



# NEWSLETTER CRIMINOLOGY AND INTERNATIONAL CRIMES

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## Editorial

This is the first issue of the newsletter of the platform of supranational criminology. The platform aims to encourage and stimulate international and interdisciplinary scientific discussion and debate on international crimes. Many researchers from a broad range of disciplines such as criminologists, historians, philosophers, political scientists, sociologists, psychologists, psychiatrists, lawyers and others take an interest in international crimes. What is lacking, however, is an integrated interdisciplinary approach to international crimes. We want to change this by bringing together scholars involved in this kind of research and by stimulating fruitful academic discussions amongst them. The first step in our plan has been the launch of our website [www.supranationalcriminology.org](http://www.supranationalcriminology.org) at the Conference of the European Society of Criminology at Krakow in September 2005. The aim of both the website and this newsletter is to share information on literature, internet links, ongoing research and experts within the broad field of supranational criminology. It is our aim to thus stimulate the discussion on relevant topics of common interest.

The newsletter will be sent electronically to all scholars enlisted on the website and all others who might have an interest in the newsletter (the so-called affiliated members) 2 times a year. We welcome all contributions in relation to upcoming events, past events, paper presentations, new publications or short articles on scientific issues of common interest. Please send your contribution to [info@supranationalcriminology.org](mailto:info@supranationalcriminology.org)

The Editorial Board consists of Catrien Bijleveld, Wim Huisman and Alette Smeulers, all working at the Department of Criminal Law and Criminology of the Vrije Universiteit of Amsterdam (VU) in the Netherlands. The editorial board hopes that issuing the newsletter will give a further incentive to a fruitful academic debate and stimulate interdisciplinary and international co-operation. For now we wish to express our thanks to the Department of Criminal Law and Criminology of Maastricht University which provided financial support in the preparatory phase of this newsletter.

## Agenda

- 24 February 2007: **Annual Student Conference** on international criminal accountability. Nottingham, United Kingdom.  
[www.nottingham.ac.uk/law/hrlc/events/student-conference.php](http://www.nottingham.ac.uk/law/hrlc/events/student-conference.php)
- 16-17 March 2007: **International Conference:** Accountability for human rights violations by international organizations. Brussels, Belgium.  
Info: [eva.brems@ugent.be](mailto:eva.brems@ugent.be)
- 23-24 March 2007: **Conference:** Genocide in the 20<sup>th</sup> and 21<sup>st</sup> Centuries: cases, causes, consequences, Hattiesburg, USA  
[http://www.apsanet.org/content\\_36474.cfm](http://www.apsanet.org/content_36474.cfm)
- 12-14 April 2007: **Expert-meeting -** Criminology and international crimes. Maastricht, the Netherlands. See this newsletter.
- 6-10 June 2007: **Workshop** on Collective violence: emergene, experience, remembrance, Sarajevo, Bosnia-Herzegovina.

<http://www.iro.hr/hrv/info-servis.php?vijest=163>

- 27-30 June 2007: **Conference:** Settler colonialism, Galway, Ireland. [http://www.nuigalway.ie/cis/first\\_galway\\_conference.htm](http://www.nuigalway.ie/cis/first_galway_conference.htm)
- 28-30 June 2007 **Conference:** Criminal jurisdiction 100 years after the 1907 Hague Peace Conference, The Hague, the Netherlands. [www.asser.nl/hjc/](http://www.asser.nl/hjc/)
- 9-13 July 2007: **International Association of Genocide Scholars Conference** - Responding to Genocide before it's too late. Sarajevo, Bosnia-Herzegovina. <http://www.isg-iags.org/events/2007iags.html>
- 23-26 September 2007: **Annual Conference ANZSOC.** Adelaide Australia <http://www.aomevents.com/conferences/anzsoc/>
- 26-29 September 2007: **Annual Conference European Society Criminology** in Bologna, Italy. <http://www.esc-eurocrim.org/conferences.shtml>
- 14-17 November 2007: **Annual Meeting American Society Criminology**, Atlanta Georgia. <http://www.asc41.com/annualmeeting.htm>
- 20-22 November 2007: **International meeting** on genocidal social practices: From Europe to Latin America and beyond: the continuity of genocidal social practices. <http://hsozkult.geschichte.hu-berlin.de/termine/id=6412>

