



# How Criminology can engage in the Theorizing on Genocide?

**William R. Pruitt<sup>1</sup>**

Elmira College, New York, United States of America

## Abstract

*For too long the discipline of criminology has ignored the crime of genocide. Very little theoretical work has been engaged in between criminology and the crime of crimes, i.e. genocide. Various reasons have been offered as to why the field has not engaged with the study of genocide, though the truth is that criminology already has existing paradigms that reach the outskirts of genocide and if they were broadened somewhat the discipline could very easily become involved in theorizing genocide. Within criminology, energy has been spent studying state crime, organizational crime, and collective violence, all of which can influence our understanding of the crime of genocide. Where criminology to recognize these potential connections, the field could begin to analyze and contribute to the study of genocide. This paper attempts to highlight the need for criminology to engage in genocide related theory and research.*

Keywords: Genocide, Criminology, ‘Crime of Crimes’, Theory.

## Introduction

There are few criminological theoretical approaches to genocide. This lack of engagement persists even though the field of criminology has many relevant insights to the study of genocide. However, the discipline has failed to engage these insights in the study of the “crime of crimes” (Day & Vandiver, 2000; Laufer, 1999; Morrison, 2004; Rothe & Friedrichs, 2006; Rothe & Ross, 2008; Yacoubian, 2000). These areas need to be explored in more depth to grow the criminological approach to genocide. This article aims to highlight the areas within criminology that could be utilized to theorize genocide (such as state crime, organizational crime, and collective violence), discuss the latest attempt to do so by Hagan and Rymond-Richmond (2009) and offer some modifications to the work of Hagan and Rymond-Richmond based on the existing criminological literature.

An early approach to criminological theorization of genocide was conducted by Brannigan and Hardwick (2003) who applied Gottfredson and Hirschi’s general theory of crime (GTC) to genocide. They argued that if the general theory of crime is truly general, then it should be able to explain all crime including genocide. The authors believe that the GTC is more than just low self-control, but a combination of low self-control and

<sup>1</sup>Assistant Professor of Criminal Justice, Elmira College, 236B McGraw Hall, One Park Place, Elmira, New York, United States of America. Email: [wpruitt@elmira.edu](mailto:wpruitt@elmira.edu)

social circumstances that either constrain or expedite behavioral outcomes (Brannigan & Hardwick, 2003). Basically, crime is the product of the actor (low self-control) and opportunity.

Brannigan and Hardwick believed that génocidaires exhibited a lack of self-control, but this was different than the similar condition found in other criminals. Primarily, genocide reflects the vulnerability and defenselessness of the targeted group especially when the state fails to instigate peace in conflicts between competing racial or ethnic groups. These situations can be monitored and controlled, but if left unchecked then the opportunity to commit genocide arises (Brannigan & Hardwick, 2003). Using the general theory of crime they find it unlikely that all those involved in genocide suffer from low self-control, however, this does not mean that the trait of low self-control is irrelevant. It is less important to match the profile of low self-control to individual actors, than it is to apply it to the understanding of the mechanisms that create the opportunity for such behavior to flourish.

From this early attempt to integrate crime theory and genocide, there has been little discussion of genocide within criminology. When discussion has occurred it is generally within the sphere of critical criminology, which is a subfield within the discipline of criminology. As the name implies, critical criminologists tend to be critical of the field and of society. As such, they “take the field to task rather than tinker with its parts” (Martel, Hogeveen & Woolford, 2006, p. 635). According to critical criminologists, the field of criminology, unlike many other academic fields, has failed to examine its own basis of knowledge and other important self-reflexive processes (Martel, Hogeveen & Woolford, 2006). This lack of self-reflection was highlighted at the 2009 American Society of Criminology conference when Nicole Rafter called on the field to pay scholarly attention to its own history (Rafter, 2010). The critical criminologist steps into this gap in an attempt to go where others have not.

To begin, critical criminologists do not automatically accept state definitions of crime; they often prefer to define crime in terms of social harm and/or violations of human rights (Einstadter & Stuart, 2006). This preference for defining crime as violation of human rights and not merely accepting state definitions is very useful when studying state crime and genocide. A state is unlikely to define its own actions as a crime, including atrocious acts like genocide. For most criminologists, if the act is not deemed a crime by the state, then there is no reason to study the phenomenon; critical criminologists do not face such constraints.

Critical criminology has been defined as being “specifically concerned with the manner in which structural forces, cultural ideologies, and social processes create, sustain, and exacerbate social problems” (Kauzlarich, 2007, p. 68). While this definition may seem to apply to the entire field of criminology, critical criminologists believe themselves to be on the margin of the field (Martel, Hogeveen & Woolford, 2006). The marginalization of critical criminology from the broader field of criminology has resulted in a failure to pay attention to issues including state crime (of which genocide is a subfield) and organizational crime (of which state crime can be considered a subfield). It should be noted though, that organizational crime is also considered problematic and worthy of study by non-critical criminologists (Chambliss, 1989). The same needs to be said of genocide.

