultural genocide—destruction of a group by depriving it of access to its land, traditions, history, and values, not necessarily through physical violence but more slowly, as with the “stolen generations” of Australian Aboriginal and Torres Strait Islander children who were forcibly removed from their families by government agencies and church missions. Indigenous children in Canada and the United States also went through experiences that were designed to assimilate them into a “superior” culture and that were destructive in fact (if perhaps not in intent) of their own culture. In 2015, a Canadian commission concluded that the country’s former policy of forcibly removing aboriginal children from their homes and sending them to boarding schools “can best be described as ‘cultural genocide.’”

Some scholars have tried to fit cultural genocide into the UN definition of genocide, while others go well beyond that to argue that understandings of genocide must fit themselves to the destructive realities of colonialism. The Canadian sociologist Andrew Woolford, for instance, writes that he is not interested in proving “a Canadian Aboriginal genocide against the UNCG [UN definition] standard or any other; instead, [he wants] to (a) establish that the designation of ‘cultural genocide’ is too qualified and imprecise for understanding Canadian Aboriginal experiences of colonialism, and (b) argue that re-reading and opening certain components of the UNCG through an engagement with Canadian Aboriginal experiences and understandings of group identity, destruction, and intent provides a clearer path to discerning the nature of genocide in Canada.” Not all specialists in colonial genocide go so far as Woolford, but there is no denying that he and others pose a strong challenge to traditional ways of conceiving genocide. They also pose a challenge to North Americans who think that genocides are events that happen elsewhere.

Criminology has now become part of the new generation of genocide studies (I review its contributions in chapter 9). Criminology was slow to get involved partly due to its traditional concern with street crime but, above all, because criminologists (like most other people) tend to frame crime as behavior that is criminalized by the government. In criminology—as the critics Alette Smeulers and Roelof Haveman point
out—“the state determines what is punishable, hence what has to be considered as crime. War crimes, crimes against humanity and genocide are outside the scope of such a definition. . . . The fact that [in genocide] states are suddenly the perpetrators and no longer merely the authorities who try to prevent and punish crime, turns the theoretical framework of criminologists upside down.”

Genocide requires a drastic reframing of ideas about justice and inversion of the usual realities. In state-sponsored genocides, the state often defines a certain group as criminal; but in doing so, it itself becomes the genocidal criminal, and the criminalized group becomes the victim. Agents of the state charged with maintaining order and restoring justice become agents of terror. For criminologists used to explaining juvenile delinquency or sentencing disparities, it is disorienting to confront a crime that turns basic assumptions inside out.

A Criminological Approach to Genocide

To understand what criminology has to contribute to the study of genocide, one needs only to recognize the nature of the field. Criminology—the study of crime—is a porous, “rendezvous” field that incorporates aspects of anthropology, history, law, political science, psychology, sociology, and other disciplines, depending on the problem at hand. It should thus be able to contribute richly to understanding genocide—its precursors, causes, dynamics, and successes at mass victimization. Specialists in gangs have long tried to pick apart the relationship of the individual offender to the group, which is also a key issue in genocide studies and in prosecutions that attempt to sort out individual from group responsibility. Victimologists have investigated victim vulnerability and bystander dynamics; feminist criminologists have developed theories about mass rape. Neutralization theory enables criminologists to understand how perpetrators (individuals, groups, and states) deal with guilt; brutalization research illuminates the consequences of killing.

Criminology also has much to learn—testing current theories, formulating new ones, expanding its reach and relevance—from studying genocide.

In this book, I try a new approach to genocide research—comparative criminology—that combines historical with sociological methods. My
research design involved three steps. First, I chose a sample of eight genocides; second, I developed case-study questions to analyze the genocides in detail; and third, I used the software program NVIVO to make comparisons across the cases for each of my questions.