For a more extensive agenda we refer to our website: [www.supranationalcriminology.org/](http://www.supranationalcriminology.org/)

If you organize a conference, workshop or symposium of interest within the broad area of supranationalcriminology, please inform us [info@supranationalcriminology.org](mailto:info@supranationalcriminology.org) and we will make a reference on our website and in the newsletter.

## **Towards a Criminology of International Crimes**

By: Alette Smeulers

Supranational criminology entails a criminological approach to international crimes. International crimes are crimes which the international community by way of international law has defined as such. These are all crimes which fit the

definitions of war crimes, crimes against humanity and genocide as defined in the statutes of international criminal tribunals like the International Criminal Tribunal for the former Yugoslavia (ICTY), the International Criminal Tribunal of Rwanda (ICTR) and the International Criminal Court (ICC). These crimes are deemed so serious that they warrant international prosecution. The perpetrators thereof are considered enemies of mankind. The initiative to criminalize these crimes comes from the international community rather than national states. To emphasize this the term supranational criminal law is used more and more often. For the same reasons we too speak of supranational criminology when referring to the criminology of international crimes.

International crimes are committed in a very specific political, institutional and ideological context. We would define all research aiming to study international crimes or the context thereof as supranational criminology. This would include the following research aims: define and map international crimes; investigate and analyze the causes; develop preventive strategies; analyze means on how to react to international crimes; investigate issues of international criminal justice and put forward recommendations on preventive strategies. In order to find answers to these questions the crimes need to be defined and the concepts clarified. The persistence of these crimes needs to be recorded and mapped out. Reliable and methodologically sound research tools need to be found.

Societies and political systems that commit international crimes need to be studied, just like organizations involved in committing the crimes, situations in which such crimes are committed and the dynamics leading to the perpetration of these crimes. An important aspect to study are the reactions from the media, organizations, third states and especially the reaction of intergovernmental organizations like the UN and its Security Council as the representative of the international community. Reactions to early signs of upcoming violence but also during and after the violations took place need to be analyzed. Next the individuals who are involved in the crimes need to be studied: the perpetrators, the victims and the bystanders. Why do the perpetrators commit such atrocious crimes? How are the victims targeted? Why do bystanders stand by? These are just a few of the many questions which need to be answered. Last but not least the question on how to deal with a period of international crimes and other gross human rights violations is crucial. International criminal justice needs to be studied but also other means such as truth and reconciliation commissions.

Supranational criminology is thus an interdisciplinary research area with close links to criminology, sociology, psychology, history, philosophy, political science and law, amongst them.

This extremely broad research program can be split into several core issues and central questions, which all signify a specific research area. The six main research areas are:

- (1) Define and conceptualize international crimes;
- (2) Measure and map international crimes;
- (3) Estimate social costs of international crimes;
- (4) Investigate the causes of international crimes;
- (5) Define and analyze ways of dealing with international crimes and
- (6) Develop preventive strategies in order to prevent international crimes.

In studying this type of crime –which lawyers tend to call system-criminality- it is necessary to use criminological theories and research methods and to see to what extent these theories and methods can or cannot help to explain the persistence of international crimes. In using conventional theories it is important to note the crucial difference between ordinary crimes and international crimes. Ordinary crimes are crimes of deviance whereas international crimes can often be characterized as crimes of obedience (term originated from Kelman and Hamilton 1989). Crimes of obedience are committed by law-abiding citizens who serve a deviant state. Within the political, organizational and ideological context in which these perpetrators operate they do not break the law but follow the law. To contemporary criminologists this is the world up-side-down.