## *Conceptual Explanations*

### *1. State Crime*

State crime has been defined as “acts defined by law as criminal and committed by state officials in the pursuit of their job as representatives of the state” (Chambliss, 1989, p. 184) and “socially injurious acts designed to alter, expand, or reproduce key elements of the political order” (Lynch & Michalowski, 2006, p. 186). State crime is not studied as much by criminologists as traditional street crime. Most state crime scholars agree that the state should be treated as a criminal actor because some crimes are just unthinkable outside of the state context and some crimes are the result of explicit state policy (Brants, 2006). This agreement rests on the idea that international law creates a foundation for defining state crime in terms of human rights, social harm, or economic harm (Rothe, 2009a). International law permits the treatment of a state as a criminal actor because no single state is responsible for defining crime in the international community. In this way, no state can exclude itself from criminal liability by changing its definition of crime.

Once it has been established that state crime is worthy of study, researchers find that many criminological theories are individual-decision based theories at a micro-level of analysis. These types of theories are not very useful when analyzing state crime because state crime is usually a macro-level event resulting from several different causes and not one single cause (Rothe, 2009). State crime calls for a macro-level theory. Rothe proposes a theory of state crime that includes three conditions which may produce state crime: (1) a state motivated by economic pressure, political goals, and anomie; (2) an opportunity where the state controls information, propaganda, and the military; and (3) constraints such as the media, public opinion, and political pressure is ineffective (Rothe, 2009a, pp. 91-113). Many examples of genocide have seen economic and political pressure including Rwanda (political power sharing between Hutu and Tutsi), Darfur (political violence between Arabs and Africans), and the Ottoman Empire (loss of empire land and population leading to loss of economic and political power). State control of media and propaganda is also a frequent occurrence in genocidal regimes such as Nazi Germany (Goebbels’ Ministry of Propaganda) and Rwanda (RTLM radio controlled by the state). The final element of ineffective constraints in public opinion and political pressure are all too common when genocide occurs. The UN and the nations of the world have infamously claimed “Never again,” yet genocide has occurred again and again because of the lack of political will. These issues should be explored more in relation to their connection between the state crime literature and genocide.

In addition, Kramer and Michalowski (2005) have proposed that state crime is likely when pressure for goal attainment intersects with the availability of illegitimate means in the absence of effective social control. Within this framework the state structure can then create criminogenic pressure based on its political, economic, and cultural beliefs (Kramer & Michalowski, 2005). When the state frames their political or economic enemy as a certain minority group, pressure may build until it releases in an act of genocide. If crime is a rational decision, then using genocide to eliminate an enemy may seem the best response. Again a crucial element here is the lack of effective social control through political and other means. The field of state crime is a growing area of research that has contributed greatly to the understanding of large-scale criminal acts committed by states around the world. Theorizing and research on state crime draws heavily from the insights derived from the broader field of study of organizational crime.

## 2. Organizational Crime

Interest in organizational crime evolved from Sutherland's critique of criminology for not studying crimes of the powerful (Braithwaite, 1989). Similar to genocide, state crime, and critical criminology, the study of organizational crime has been relatively isolated within criminology though not ignored (Friedrichs, 1996). Organizational crime is crime perpetrated by organizations or by individuals acting on behalf of organizations (Braithwaite, 1989). A more nuanced definition of organizational crime states: "Organizational crimes are illegal acts of omission or commission of an individual or a group of individuals in a legitimate formal organization in accordance with the operative goals of the organization, which have a serious physical or economic impact on employees, consumers or the general public" (Schrager & Short, 1977, pp. 411-412). This definition can be broken down into its component parts. First, organizational crime involves illegal acts either through omission or commission (the *actus reus* of crime). Second, organizational crime is committed by an individual or a group of individuals working for the organization in order to benefit the organization (the *mens rea*). Thirdly, organizational crime requires the presence of a legitimate formal organization, such as the state. Fourth, organizational crime must have a serious physical or economic impact and the adverse physical or economic impact must be on employees, consumers, or the general public.

In organizational crime, courts have been willing to punish both the individual who committed the criminal act and the organization that condoned the behavior (Gross, 1980). When courts treat both individuals and organizations as criminally responsible, they have recognized that an organization can exist as a free-standing entity. A similar conclusion regarding the state would solidify the argument that the state is similar to an organization in behavior. There are several reasons why organizations might be considered criminally liable by the courts. First, organizations are a collection of power positions that influence the thoughts and actions of the people in those positions (Ermann & Lundman, 2002). Further, the people who occupy the aforementioned positions of power are replaceable (Ermann & Lundman, 2002). The organization does not cease to function when some employees leave their position; the organization remains intact and functional. Thus, the structure of an organization might influence deviance by limiting information to members of the organization as Rothe mentioned in the states control of the media (Ermann & Lundman, 2002). By limiting information availability the organization can isolate those with knowledge of the deviance away from the elites who lack knowledge. These elites can then later, truthfully, say that they were unaware of the deviance being committed and make a scapegoat out of a small number of employees. Organizations can also support deviant behavior through establishing norms, rewards, or punishments that encourage such behavior (Ermann & Lundman, 2002). Finally, an organization can directly initiate deviance through their position of power (Ermann & Lundman, 2002). Having power over individuals means the organization can order them to commit deviant acts; it remains the individual's choice whether or not to participate. The elements that lead organizations to be held criminally liable are easily transferable to the state context. As will be discussed below, the state is a type of organization.

