

## A Moment of Reflection and Innovation in Perpetrator Studies

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REVIEW OF: Alette Smeulers, Maartje Weerdesteijn and Barbora Holá eds., *Perpetrators of International Crimes. Theories, Methods, and Evidence* (Oxford: Oxford University Press, 2019). 416 pp. \$110 (hb). ISBN: 978-0198829997.

This edited volume is a welcome addition to the growing body of monographs, edited volumes, and articles on perpetrator studies. It brings together many interesting chapters that individually provide innovation and insight on particular topics or issues, such as questions of methodology and ethics, perspectives on perpetration as a process, the complexity of grey zones, the role of ideology, and new approaches to studying international criminal trials. In its entirety it also contributes to a more general reflection on where we are in perpetrator studies today. While the three editors all have a background in (international) criminal law and criminology, the volume brings together authors from various different disciplinary backgrounds, particularly sociology, anthropology, (oral) history, and political science.<sup>1</sup>

The volume is divided into five parts and begins with an historical overview of the study of perpetrators that succinctly demonstrates how the field has broadened considerably in terms of disciplinary perspectives (from history and psychology to a plethora of further disciplines) and how it has incorporated perspectives from many more cases beyond the Holocaust (Alette Smeulers). The second chapter (Alette Smeulers, Barbora Holá, Maartje Weerdesteijn) takes stock of “what we know” in perpetrator studies today, admirably condensing the state of the art regarding factors that cause people to become perpetrators, differentiating between dispositional, situational, and societal explanations and adding process-based explanations that focus on insights from terrorism literature. In addition, the chapter differentiates in a systematic and useful manner between the methodological approaches used. This chapter is an excellent synthesis of the state of the art, but

1 Although but a side note, it is important to mention that the three editors and also many of the authors are or have been based in the Netherlands, a welcome reminder that the Dutch research landscape is currently very much at the forefront of many of the developments in the emerging field of perpetrator studies.



falls a little short in terms of showing the most tangible gaps in the literature and laying out a research agenda for the volume to participate in. Nonetheless, the rest of the volume maps its own desiderata in the literature and contributes to these in various different ways.

Part II focusses on methodological and ethical approaches to studying perpetrators. First, Chandra Lekha Sriram draws on her experience of conducting fieldwork in five post-conflict settings to provide a reflection on the ethics of conducting fieldwork with (potentially) accused perpetrators. She explores how this material may have unintended consequences for criminal trials in terms of providing evidence for their culpability. Further, the chapter discusses power relations in the interview setting, rendering not only the interviewee but also the interviewer vulnerable in terms of security, access, and narrative manipulation. Mina Rauschenbach then provides us with a helpful reflection on the ethics and practice of interviewing. In particular, she discusses how the social construction of the figure of the perpetrator as evil is at odds with our ethical obligation to engage with the interviewee's perspective, shifting away from a conception of evil. The third chapter of Part II engages in a critical reflection on what we can really actually learn from studying trials given that we cannot really interrogate the perpetrators' minds, and that we can study them only as defendants within this specific setting (Thijs B. Bouwknecht and Adina-Loredana Nistor). In different ways, these three chapters all call for and contribute to a more nuanced and self-reflexive approach to the interviews and the juridical data with which some perpetrator scholars work, not undermining the credibility of the research, but flagging issues and questions on which deeper reflection is necessary.

In Part III, the chapters distinguish between different levels at which perpetration occurs (macro-level architects, meso-level organisers and micro-level killers) and different phases of perpetration as a process, taking temporality more seriously than many previous approaches (Uğur Ümit Üngör). Two chapters engage with the grey zones that emerge as perpetrators can also engage in acts of rescue and bystanding, or can be victimised themselves. First, Kjell Anderson describes well the various forms of transitions between perpetration and these other three forms of action, as well as the consequences this has for agency, providing an interesting differentiation between three margins of discretion that limit the range of options individuals perceive. Also, Erin Jessee argues the case for conceiving of perpetrators as 'complex political actors' in order to arrive at a better understanding and analysis of the

individual's situations and their (perceived or real) options; her nuanced analysis of three Rwandan *génocidaires* evocatively demonstrates the empirical utility of such an approach. These chapters highlight the importance of an emerging research debate on grey zones and complexity, providing helpful heuristics for thinking through these issues.

The next part of the volume, Part IV, interrogates more closely some of the factors that contribute to perpetration, particularly focussing on the role of ideology. First, Jonathan Leader Maynard presents a nuanced and innovative neo-ideological approach to understanding perpetration of mass atrocities that argues that ideologies are ubiquitous but not always causally determinant, and that they can be selectively or partially internalised only, particularly as ideologies need not be homogenous. Hence, ideologies need not compete with strategic or psychological explanations but can take on different forms of influence at different points in time. This approach will allow researchers to approach analyses of ideology in mass atrocity from a more nuanced and realistic perspective. The following two chapters present analyses of the relationship between ideology and religion in the Islamic State's targeting of Yazidis and terrorism against the West (Pieter Nanninga) and of the motivations for participating in violence and how acts of perpetration can be both empowering and victimising for women perpetrators in Sri Lanka (Georg Frerks). The last chapter in this part consists of a novel analysis of how belief systems, rather than just rational assumptions of power-maximisation, are important for understanding the ascription of perpetration in dictatorships, discussing in particular post-genocide, authoritarian Rwanda's leader Paul Kagame (Maartje Weerdesteijn). Altogether, this part reveals some of the variety in approaches to understanding ideology in mass atrocity.