In tackling these scientific challenges we can rely on the research of state crime (a.o. Chambliss 1989; Barak 1991; Ross 1995; Friedrichs 1998; Kauzlarich and Kramer 1998, Green and Ward 2000) but also have to push beyond that. There is still a lot to be done especially in this era in which mass victimization threatens international peace and security and in which even democratic states in their war on terror restrict the applicability of human rights. Until recently criminologists have paid little attention to international crimes. This has to change. Not doing so would mean a continuation of a criminological state of denial (Cohen 1993 and 2001)

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## **Expert Meeting: 12-15 April 2007**

An expert-meeting is planned at Maastricht University in the Netherlands in April 2007. At the expert-meeting we aim to draft a provisional research program of this area of research. During the meeting we aim to focus on what criminology has so far contributed to this area of research, what criminology could contribute, how other scientific areas of research could fit in and what theories and methodological research tools could be used to study the phenomenon of genocide, torture, war crimes, crimes against humanity and other international crimes and/or gross human rights violations. The expert-meeting is organized by Roelof Haveman (Center for international legal cooperation, Kigali, Rwanda) and Alette Smeulers (University of Amsterdam (VU), the Netherlands) in cooperation with the Maastricht Center for Human Rights. The expert-meeting is financed by the Center for Human Rights of Maastricht University and a research grant by the Dutch Scientific Organization (NWO). The expert-meeting is open to a limited number of invited scholars only. Twenty scholars including some very distinguished professors will come together and discuss their draft papers which will be published by Intersentia in a conference book edited by the two organizers. Participants include: Alexander Alvarez, Gregg Barak, David Friedrichs, David Kauzlarich, John Hagan, Catrien Bijleveld, Jennifer Balint, Chris Cunneen, Wayne Morrison, Stephan Parmentier, Elmar Weitekamp, Martha Huggins, Uwe Ewald, Theo van Boven, André Klip, Fred Grünfeld, Wim Huisman and Roland Moerland.

## **Special focus: The Prato Roundtable**

By: David O. Friedrichs

Twelve criminologists from Australia, New Zealand, the United Kingdom, and the United States, gathered in Prato, Italy, at the end of June, for an intense two day roundtable on various dimensions of transnational crime. The roundtable was organized by Sharon Pickering and Jude McCulloch of Monash University in Melbourne, Australia, and was fully sponsored by that University, including the use of its beautiful conference center in the heart of the old city of Prato, near Florence. The roundtable began with a reflective session where the participants introduced themselves to each other with a brief account of how they arrived at the still unconventional interest in transnational crime, as part of a discipline that continues to focus principally upon conventional forms of crime within a local, state or federal context. David Friedrichs (University of Scranton) made an opening presentation on definitional, typological and contextual conundrums that arise in

connection with the study of transnational crime, and on the parameters of an emerging global criminology. Penny Green (University of Westminster) then addressed the international trade in illicit timber as a significant form of transnational crime. Simon Mackenzie (then of the University of Keele) followed by also addressing another noteworthy and somewhat neglected form of transnational crime, namely the international market in illicit antiquities. The two presentations that followed the lunch break both turned to aspects of trans-border movements of people, with Sharon Pickering (Monash University) focusing upon transnational organized crime in relation to refugee protection, and Raymond Michalowski (Northern Arizona University) attending to the human rights and socio-legal implications of immigration and border enforcement policies, in this case on the U.S.-Mexico frontier.

For the second day of the Roundtable Nancy Wonders (Northern Arizona University) and Leanne Weber (University of New South Wales) continued the dialogue on border-related issues, with Wonders focusing upon reconstitution and reinforcement by many Western nations of geographic and social divisions through border (re)construction projects, and Weber attending to the emerging extra-territorial character of contemporary efforts to reassert sovereignty through border control. The two other morning papers, by Elizabeth Stanley (University of Wellington) and Tessa Boyd-Caine (London School of Economics) were concerned with some issues of transnational criminal justice, in the case of Stanley the mobilization of strategic, political and economic power from the human rights violations in Timor-Leste, and in the case of Boyd-Caine comparison of the use of preventive detention for restricted patients in England and New South Wales (Australia), with the application of a human rights perspective.