Braithwaite (1989) has offered a theory of organizational crime based upon Sutherland's differential association. Braithwaite believes that organizational crime is more likely to occur when there are blockages of legitimate opportunities to achieve organizational goals and illegitimate opportunities are available. Further, blockages of opportunities may create

subcultures and organizational crime is more likely to occur when these subcultures have great resistance to law (Braithwaite, 1989). These types of organizations may find that their leaders see benefits to illegal means to achieve the end goals. This might be able to explain some genocidal behavior on behalf of state leaders. Braithwaite called for a “theory of tipping points” which would explain when the balance between conformity and non-conformity favors one side over the other. This tipping point can be equated to the need for some catalyst that will set off the building tensions in genocidal states. Much genocide began following a triggering catalyst that set off the powder keg of hatred. The Armenian genocide began following the Allied landing on Gallipoli, Turkey; the Rwandan genocide began following the assassination of President Habyarimana; the Herero genocide began after the Herero uprising that killed several hundred Germans. An exploration of this issue could easily be achieved using the existing literature on organizational crime.

Other organizational crime theorists have posited their own theories on why organizations commit deviant acts. Vaughan (1982) believed that organizations motivated by an emphasis on economic success that are unable to attain resources legally will resort to deviance to achieve their goals. She also believed that members of the organization are prone to deviance if they identify with the organization and its goals creating tension to succeed at all costs. State leaders may also suffer from this type of single minded focus and devotion to the state and its goals over all else. Shover and Hochstetler (2002) do not think that organizational crime requires a separate theory because the individual actors’ behavior can be explained using a rational choice model. If the individual members weigh the costs and benefits of their behavior then it is unnecessary to have to explain the deviance of the organization as an actor. However, this contradicts the foundation of organizational crime that was based on the idea that organizations, not just individuals, commit deviant acts (Ermann & Lundman, 2002). It is not necessary to completely ignore the rational choice theory of crime when considering organizational crime or genocide though. Rational choice theory can be integrated with the existing research on these topics to fully develop an integrated approach to these complex crimes.

### **3. The State as an Organization**

The state may be viewed as a particular type of organization. The state is “a centralized set of institutions and personnel wielding authoritative power over a nation” (Rose & Miller, 1992, p. 176). The government, which represents the state, has the obligation of ruling and addressing the nation’s problems (Rose & Miller, 1992). As stated above, organizational crime involves illegal acts of an individual or group of individuals in legitimate formal organization acting in compliance with the organization’s goals (Schrager & Short, 1977). The government of a state is a legitimate goal-oriented organization. A government obtains legitimacy in many different ways including admission to the United Nations or other international body, support in elections from the people of the state, or through exertion of a dominance of power. In addition, the government has its goals that it seeks to attain through the legislative and executive branches: to provide support and maintenance for its population. The nation’s goals will include ways to achieve prosperity for the state. There may also be several other goals that the state seeks to achieve based on the government regime and the economics of the state.

Represented by its government, the state cannot act on its own accord; it must have people who act on its behalf--those in the government. “We are saying no more than that no organization can run without persons, but persons alone are not enough” (Gross,

1980, p. 59). Both a government and an organization exist independently of the people who work in the system. Those in the system are replaceable; politicians can be voted out or thrown out during a coup. If the people are replaced, the state does not collapse or fail to exist; the state is still a recognized entity regardless of turnover in officeholders. “State crimes are more often organizational crimes rather than individual or small-group deviance” (Lynch & Michalowski, 2006, p. 186). Therefore, the structure and organizational culture of the state may make the execution of crime easier. It has been claimed that “the structure and ideology of totalitarian governments, for instance, are prone to create institutions of social control and political policing in which terrorizing, physically abusing, or even killing perceived political enemies becomes a taken-for-granted part of everyday life” (Lynch & Micahlowksi, 2006, p. 186). Thereby, government agents come to accept the organizational culture created by those in power in which objectively evil acts become necessary and legitimate means to reach organizational goals. Recognition that the state is a type of organization allows for the use of organizational crime research when considering state crime issues. Integrating these two distinct areas may provide fuller answers to the questions surrounding state crime and genocide.

#### **4. Collective Violence**

Genocide may be viewed as an act of collective violence. Therefore theorizing on collective violence is relevant in this discussion. Collective violence is defined by the World Health Organization as “The instrumental use of violence by people who identify themselves as members of a group—whether this group is transitory or has a more permanent identity—against another group or set of individuals, in order to achieve political, economic, or social objectives” (Mattaini & Strickland, 2006, p. 501). This type of violence though can take many different forms; there is no single manner in which to execute collective violence. What is shared by all incidents of collective violence is the fact that the events are committed collectively rather than individually (Barkan & Snowden, 2001). Also, the goal of collective violence is to influence—by achieving or impeding—social, political, or economic change (Barkan & Snowden, 2001). The influence that proponents of collective violence desire to achieve can be used to cause inequality as much as it is possible to achieve equality.

Due to the fact that collective violence is executed with a final result in mind, it may be seen as a rational act. Human beings turn to collective violence as a response to a perceived threat, where benefits outweigh risks, making collective violence a rational act (Mattaini & Strickland, 2006). If collective violence is rational, then we cannot blame it on random behavior or simplify it to conflict between groups. Rational behavior implies a decision-making process that can be analyzed in hopes of preventing future acts of collective violence.