I began by compiling a list of genocides that occurred between 1900 and 2000. Genocides before 1900 are poorly documented, at least in the degree of detail I needed, but a great deal of scholarly attention has been focused on the first two genocides of the twentieth century, those of the Herero (an African tribe destroyed by a German colonial army, 1904–1907) and the Armenians (an ethnic group almost eradicated by Ottoman Turks, 1915–1923). Thus, 1900 seemed a good year to begin. The year 2000 provided a cutoff by rounding off the era often termed “the century of genocide.” My time frame, therefore, is the period 1900 to 2000.

To compile the list of twentieth-century genocides, I used the Dictionary of Genocide, the Encyclopedia of Genocide and Crimes against Humanity, Genocide Watch’s list of genocides, politicides, and other mass murders since 1945, Barbara Harff’s work on genocide and political mass murder, and other works (appendix A). Although these sources use varying definitions of genocide, I wanted a comprehensive list of events that authorities consider to have been genocides during the twentieth century. I ended up with a list of sixty-five instances of genocide.

Next I selected my sample. I limited the number of case studies to eight after determining that eight was the maximum number I could treat in a book of this length while covering each case in sufficient breadth and depth. I also limited my selection to cases that fit the definition of genocide as a crime committed with the intent to destroy a national, ethnic, racial, religious, or political group. (This is a modified version of the UN definition; it adds the category “political” to the list of protected groups.) Then I used the following criteria for selecting the final eight cases:

- Degree of documentation
- Variety in type (colonial, racial, ethnic, political, etc.)
- Chronological and geographical spread
- Proportionality (cases reflecting the frequency of genocides over time in various regions of the world)
To determine proportionality, I tallied the frequency with which the genocides listed in appendix A occurred in regions of the world. The tally indicated that my final sample should include two examples from Africa, two from Asia, and one each from the Middle East, Central/South America, Europe, and Eurasia. In order to include Katyn—which seemed particularly important in terms of the second criterion, variety of type—I decided to omit a Eurasian example and include two from Europe instead. (This variety-of-type approach is known as “least similar case” comparison.) The eight cases I finally selected are shown in table 1.1.

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<thead>
<tr>
<th>Genocide</th>
<th>Dates</th>
<th>Region</th>
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<tbody>
<tr>
<td>1. Herero genocide</td>
<td>1904–1907</td>
<td>Africa I</td>
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<tr>
<td>2. Armenian genocide</td>
<td>1915–1923</td>
<td>Middle East</td>
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<td>3. Nazi genocide of the disabled</td>
<td>1939–1945</td>
<td>Europe I</td>
</tr>
<tr>
<td>4. Katyn Forest Massacre</td>
<td>1940</td>
<td>Europe II</td>
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<tr>
<td>5. Indonesian genocide</td>
<td>1965–1966</td>
<td>Asia I</td>
</tr>
<tr>
<td>8. Rwandan genocide</td>
<td>1994</td>
<td>Africa II</td>
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A word on my selection of the Nazi genocide of the disabled: Although for many people the Holocaust is always the prime example of genocide, I do not cover it here because it is exhaustively treated elsewhere. However, I did want to include an aspect of the Nazi genocide in my study. The Nazis’ genocidal ambitions extended far beyond Jews to include Bolsheviks, communists, criminals, homosexuals, Jehovah’s Witnesses, Romani, Slavs, socialists, and tramps; they further included the physically abnormal, epileptic, “feeble-minded,” and mentally ill, groups I combine under the rubric “disabled.” To demonstrate the extent of the Nazis’ program of slaughter and to follow up on my long-standing interest in the history of eugenics and mentally disabled people, I decided to use the Nazi genocide of the disabled for one of my cases. The disabled constituted a political group in that the Nazis intended to destroy them to excise abnormalities from the German “blood”—its gene pool. The Nazis were trying to reconstitute the German state as a social
and putatively biological organism. In a sense, this was also a racial and national genocide in that the Nazis wanted to get rid of a group that they viewed as a foreign body within their country, a racial threat to the German nation. As it happens, this genocide included thousands of Jews, first those in public and private hospitals and later Jewish prisoners in concentration camps. Moreover, the Nazis’ “euthanasia” program for the disabled turned out to be a training program and trial run for the Final Solution to “the Jewish problem.”