The final three papers of the roundtable, presented after lunch, all addressed consequential dimensions of the current “war” on terrorism, broadly defined. Jude McCulloch (Monash University) focused upon Australian counter-terrorism legislation and measures, and implications of the increasing blurring of the boundaries between national security and criminal justice. Joo-Cheong Tham (University of Melbourne) adopted the case of counter-terrorism financing as an issue shedding light on the problematic character of private power in this war on terrorism. And Dave Whyte (University of Stirling) demonstrated how the anti-corruption rhetoric and practice in Iraq post-invasion has reinforced the neo-liberal myth that attributes corruption to the public sector rather than to the “free market,” and the attribution of corruption in

that country to its governmental and business elites (as opposed to American corporations with contracts in Iraq).

The papers presented at the Prato Roundtable on Transnational Crime are now scheduled to be published in a special issue of the journal *Social Justice*, and the “Prato Collective” is presently scheduled to meet again April 12-13, 2007, at exactly the same time as the Maastricht Meeting (the author of this piece will be participating in this latter event). It should be self-evident that participants in both the Prato Roundtable and the Maastricht Meeting are attending to forms of crime and criminal justice transcending the conventional concerns of criminology and criminal justice, with some overlapping concerns. There are some points of divergence, with the Maastricht Expert Meeting more directly focused upon issues of research and methodology, roles of perpetrators, victims, and the media, transitional justice and preventive strategies. Nevertheless, there is surely a significant potential for cooperation and collaboration between the Prato Roundtable on Transnational Crime and Maastricht Expert group on International Crimes.

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**Special focus: International conference  
“The politics of restorative justice in  
post-conflict South Africa and beyond” -  
21-22/09/2006, Noordhoek (South  
Africa)**

By: Kris Vanspauwen

A decade after the formal political transition in South Africa and the establishment of the Truth and Reconciliation Commission it seemed appropriate to explore the form and content of “restorative justice” principles and practices and to engage with the challenges confronting the institutionalisation of this model. This two-day international conference – organised by the Institute for Criminology at the University of Cape Town (UCT), the Centre for the Study of Violence and Reconciliation (CSVR), and the Institute for Law and Society of the Faculty of Law at the Catholic University of Leuven (KULeuven) - examined selected aspects of the model of restorative justice in post-apartheid South Africa. The objective of the conference was to critically examine the following 3 themes:

1. The role of civil society in the process of transitional justice beyond the TRC;
2. The challenges confronting restorative justice approaches for crime control and crime prevention in the high-crime context of contemporary South Africa and other African countries;
3. The consequences of a growing institutionalisation of restorative justice practices in the formal (criminal) justice system.

On a theoretical level the conference succeeded in: (1) mapping the current restorative justice developments in South Africa and other parts of the worlds; (2) critically analysing some of these developments with regards to the institutionalisation of restorative justice and with regard to pressing issues like crime control and crime prevention (conceptual clarification of restorative justice, the further development of practices, and the development of an all inclusive policy framework). As to the overall objective, the conference has strengthened existing networks and has build new networks between academics, practitioners, and policy makers. This has led to two very concrete proposals: (1) the establishment of a round table with government and civil society on the post-TRC reparation policy and (2) the proposal for the organisation of an annual conference to enhance the further development of a strategic framework on restorative justice in South Africa.

The conference organised three thematic plenary sessions and a closing plenary session with 15 respected key note speakers from South Africa and the rest of the world. Every plenary session was followed by 3 round table sessions hosting more than 30 speakers from South Africa and the rest of the world. The conference has hosted some 120 participants from Australia, Belgium, Congo, Germany, Liberia, the Netherlands, Nigeria, Senegal, South Africa, the United Kingdom, and the United States.