As a phenomenon, collective violence has occurred from early history in the form of genocide, mob violence, and gangs. The ideology behind collective violence rests upon the subordination of the individual to the group (Gould, 1999). Then the group becomes independent of the individual members that make up the collectivity but the elite maintain a power position. The individuals have subordinated their interests to that of the group and the group is led by power elite (Gould, 1999). These power elite can shape the focus and intention of the collectivity, thus controlling the group both ideologically and behaviorally (Klein, 2007). From this standpoint, the group may be placed in conflict with

another group who has a different ideology or goal. When the other group becomes identifiable, the competition becomes personalized and individualized (Grimshaw, 1970). This individualized competition in the group structure most often takes the form of violent conflict (Grimshaw, 1970). Between these two groups, a structure of subordination arises where one group will rise in prominence and power while the other takes the role of subordinate power. When these relationships are based on social categories (race, ethnicity, religion) collective violence will occur if there is a real or perceived assault on the structure (Grimshaw, 1970). Once this subordinate standard is no longer accepted or functional, the likelihood of collective violence increases dramatically. Many, if not most, examples of genocide occur when a minority group is targeted by the majority for elimination. Dehumanization creates a divide between the group members and encourages discriminatory treatment of the minority. This process has been analyzed by some criminologists but provides a fertile ground for future development.<sup>2</sup>

What appears to be a well settled element of collective violence is the fact that collective violence involves identifying ‘the other.’ Framing involves shaping the meaning and understanding of the group’s goals and antagonists (Barkan & Snowden, 2001). This framing will offer an identity that the group can adhere to and a reason for their actions (Barkan & Snowden, 2001). This identity promotes partisanship and solidarity among the group members. Partisanship has been hypothesized to be a precondition to collective violence (De la Roche, 2001). The more partisan the group members are, the more likely that collective violence will occur because of the strong connections and homogeneity of the group itself (De la Roche, 2001). The partisan relations and identities may then create equivalence relations, which include value judgments of the other (Mattaini & Strickland, 2006). These judgments often take negative labeling such as “Arabs = terrorists.” Once established, these value judgments are difficult to change and may actually strengthen if they are disputed by others (Mattaini & Strickland, 2006). Research tells us how value judgments like these are utilized during genocide to motivate killing. Examples include the German labeling of the Jewish population as ‘bacteria’ and calling the Tutsis of Rwanda ‘cockroaches.’ These words encourage the dehumanizing of people making it morally easier to kill them.<sup>3</sup>

Our knowledge of collective violence has much to contribute to the study of genocide. Most research on genocide cannot occur until after the incident has ended and the lives of hundreds, thousands, and possibly millions of people are gone. This creates a unique problem for genocide scholars to address—the issue of reasoning back from the conflict to the factors believed to have influenced the conflict. In that way the transition to group action is often overlooked (Gould, 1999). In some cases, the factors leading to the genocide are used to explain the violence without explaining why most confrontations do not result in violent behavior (Gould, 1999). As seen, collective violence helps explain

---

<sup>2</sup> See Alexander Alvarez, *Genocidal Crimes*, (New York: Routledge, 2010); Alexander Alvarez, ‘Adjusting to genocide: The techniques of neutralization and the Holocaust’, *Social Science History*, Vol. 21, No. 2, 1997, pp. 139-171.

<sup>3</sup> This fits well with an existing criminological theory known as the techniques of neutralization. One technique is ‘denial of victim’, where the perpetrator refuses to acknowledge the victim as someone who suffers and deserves sympathy but instead a person who brought their victimization on themselves. See Gresham M. Sykes and Davis Matza, ‘Techniques of neutralization: A theory of delinquency’, *American Sociological Review*, Vol. 22, No. 6, 1957, pp. 664-670.

why groups engage in violent action in certain circumstances and not others. The final point is that group solidarity is imperfect and while people may share certain traits or characteristics based on ethnicity or lineage, each individual has their own interests that might be at odds with their fellow group members (Gould, 1999). This imperfect solidarity begins to explore why some members of a dominant group (Oskar Schindler, Paul Rusesabagina) do not participate in genocide, but instead offer aid to victims. These areas are ripe for further work by criminology.

### **Collective Action Theory of Genocide**

The approaches of critical criminology do not always explicitly focus on genocide, but they provide useful conceptual tools to analyze genocide. The most recent criminological theorizing on genocide comes from Hagan and Rymond-Richmond (2009) who proposed a collective action theory of genocide. Their collective action theory begins at the macro-level and discusses how the micro-, meso-, and macro-levels interact to result in genocidal victimization. Previous research in state crime and organizational crime has highlighted the importance of analyzing decision-making at the macro-, meso-, and micro-levels (Vaughan, 1982; Michalowski & Kramer, 2007). Briefly, their collective action theory of genocide states that:

[P]recipitating conditions, especially (1) land competition and *supremacist ideology* produce Arab versus Black identities (or *socially constructed racial groups*) and thereby provide a *vocabulary of motives and neutralization*; they motivate (2) individualized racial intent (*'race' as a vocabulary of motive*) further promoted by field commanders with high levels of 'social efficacy' and ties to (and support from) the Sudanese government; and lead, via (3) frenzied collective action in which the yelling of *racial epithets* produces collectivized racial intent at the meso-level, back to (4) the macro-level with its patterns of a genocidal state as an endogenous system (Savelsberg, 2009, p. 478, italics in original).