In statistical terms, mine is a nonprobability, purposive (or judgment) sample, meaning cases were chosen because I judged them to be useful for specific purposes. It is also to some degree a convenience sample: one of my criteria was degree of documentation, and I steered clear of cases on which little primary research had been published. The sample is also a quasi-stratified sample, since I aimed at including cases that would reflect the frequency of genocides over time in various regions of the world.

Would eight different examples have led to different conclusions in this book? While that is certainly possible—every nonprobability sample is by definition subject to bias—many of my conclusions are seconded by genocide scholars who use very different methods. If anything, my method encourages a misleading impression of homogeneity among genocides, for it seeks commonalities, paring away marked differences in
favor of generalities. My writing strategy of mixing the stories of specific genocides with conclusions about genocide in general aims at finding a balance between the individual and the general case, the idiosyncratic and the average. But to test my conclusions, this study would need to be replicated using other examples. Note that my list of twentieth-century genocides (appendix A) was compiled from sources that do not include cultural genocides, and thus I have no examples of these in my sample. If I did, some of my conclusions would almost certainly be different. But this is a sample of genocides defined very closely to the UN’s standard (identical to it, in fact, aside from the addition of “political” to the list of protected groups).

In sum, using a modified version of the UN’s definition of genocide, I drew a sample of eight genocides covering the period 1900–2000 and including examples from around the world, with examples roughly proportionate to the number of genocides experienced by global regions and spread out, in terms of their starting dates, over the entire period. Then I compared the cases across multiple dimensions, using a series of case-study questions (appendix B). The comparative method, as the historian Peter Baldwin writes, “serves primarily to separate the important from the incidental”—what is idiosyncratic to a specific genocide from what is generic to these events en masse—and thus helps answer the first of my key questions: What are the crucial characteristics and components that genocides have in common? The comparative method can also help explain the causes of large-scale social phenomena.

The Layout

Chapter 2 presents summaries of all eight cases; each subsequent chapter relates the full story of one or more of the genocides in the sample. The order in which the genocides are discussed is not chronological but thematic. I have organized the book partly to explore the causes of genocide on the macro (structural), meso (group), and micro (individual) levels; genocide scholars and criminologists alike have shown a strong interest in learning how events “work” interactively at these three levels. This part of the analysis begins in chapter 3 with the macro approach, moving on to group-level explanations in chapter 4 and to individual-level explanations in chapter 5. To some extent, this
organization follows changes over time in research on genocide—a trajectory that began with structural explanations but now has expanded to include meso-level theory (here I emphasize sociological explanations) and micro-level work. I also show how these various explanatory levels interpenetrate.

In chapter 2, I lay the groundwork for what follows by explaining how genocide differs from other types of crime—not only street-level offenses and organized crime but also other atrocity crimes. I present capsule summaries of the eight genocides in my sample and profiles (derived from my sample) of genocide's perpetrators and victims. By way of introduction, I present two leading but opposing theories on the nature of genocide—those of Benjamin Valentino and Christian Gerlach—and explain why Gerlach's less top-down, more chaotic and multipronged model better describes the genocides in my sample.

I begin chapter 3, on macro factors, with a detailed examination of the growing tensions in Southwest Africa that led to the Herero genocide of 1904, in which an indigenous tribe started what it knew would be a suicidal war against German soldiers and settlers. This example is particularly interesting in that the victims began the war, which means they were perpetrators as well. I then look at other genocides, identifying six structural factors that best predict the onset of genocide: war, state failure, ethnic or racial polarization, colonialism, ideology (which overlaps with other macro factors such as colonialism), and impunity. I also explain why I reject two other macro factors—regime type and poverty—as risk factors for genocide. In conclusion, I propose that we start speaking of states with a “genocidal propensity,” just as we speak of individual criminals with a propensity to reoffend.