A conference report is planned to be published in January of 2007. The publication of a selected list of papers presented at the conference is considered and planned for 2007. Information on the conference, the conference report, and the subsequent publications that are considered can be found at the conference website:

<http://transitionaljustice.be/rjsa/>

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## Conference papers

### *Stockholm Criminology Symposium*

At the Stockholm Criminology Symposium co-organized by the International Society of Criminology (ISC) and the Swedish National Council for Crime Prevention a limited number of papers focused on supranational criminology. Three papers deserve special attention. First of all the paper of the well-known Argentinean criminologist Eugenio Zaffaroni who is also a judge at the Argentine Supreme Court. Zaffaroni contended that terrorism entails massive and indiscriminated crimes against humanity and that there is no doubt that it is necessary to prevent these crimes. The question however is how to avoid this prevention becoming a justification for crimes of the state. In order to prevent that, Zaffaroni argued that serious research on crimes of state needs to be done. He asserts that we should reread the classic theoretical contributions within criminology and apply them to state crime. This will provide us with answers and will raise new questions for research. In short, Zaffaroni contends that: state crime requires a criminological approach and that international crimes need to be placed firmly on the criminological research agenda.

Meredith Rossner (University of Pennsylvania) examined the South African Truth and Reconciliation Commission as a justice ritual and expressive event. Rossner furthermore assessed to what extent the TRC succeeded in its goal to get to the truth and achieve reconciliation. This interesting paper which was presented on Saturday afternoon had deserved a much bigger audience than the few diehards still present at this very last workshop of the conference.

A very interesting paper was presented by Kiram Sarma (Mary Immaculate College) on the psycho-social perspective of support for terrorism in the wake of attacks. The paper focused on the process of psychological disengagement in which the supporter accepts the moral legitimacy of the attack. Sarma, however contends that a critical 'point of psychological separation' (PPS) exists within a spectrum of increasingly immoral terrorist behaviour and beyond which the supporter will be unable to psychologically disengage. Beyond this PPS lies the point of 'backlash'. In the face of a particularly horrific incident, the supporter rejects the moral legitimacy of the terrorist campaign, withdraws support for the terrorists and accepts the need for the state to act against them. The PPS and point of 'backlash' are in turn determined by a complex cluster of attitudinal determinants including the type of action involved, the propaganda waged by the terrorists, the actions of

others in the theatre of conflict and set against a backdrop of prevailing experiences, attitudes and prejudices of supporters.

### ***ESC- Annual Conference in Tübingen***

At the Annual Conference of the European Society of Criminology several interesting papers related to supranational criminology. Stephan Parmentier (Catholic University of Leuven) chaired two sessions on current issues in transitional justice. Ernesto Kiza (University of Kassel) and Holger Rohne (Max Planck Institut, Freiburg) presented the results of their victims survey on war victimization and victims attitudes towards addressing atrocities. Stephanie Heinrich (Leuven) presented a case study on Bosnia-Herzegovina and Ben Heylen (Leuven) presented a more general and theoretical paper on transitional justice, restorative justice and social justice.

Roland Moerland (Maastricht University) presented a paper on the PhD-research he has just started and in which he aims to test to what extent organizational criminological theory can be utilized and reconstructed into an explanatory model that can be applied to international crimes, such as genocide, apartheid and state induced sexual slavery. Alette Smeulers (then Maastricht University now Vrije Universiteit Amsterdam) and Samuel Tanner (University of Montreal) both presented a paper on the perpetrators of international crimes. Smeulers focused on Hannah Arendt's banality of evil thesis and concluded that this thesis is still valid today whereas Tanners paper focused on the role of local criminal entrepreneurs in the war in former Yugoslavia.