According to Hagan and Rymond-Richmond, the government of Sudan fostered the racial and ethnic divisions between Arabs and Black Africans by recruiting and mobilizing Arab militias. Recruitment of the nomadic Arabs was not difficult because of the need for land and water resources. Their collective action theory of genocide is designed to analyze both the individual and collective level of the racial division. Hagan and Rymond-Richmond (2009) base their theory on the work of Coleman and Sampson and their transformation problem. The transformation problem asks "how systems are built from the interdependent and purposively collected actions of individuals" (Hagan & Rymond-Richmond, 2009, P. 165). In Coleman's original work he described the transformation problem as the process by which individual choices become collective decisions. This provides the link between the individual and the state level action that is genocide.

There are several elements to Hagan's collective action theory including the nation-state, socially constructed groups, individualization, and collectivized intent. In regards to genocide, the action and inaction by the state violates the express duty of the state to protect its citizens. Autocratic governments, like Sudan, tend to already devalue their responsibility to protect its people. When these institutions abuse the trust of its people and govern through illegitimate use of power, the state has abandoned its purpose and entered the realm of state criminality. Directives to commit genocide usually are issued from certain government agencies; many times the directives are issued by government



actors from mayors to official parliament members. It seems clear that the state is a crucial aspect of any genocide; genocide is not possible outside of the state context (Brants, 2006). Democracy has been said to serve as a barrier to genocide because there is less chance of forming a homogeneous collectivity (Rummel, 1995). Therefore, while the state is essential to the commission of genocide, the level of democracy may affect the likelihood of genocide.

The creation of socially constructed groups is influenced by state polity. As Hagan and Rymond-Richmond found, the existence of a minority group is usually highlighted by the desire to create socially distinct and locally organized groups. No minority group organizes itself deliberately to be a minority group; the status develops through recognition and labeling. Any plural society will consist of several different groups; only homogeneous societies lack such diversity (i.e., North Korea). These groups can be divided by their race, ethnicity, religion, or nationality (Freeman, 1991). Segmenting society into these different groups can make genocide easier to implement because the minority or target group is quickly identifiable. The minority group becomes the scapegoat for the dominant group and the problems of the state (Dutton, Boyanowsky & Bond, 2005). Once these groups have been separated, the process of individualization may occur whereby the individual is distinguished from the general group. This discrimination further separates the individual from the larger group and makes them the 'other' in the eyes of the majority.

The isolation of a group of people for attack in genocide cannot be ignored, but is often difficult to explain. As collective violence literature specified one way to isolate and identify the victim group involves identifying the 'other' (Barkan & Snowden, 2001). When that group becomes identifiable, the competition between the two groups will become personal and individualized (Grimshaw, 1970). Once the groups have been identified and individualized, a natural progression of subordination occurs where one group will rise in dominance and the other will become subordinate. The process of subordination is influenced by framing; framing is the shaping of the meaning and understanding of a group (Barkan & Snowden, 2001). An identity is then formed that the collectivity can adhere to and supply reason for their behavior. This identity promotes partisanship and solidarity among the group members and a sense of connection and homogeneity for the group (De la Roche, 2001). The identifiable inclusion and exclusion of group members may lead to value judgments, which even if challenged as incorrect are likely to remain and possibly be reinforced through the dispute (Mattaini & Strickland, 2006). Identifying the 'other' provides a concrete basis for the feelings of hatred that often precede genocide.

Since genocide is a collective act of a state, the ability of the state to solidify the intent to commit genocide is vitally important to the implementation of genocide. The likelihood of successful collectivization is dependent on the power of the state. Forming a collectivity to save the state from an external threat from the 'other' is relatively simple. The elite of the power group rallies the majority to see the other as a danger to peace and stability. The collectivity then forms its own exclusive ideology where the individual is subordinate to the group allowing the elite of the group to dictate and control the collectivity's interests and actions (Klein, 2007). When the subordinate status of the minority group becomes unbearable, violence is the likely result. While the majority of the collectivity will fall into line behind the elite leaders and join their genocidal ideology, there will be some who decide that their own interests are at odds with the collectivity.

Hagan and Rymond-Richmond describe how Sudan has contributed to the collectivization of violence in Darfur. They highlight how Sudan “(1) [found] an ethnic militia with existing rivalries with the targeted group (the ethnic groups related to the rebels); (2) arm[ed] and support[ed] that militia, and g[ave] it impunity for any crimes; [and] (3) encourag[ed] and help[ed] it to attack the civilians of the targeted group..” (Hagan & Rymond-Richmond, 2009, p. 125).

Hagan and Rymond-Richmond’s collective action theory of genocide has several connections between the individual elements of the theory. The first link is between the state led ideology and the socially constructed groups in society. In Darfur, the dehumanizing and supremacist state ideology, based on competition for scarce resources, intensified the divisions between the Arabs and Black Africans. The second link is between the socially constructed groups and the individualization of those roles. This link represents the change from racial identification to use of racial epithets. From the use of racial epithets, the next link is to the meso-level collectivized racial intent prior to the beginning of the genocide. This link represents the aggregation and concentration of the racial epithets into collective action through the framing process of the other. The final link is between the collectivized racial intent to the genocidal state; this link represents the culmination of the collective action and anger into genocidal behavior. When individuals are encouraged by state-based racism and acquire a collective force that rises above their individual expressions, genocide is the result.