In chapter 4, I focus on the group level and the emotions of genocidal groups. One of the first stages in genocide is the reframing of identities, a process that entails a chain of emotions. Perpetrators start the process by reframing the identities of those who are to become victims; in doing so, they also recast their own identities, thus changing the emotional valences of both groups. I illustrate this reframing process with the Indonesian genocide of 1965–1966. Then, applying Randall Collins's sociological theory of violence to genocide, I show how his idea of turning points in individual cases of violent behavior also helps explain the emotional dynamics of these large-scale events. I further discuss the
emotional tone of genocide in terms of Collins’s contrast between “hot” and “cold” violence.

Chapter 5 analyzes the genocidal process on the micro level, from the standpoint of the individual offender. Here I tackle the “How could they do it?” question by proposing a sequence that I call “splitting.” Splitting, a psychological process that takes place in the minds of perpetrators, starts with moral disengagement, moves through a shutdown of the capacity to feel empathy, and ends with objectification of the victims. Once victims seem like objects rather than other humans, it is relatively easy to torture and kill them. I apply this analysis to the Cambodian genocide of 1975–1979. Toward the end of the chapter, to further answer the “How could they do it?” question, I examine perpetrators’ rational motives (opportunities for looting, fear, and so on)—as opposed to their psychological experiences of splitting.

In genocide, the planners often mobilize gangs or militias to carry out the slaughter. I call these groups “genocidal organizations.” Chapter 6 opens with narratives of two genocides that involved mobilization of a genocidal organization: the Armenian genocide of 1915–1923 and the Nazi genocide of the disabled, 1939–1945. These organizations, however, were quite different in character, as were those of other genocidal organizations in my sample; I spend time identifying their commonalities and comparing them with organized crime groups. In this chapter, I also discuss another tool in genocidists’ arsenal, the creation of what the philosopher Giorgio Agamben calls the “state of exception.” Authorities create states of exception by suspending laws that prohibit certain actions, thus assuring genocidists that they will be safe from punishment.

Chapter 7 turns to the issue of genocidal rape, which a criminological team has aptly dubbed “state rape.” In the past, rape was often seen as a spoil of war; today, mass rape is being used as a tool of genocide itself—a means to break down the victim group’s capacity to resist and, later, to reconstitute itself. Genocidal rape is a means used by perpetrators to achieve their aim of reconstituting a society. I illustrate these effects with the Rwandan genocide of 1994 before discussing the recent role—and limitations—of international law in the definition and prosecution of genocidal rape.

All genocides end, but we know little about the processes that lead to their termination. In chapter 8, I differentiate genocides by the ways in
which they conclude and compare these endings with ways in which ordinary offenders desist from crime. Then I relate the story of the Guatemalan genocide of 1981–1983 to explore difficulties in pinning end dates on genocides, explaining why 1983 is used as the end date in the Guatemalan case despite subsequent violence and discussing how the country’s genocidal history feeds into its later high rates of violent crime. The chapter’s final section, on reverberations of genocide through generations, speaks to the ways in which genocides linger on, festering without healing. Here I examine survivors’ continuing sense of injustice and the personal and political emptiness that genocide leaves in its wake.

In chapter 9, I summarize what I have found about the typical patterns of twentieth-century genocide and how the crime evolved over time. I also discuss the conclusions that can be drawn from criminological research on the prevention and deterrence of genocide. I am not so naïve as to think that deterrence and prevention—even when they work in tandem, as they often do today—will halt genocide entirely; rather, I hope we can discover ways to slow the eruption of new genocides. There is reason to believe that criminology can have some impact on the occurrence of genocide, just as it can lower levels of street-level crime. In conclusion, I identify ways in which criminology can best contribute to genocide studies in the future.