Catrien Bijleveld (Vrije Universiteit Amsterdam) and Boris Mijatovic (University of Kassel) both presented papers in which they presented research on measuring the number of victims of international crimes. Both contributions discussed methodological issues and problems arising when measuring the effects of mass victimization caused by these types of crime. Bijleveld presented two case studies on the victimization rates in Sudan and Rwanda and Mijatovic explained how statistical methods can be used within international criminal justice. Nancy Grosselfinger (International League of Human Rights) presented a paper on the European approach to the correctional management of the ICTY.

### ***ASC Annual Meeting in Los Angeles***

At the Annual Meeting of the American Society of Criminology there were several thematic sessions, a roundtable and several individual papers devoted to

the criminology of international crimes and/or state crime. Some presented research results, others stressed the importance of putting state crime, international crimes or war criminology on the criminological agenda.

There was a roundtable chaired by Dawn Rothe (University of Northern Iowa) on the state of state-corporate crime research. Participants included: Ronald C. Kramer (Western Michigan University); Raymond J. Michalowski (Northern Arizona University); David O. Friedrichs (University of Scranton); David Kauzlarich (Southern Illinois University); Christopher Mullins (University of Northern Iowa) and Peter Iadicola (Indiana University).

In a session devoted to defining social harm David O. Friedrichs (University of Scranton) stressed the importance of going beyond the traditional boundaries when defining social harm. It should include: global issues, power relations, forms of repression, state action, and the penetration of corporate influence over all previous boundaries. In an individual paper John Paul (Washburn University) and Michael L. Birzer (Wichita state university) stressed the importance of a criminology of war.

Gregg Barak (Eastern Michigan University) chaired a session in which theoretical approaches to crime and criminology were presented. Barak presented a historical and theoretical framework for examining political violence in the age of globalization. Barak bases the need for a specific framework on Tilly's observation that each era is known for a particular form of violence. Keith Hayword (University of Kent) discussed how one may use Baumann's theorizing in the field of criminal justice and criminology. Ali Wardak (University of Glamorgan) discussed to what extent levels of explanation within criminological research interact with each other.

There was a thematic session called 'Crimes of state: moving beyond the United States.' This session was chaired by Ronald C. Kramer (Western Michigan university), Jeffery Ian Ross (University of Baltimore) was the discussant. Rothe (University of Northern Iowa) and others focused on the importance to expose and explore state crimes like those in Darfur. Remaining silent about it means being complicit according to Rothe. Mullins (University of Northern Iowa) paper focused on crimes against humanity in the democratic republic of Congo and was appropriately called: 'Gold, diamonds and blood.'

Another session focused on violence and the state. This session was chaired by Alex Alvarez

(Northern Arizona University). Alvarez himself presented a paper on the role of ideology within genocide. Genocide aims at destructing a specific part of the population. The killing however needs to be supported and legitimized in order to 'provide the necessary justification for the wholesale killing of men, women, and children from within a targeted victim group'. According to Alvarez such a belief system often rests upon: emotion, myths, stereotypes, nationalism and xenophobia. Erin Conley-Monroe (University of Illinois) presented a paper on death squads and has put forward the thesis that the existence of death squads is 'the reflection of a weak state.' Gipsy Escobar (The Graduate Center) focused on the paramilitary movement in Columbia

In a session on human rights violations and the rule of law in international contexts, Catrien Bijleveld (Vrije Universiteit Amsterdam) presented a paper on the methodological difficulties in measuring the number of victims in Rwanda and Sudan. Sanja Kutnjak Ivkovich (Florida State University) and John Hagan (Northwestern University) presented a comparative research on the support of Serbs for the ICTY and local courts.

Mark Hamm (Indiana State University) presented a paper on the Abu Ghraib scandal. Hamm contended that despite the results of the Zimbardo prison experiment the capacity to be brutal is not universal, far more important are group culture and leadership. Alex Campell (University of New England) also focused on Iraq and warned how the war on terror legitimizes state violence.

Stephan Parmentier and Elmar Weitekamp (both Leuven University) presented their research on mass victimization, peace making and human dignity in war torn societies. The authors conducted case studies in South Africa, the Balkans, central and southern America.