In addition, Hagan and Rymond-Richmond utilize Sampson’s work on collective efficacy and Matsueda’s work on collective action. Collective efficacy emphasizes that individuals are collectively organized in neighborhoods that have their own qualities (Sampson, Raudenbush & Earls, 1997). “Just as individuals vary in their capacity for efficacious action, so too do neighborhoods vary in their capacity to achieve common goals” (Sampson, Raudenbush & Earls, 1997, p. 918). Sampson et al. also recognize that efficacy is a consequence of processes at the neighborhood level; it is not solely an individual process. As applies to genocide, this implies that there is a meso- or macro-level process that collectivizes people into action when there is a shared goal. This was reinforced by Matsueda’s (2006) use of social efficacy to mean the ability of certain individuals to mobilize others into realizing shared goals. Hagan and Rymond-Richmond thus use collective efficacy as a linking mechanism to highlight how individual actions inspired others to join together in collective action. Specifically, the authors refer to two Janjaweed militia leaders whose actions spurred violence in Darfur. Militia leader Musa Hilal told one reporter, “The government call to arms is carried out through tribal leaders. . . . Every government comes and finds us here” (Hagan & Rymond-Richmond, 2009, p. 135).

Relying on collective action theory as the basis for their explanation of genocide in Darfur assumes that people think before they act and expects that they will act in ways that generate benefits (Francisco, 2010). Collective action requires mobilization whereby “restive leaders summon zealots to cluster and use violence . . . to attack their targets” (Francisco, 2010, p. 5). However, collective action does not have to be violent; collective action can be either for a positive or negative purpose. As the size of the group increases in collective action, the ability to exert pressure and coercion increases (Udehn, 1993). For a large group to be able to function as a collectivity, a leader usually emerges to control the group, much like those who mobilize others into action in collective efficacy (Udehn, 1993). The thrust of the collective action dynamic that Hagan and Rymond-

Richmond highlight is the use of racial epithets during attacks on Darfuri villages. The epithets are spoken by individuals, but represent a “collective action frame that constructs grievances as collective, dehumanizes Africans (the ‘them’ versus ‘us’), and justifies horrific attacks” (Matsueda, 2009, p. 498). Collective action frames contain three elements: “(a) it defines the root of the problem and its solution collectively rather than individually; (b) it defines the antagonists—‘us’ and ‘them’; and (c) it defines an injustice that can be corrected through a challenger’s action” (Matsueda, 2006, p. 20). Collective action framing involves groups seeing their “shared frustrations as following from a status system that is unjustly stacked against them” (Hagan & Rymond-Richmond, 2009, p. 119). The Janjaweed militia leaders have taken on the role of instigator in the violence to arouse Arabs to attack together in order to succeed at their ultimate goal. Hagan and Rymond-Richmond then use quantitative analysis to support their proposition and find that use of racial epithets is highest when Janjaweed and government militias attack together. They also found that sexual violence increased when the government and militias attacked together. Hagan and Rymond-Richmond (2009, p. 190) concluded that “racism operated as a collective instrument of organized terror that amplified the severity of this genocidal victimization in Darfur.” This evidence was used to support their collectivized racial intent element of the collective action theory.

#### *Modifications*

While Hagan and Rymond-Richmond’s work is exceptional and definitely a step forward in the criminology of genocide, their theory appears so narrow that it may only apply to genocide based on racial divides. The purpose of the work was to examine genocide, not as a study of criminology, but more specifically to provide evidence of genocide in Sudan and encourage intervention and prosecution (Hoffman, 2009). This means that the theory posited by Hagan and Rymond-Richmond is too specific to the situation in Darfur. The ability to apply their theory as presented is limited; one reviewer has stated that the authors “give definitional and analytical priority to racism, although this is (in general) only one of numerous types of potentially genocidal ideology” (Shaw, 2010, p. 389). The collective action theory of genocide should be broadened by eliminating reference to specific racial characteristics in order to explain genocides not only based on race but also on—ethnicity, national origin, or religion (the protected groups in the UN Convention on genocide).

In addition to the limited applicability of the authors’ theory, there are other limitations to the collective action theory of genocide. The authors “fail[ ] to consult or engage the extant body of rich literature by criminologists on genocide, crimes against humanity and war crimes, and more generally state crime. . . [T]he field of state crime [was] ignored and yet could have contributed significantly to the authors’ argument and analysis” (Rothe, 2009b, p. 872-873). The “organizational issues of the state” was also overlooked by Hagan and Rymond-Richmond in their discussion of Darfur (Rothe, 2009b). The work of state crime and organizational crime should be engaged to buttress the theoretical framework—by expanding on Hagan’s concept of state ideology to include the social and political pressures explained by Rothe as well as the organizational structure addressed by Braithwaite—and address its absence in Hagan and Rymond-Richmond’s analysis. Many different fields of study have analyzed genocide and there are many theories of genocide in political science, sociology, and law. A criminological theoretical framework of genocide should learn from these other fields while contributing its own unique ideas. There is

great potential to extend the bounds of criminology with an integrated theory of genocide and modifying the collective action theory of genocide would be a humble attempt to expand upon the strong work of Hagan and Rymond-Richmond.