Part V focuses on perpetrators on trial, beginning with an exploration of how perpetrators' varied treatment of the corpses of their victims (displaying, hiding, or disposing) can be seen, among other things, as a strategic choice that reveals something about their anticipation of a defence at trial (Caroline Fournet). The subsequent chapter focusses on the difficulties due to plausible deniability of prosecuting state officials responsible for organising mass atrocities committed by paramilitary units not formally under their control in the former Yugoslavia (Iva Vukušić). Next, a descriptive but wide-reaching analysis of perpetrators tried for crimes committed in Bosnia and Herzegovina gives insight into the demographics of these perpetrators, their crimes, and their context, differentiating between the level at which the trials

occurred (Mirza Buljubašić and Barbora Holá). This part ends with a study of how, in post-Holocaust Germany, perpetrators were able to reintegrate relatively smoothly into society because they met with solidarity and social support, including from a range of organisations that supported them. Surprisingly, this happened within the specific context of democratisation and occupation by the Allies, although in the absence of the victims, providing insight into the potentiality of post-atrocity integration (Susanne Karstedt).

A final, short conclusion ties together many of the threads in the book, poignantly posing further questions for reflection and illustrating many of the dilemmas that perpetrator researchers struggle with (Alette Smeulers). While the introduction and conclusion bring the chapters into conversation with each other a little, this is largely absent within and between the chapters themselves. While this is of course not uncommon in the format of the edited volume, it is a shame in this particular case, as the chapters not only provide useful progression on various different questions themselves but do relate to each other significantly. As such, a deeper interaction across chapters would have been intriguing and could have allowed for even deeper insight.

In terms of the research object, perpetrators and perpetration are central, although here almost all authors mean this within the context of genocide and crimes against humanity. In the introduction, the volume suggests that it would be a worthwhile endeavour to bring into conversation perspectives on perpetration of not just these mass atrocities but also of terrorism, two hitherto rather distinct literatures. This would have been an admirable endeavour indeed, however, the volume actually includes comparatively little on terrorism, and what is included is not systematically linked to the work on perpetration in the context of other international crimes.

Altogether this volume contributes important insights into the study of perpetrators and perpetration, and the main contributions to the field from this reviewer's perspective are:

1. It includes many chapters that succeed in disaggregating and systematising the process of perpetration, two facets that will greatly support the increasing comparative work within the field of perpetrator studies. Noteworthy in this context are the chapters by Weerdesteijn and Leader Maynard and Part III's analysis of how we can think about the grey zones between forms and levels of perpetration, as well as at the margins of perpetration vis-à-vis rescuing, bystanding, and victimisation. These and other chapters push the debate forward sig-

nificantly by providing nuanced heuristic frameworks for other researchers to apply in their study of perpetrators.

2. The question of ideology is rarely absent in any discussion of perpetrators, but this edited volume manages well to integrate different perspectives on the issue, each in different ways moving the discussion forward. While the chapters follow different conceptual and empirical foci and provide disparate contributions, they do not communicate directly, and thus do not provide a more coherent overarching argument. Nonetheless, the reader comes away with a distinct sense of the great degree of nuance that our scholarly discussions on ideology have reached, and with a sense of optimism that this complexity and diversity in understanding ideology's role will help considerably in developing our future understanding of perpetration.

3. Unsurprisingly, given the editors' backgrounds in (international) criminal law and criminology, there are various chapters that deal methodologically, conceptually, and substantively with perpetrators in criminal trials. These chapters advance our understandings of how scholarly research and criminal trials interact with each other, for example in terms of methodology or ethics, and they provide interesting new insights into perpetrators in criminal trials more generally. The discussions that locate criminal trials within broader societal dynamics are particularly informative.

Given the interdisciplinary nature of the edited volume, its varied methodological approaches, the myriad empirical cases and the high quality of reflexivity, analysis, and insight, this will be a key resource for any scholar working on the topic of perpetrators. Furthermore, the volume will be interesting also for scholars studying other areas of mass violence and genocide, transitional justice or research ethics, as the debates broached here push forward the broader fields to which they speak beyond the remit of perpetrator studies.

As such, this volume is a testament to the development of the field of perpetrator studies as a whole and its exceptional diversification in terms of methodology and historical and geographic scope. The editors have succeeded in bringing together a rich variety of approaches, cases, topics, and authors, providing an overall coherent volume that pushes the debates forward in many different ways and that gives many perspectives on and suggestions for future research.

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