### **Selected New Publications (2005-2006)**

In this section we list a number of books and articles of interest which have been published recently. The book section is divided in three subsections: books which take a criminological or social sciences approach to international crimes or other gross human rights violations, terrorism and international criminal law. We do not aim or pretend to present a complete list but rather rely on books which we think are worthwhile or have been recommended to us. There is a separate section on articles in which we enlist the most interesting criminological contributions within the field of our common interest. Special attention is given to the various special issues which have appeared in the

last two years. A special section is devoted to relevant foreign – mainly Dutch publications.

### **Books**

#### ***Criminological or social sciences approach***

- Burr, J.M. and R.O. Collins (2006). *Darfur: the long road to disaster*, Princeton: Marcus Wiener Publishers.
- Greenberg, K.J. and J.L. Dratel (Eds.) (2005). *The torture papers – the road to Abu Ghraib*, Cambridge: University Press.
- Hatzfeld, J. (2005). *A time for machetes – the Rwandan genocide: the killers speak*, New York: Farrar, Strauss and Giroux (transl. from French)
- Hinton, A.L. (2005). *Why Did They Kill: Cambodia in the Shadow of Genocide*, Berkeley: University of California Press.
- Jones, A. (2006). *Genocide – a comprehensive introduction*, London and New York: Routledge.
- Morrison, W. (2005). *Criminology, Civilisation and the New World Order*, Cavendish Publishing Ltd.
- Prunier, G. (2005). *Darfur: The ambiguous Genocide*, New York: Cornell University Press.
- Ruggiero, V. (2006). *Understanding political violence – a criminological analysis*. Berkshire: open university press.
- Sallah, M. and M. Weis (2006). *Tiger Force – a true story of men and war*, New York, NJ, Little Brown.
- Shelton, D. (Ed.) (2005). *Encyclopedia of Genocide and Crimes Against Humanity*, 3 vol., Detroit: Macmillan Reference.
- Singer, P.W. (2006). *Children at war*, Berkely: University of California Press.
- Straus, S. (2006). *The order of genocide: race, power, and war in Rwanda*, Ithaca, NY: Cornell University Press.
- Zawati, H. M. and M. M. Ibtsam (2005). *A Selected Socio-Legal Bibliography on Ethnic Cleansing, Wartime Rape, and Genocide in the Former Yugoslavia and Rwanda*, Lewiston: Edwin Mellen Press.

#### ***Terrorism***

- Bloom, M. (2005). *Dying to kill – the allure of suicide terror*, New York: Columbia University Press.
- Clarke, R.V. and G.R. Newman (2006). *Outsmarting the terrorist*, Oxford: Greenwood.

- Gambetta, D. (Ed.). (2005). *Making sense of suicide missions*, Oxford: University Press.
- Hoffman, B. (2006). *Inside terrorism*, New York: Columbia University Press.
- Horgan, J. (2005). *The psychology of terrorism*, London: Routledge.
- Khosrokhavar, F. (2005). *Suicide bombers – Allah's new martyrs*, London: Pluto Press.
- Pape, R.A. (2005). *Dying to win: the strategic logic of suicide terrorism*, New York: Random House.