Finally, the link between collectivized racial intent and the genocidal state in Hagan and Rymond-Richmond's theory lacks a thorough discussion. Their explanation for how collectivized racial intent becomes genocide is simply stated as the "culmination of the frenzied fury" (Hagan & Rymond-Richmond, 2009, p. 166). As Rothe (2009b, p. 873) notes, "many relevant factors or catalysts are missing or not taken into account." To correct this oversight, there must be some triggering event that ignites the collectivized intent into genocidal action. Like most other crimes, opportunity must arise before genocide can be executed. In order to cross the line between oppression and genocide, there must be some catalyst that propels the state into the final option. "Other, and more critical and precipitat[ing] events are required in order to cross that threshold" (Dadrian, 1990, p. 135).

Many scholars recognize the presence of a catalyst without necessarily applying that label. Harff found that almost all genocides after 1945 occurred during or immediately following an internal war, revolution or regime collapse (Harff, 2003). Freeman (1991) found that nations destabilized by crises were more likely to experience conflict that could lead to genocide. Krain (1997) found that the opportunity to implement genocide had to present itself prior to the genocide beginning. The opportunity for genocide presents itself in the form of some catalyst that triggers the extreme act. Examples of a triggering catalyst can be war, revolution, a failing nation, or other national crisis (Kolin, 2008). Any rapid and profound change on the national level may be a sufficient catalyst to trigger genocide. The presence of the other elements acts as a primer that prepares the state to take genocidal action. Without the catalyst though, genocide will most likely not be the result.

## **Conclusion**

The collective action theory posited by Hagan and Rymond-Richmond is a great step forward in the criminological theorizing on genocide. As a new theory that was applied to only one instance of genocide in the original work, there is a need for a broader based test of the theory. The field of criminology should examine whether Hagan's collective action theory can explain genocide across time, place, and intention behind the genocide. In order to do this, the scope of Hagan's theory should be broadened by eliminating the references to race and opening it to include genocide based not only on race, but also on nationality, ethnicity, and religion. In addition, based on prior work on genocide in several different fields, there appeared a need to expand the theory by adding the element of triggering catalyst.

While criminology has a history of ignoring the crime of genocide, the discipline has several relevant insights to the understanding of genocide. The field of state crime has proffered different ways of explaining the criminal behavior of a nation when it willingly violates its own laws. These theories could be used to analyze and explore the issue of genocide as well. In addition, organizational crime could influence the way in which genocide is understood from the conception of the state as an organization. Collective violence offers one way of exploring the force behind genocide and the manner in which individuals commit large scale crimes together. Criminology does need to start from scratch or ignore genocide because of its many dimensions, instead the field need only utilize some its existing knowledge and expand it to include genocide. From there, the

topic of genocide fits comfortably into the paradigms already created and explored by criminologists for many years.

## References

- Barkan, S. E., & Snowden, L. L. (2001). *Collective Violence*. Boston: Allyn and Bacon.
- Braithwaite, J. (1989). Criminological theory and organizational crime. *Justice Quarterly*, 6(3), 333-358.
- Brannigan, A., & Hardwick, K. H. (2003). Genocide and general theory. In C. L. Britt & M. R. Gottfredson (Eds.), *Control Theories of Crime and Delinquency* (109-131). New Brunswick, New Jersey: Transaction.
- Brants, C. (2006). Gold-collar crime: The peculiar complexities and ambiguities of war crimes, crimes against humanity, and genocide. In H. N. Pontell & G. Geis (Eds.), *International handbook of white-collar and corporate crime* (pp. 309-326). New York: Springer.
- Chambliss, W. J. (1989). State-organized crime: The American Society of Criminology, 1988 Presidential Address. *Criminology*, 27(2), 183-208.
- Dadrian, V. N. (1990). Towards a theory of genocide incorporating the instance of Holocaust: Comments, criticisms, and suggestions. *Holocaust and Genocide Studies*, 5(2), 129-143.
- Day, E. L., & Vandiver, M. (2000). Criminology and genocide studies: Notes on what might have been and what still could be, *Crime, Law, & Social Change*, 34, 43-59.
- De la Roche, R. S. (2001). Why is collective violence collective? *Sociological Theory*, 19(2), 126-141.
- Dutton, D. G., Boyanowsky, E. O. & Bond, M. H. (2005). Extreme mass homicide: From military massacre to genocide. *Aggression and Violent Behavior*, 10, 437-473.
- Einstadter, W. J. & Henry, S. (2006). Critical Criminologies I: Conflict, Anarchist, and Marxist Theories. In Einstadter & Stuart (Eds.), *Criminological theory: An analysis of its underlying assumptions* (2d ed.) (pp. 235-261). Lanham, MD: Rowman & Littlefield.
- Ermann, M. D., & Lundman, R. J. (2002). Corporate and governmental deviance. In M. D. Ermann & R. J. Lundman (Eds.), *Corporate and Governmental Deviance: Problems of Organizational Behavior in Contemporary Society* (pp. 3-49). New York: Oxford University Press.
- Francisco, R. A. (2010). *Collective action theory and empirical evidence*. New York: Springer.
- Freeman, M. (1991). The theory and prevention of genocide. *Holocaust and Genocide Studies*, 6(2), 185-199.
- Friedrichs, D. O. (1996). Governmental crime, Hitler and white collar crime: A problematic relationship. *Caribbean Journal of Criminology and Social Psychology*, 1(2), 44-63.
- Gould, R. V. (1999). Collective violence and group solidarity: Evidence from a feuding society. *American Sociological Review*, 64, 356-380.
- Grimshaw, A. D. (1970). Interpreting collective violence: An argument for the importance of social structure. *Annals of the American Academy of Political and Social Sciences*, 391, 9-20.
- Gross, E. (1980). Organizational structure and organizational crime. In G. Geis & E. Stotland (Eds.), *White collar crime: Theory and research* (pp. 52-76). Beverley Hills: Sage.

- Hagan, J., & Rymond-Richmond, W. (2009). *Darfur and the crime of genocide*. Cambridge: Cambridge University Press.
- Harff, B. (2003). No lessons learned from the Holocaust? Assessing risks of genocide and political mass murder since 1945. *American Political Science Review*, 97(1), 57-73.
- Hoffman, B. (2009). Mobilizing criminology: The boundaries of criminological science and the politics of genocide. *Theoretical Criminology*, 13(4), 481-485.
- Kauzlarich, D. (2007). Seeing war as criminal: Peace activist views and critical criminology. *Contemporary Justice Review*, 10(1), 67-85.
- Klein, J. (2007). Where should we stand to get the best perspective on collective violence? *Critical Sociology*, 33, 957-980.
- Krain, M. (1997). State-sponsored mass murder: The onset and severity of genocides and politicides. *Journal of Conflict Resolution*, 41(3), 331-360.
- Kramer, R. C. & Michalowski, R. J. (2005). War, aggression and state crime. *British Journal of Criminology*, 45, 446-469.
- Laufer, W. S. (1999). The forgotten criminology of genocide. In F. Adler & G. O. W. Mueller (eds.), *The criminology of criminal law* (pp. 71-82). New Brunswick, NJ: Transaction Publishers.
- Lynch, M. J., & Michalowski, R. J. (2006). *Primer in radical criminology: Critical perspectives on crime, power and identity*. Monsey, NY: Criminal Justice Press.
- Martel, J., Hogeveen, B., & Woolford, A. (2006). The state of critical scholarship in criminology and socio-legal studies in Canada. *Canadian Journal of Criminology and Criminal Justice*, 48(5), 633-646.
- Matsueda, R. (2006). Differential social organization, collective action, and crime. *Crime, Law & Social Change*, 46(1-2), 3-33.
- \_\_\_\_\_ (2009). Toward a new criminology of genocide: Theory, method, and politics. *Theoretical Criminology*, 13(4), 495-502.
- Mattaini, M. A., & Strickland, J. (2006). Challenging collective violence: A scientific strategy. *International Journal of Psychology*, 41(6), 500-513.
- Michalowski, R. J., & Kramer, R. C. (2007). State-corporate crime and criminological inquiry. In H. C. Pontell & G. Geis (Eds.), *International Handbook on White-collar and Corporate Crime* (pp. 200-213). New York: Springer.
- Morrison, W. (2004). Criminology, genocide, and modernity: Remarks on the companion that criminology ignored. In C. Sumner (ed.), *The Blackwell Companion to Criminology* (pp. 68-88). Malden, MA: Blackwell Publishing.
- Rafter, N. (2010). Silence and memory in criminology—The American Society of Criminology 2009 Sutherland Address. *Criminology*, 48(2), 339-355.
- Rose, N., Miller, P. (1992). Political power beyond the state: problematics of government, *British Journal of Sociology*, 43(2), 173-205.
- Rothe, D. L. (2009a). *State criminality: The crime of all crimes*. Lanham, MD: Lexington Books.
- \_\_\_\_\_ (2009b). Book reviews: John Hagan and Wenona Rymond-Richmond, *Darfur and the Crime of Genocide*. *International Criminal Law Review*, 9, 872-873.
- Rothe, D. L., & Friedrichs, D. O. (2006). The state of the criminology of crimes of the state, *Social Justice*, 33(1), 147-161.
- Rothe, D. L., & Ross, J. I. (2008). The marginalization of state crime in introductory textbooks on criminology, *Critical Sociology*, 34(5), 741-752.

- Rummel, R. J. (1995). Democracy, power, genocide, and mass murder. *Journal of Conflict Resolution*, 39(1), 3-26.
- Sampson, R. J., Raudenbush, S. W., & Earls, F. (1997). Neighborhoods and violent crime: A multilevel study of collective efficacy, *Science*, 277(5328), 918-924.
- Savelsberg, J. J. (2009). Genocide, criminology, and Darfur. *Theoretical Criminology*, 13(4), 477-480.
- Schrager, L. S., & Short, Jr., James F. (1977). Toward a sociology of organizational crime, *Social Problems*, 25, 407-419.
- Shaw, M. (2010). Book reviews: Hagan, J. and Raymond-Richmond, W. Darfur and the Crime of Genocide, *British Journal of Sociology*, 61(2),388-390.
- Shover, N., & Hochstetler, A. (2002). Cultural explanation and organization crime. *Crime, Law & Social Change*, 37, 1-18.
- Udehn, L. (1993). Twenty-five years with The Logic of Collective Action. *Acta Sociologica*, 36, 239-261.
- Vaughan, D. (1982). Toward understanding unlawful organizational behavior. *Michigan Law Review*, 80, 1377-1402.
- Yacoubian, Jr., George, S. (2000). The (in)significance of genocidal behavior to the discipline of criminology', *Crime, Law & Social Change*, 34, 7-19.