### **International criminal law**

- Arts, K. and V. Popovski (2006). *International criminal accountability and the rights of the child*, The Hague: Hague Academic Press.
- Bassiouni, M.Ch. (2005). *The statute of the international criminal court and related instruments: legislative history 1994-2000*, Ardsley, New York: Transnational Publishers.
- Brouwer, A.M. de (2005). *Supranational criminal prosecution of sexual violence: the ICC and the practice of the ICTY and the ICTR*, Antwerpen: Intersentia.
- Cryer, R. (2005). *Prosecuting International Crimes: Selectivity and the International Criminal Law Regime*, Cambridge: University Press.
- Dinstein, Y. (2005). *War, Aggression and Self-Defense (4<sup>th</sup> Ed)*, Cambridge: Cambridge University Press.
- Findley, M. and R. Henham (2005). *Transforming International Criminal Justice: Retributive and Restorative Justice in the Trial Process*, Devon, UK: Willan Publishing.
- Fournet, C. (2006). *International crimes: theories, practice and evolution*, London: Cameron May.
- Herik, L. van den (2005). *The contribution of the Rwanda tribunal to the development of international law*, Leiden: Nijhoff.
- Hirsh, D. (Ed.) (2006). *Law Against Genocide*, London: Routledge.
- Henckaerts, J.M. (2005). *Customary International Humanitarian Law*, Cambridge: University Press.
- Kelly, M.J. (2005). *Nowhere to hide: defeat of the sovereign immunity defense for crimes of genocide & the trials of Slobodan Milosevic and Saddam Hussein*, New York: Peter Lang.
- Klip, A.H. and G. Sluiter (Eds.) (2005). *Annotated leading cases of international criminal tribunals-The International Criminal Tribunal for the former Yugoslavia*, vol. 7 and 8, Antwerpen: Intersentia.
- Klip, A.H. and G. Sluiter (Eds.) (2006). *Annotated leading cases of international criminal tribunal – The Special Court for Sierra Leone 2003-2004*, vol. 9, Antwerpen: Intersentia.
- Landsman, S. (2005). *Crimes of the Holocaust: The Law Confronts Hard Cases*, Philadelphia: University of Pennsylvania Press.
- Mettraux, G. (2005). *International crimes and the ad hoc tribunals*, Oxford: Oxford University Press.
- Olusanya, O. (2005). *Sentencing war crimes and crimes against humanity under the international criminal tribunal for the former Yugoslavia*, Groningen: Europa Law Publishing.
- Quigley, J. (2006). *The Genocide Convention*, Aldershot: Ashgate.
- Rothe, D. and Ch. W. Mullins (2006) *The International criminal court: symbolic gestures and the generation of global social control*, Lanham: Lexington Press.

### **Articles**

- Barak, G. (2005). A reciprocal approach to peacemaking criminology: between adversarialism and mutualism, 9 *Theoretical Criminology* 2, p. 132-151.
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See furthermore the complete issues of the **Journal of Genocide Research** and the new journal on **Genocide Studies and Prevention** (see below) and the **Journal of International Criminal Justice** (JICJ).

### *Special issues*

The *Journal of Genocide Research* has issued one special issue in 2005 on Raphael Lemkin: the 'founder of the United Nation's genocide Convention' as a historian of mass violence (vol. 7, nr. 4, p. 441-578). It includes an article on Lemkin's life and various articles on his view on the punishment of war crimes, the genocide in the Americas, colonial rule in Africa, the Soviet genocide and the Holocaust.

In 2006 there was another special issue by the *Journal of Genocide Research*: 'Confronting genocide: New voices from Latin America.' (vol. 8, nr. 2, June 2006). This issue has a strong focus on Argentina with four articles related to this country. All four authors Hector Hugo Trincherro, Daniel Feierstein, Gabriela Aguila and Armando Kletnicki are from Argentina. There is one contribution from Carlos Figuera Ibarra on the culture of terror and cold war in Guatemala. Guillermo Levy compares between Nazism and the doctrine of national security and discusses whether the term genocide - genocide by omission- can be applied to the case studies in Latin America.

In 2005 *Crime, Law and social change* [44, 4-5, p. 327-489] devoted a special issue to terrorism: 'In the shadow of 9/11'. Most contributions focus on British and in some cases US policies in the war on terror and evaluate them. Overall conclusion is that state power has increased. Key questions are: what are the consequences of the war on terror and the growth of state power in relation to civil liberties. Other questions relate to the use and evaluation of intelligence, the effectiveness of certain strategies and the legislative changes. There are contributions by Jon Moran, Mark Pythian, Clive Walker, Alan Doig, Peter Sproat and Phillip Runney.

The *Journal of International Criminal Justice* (JICJ) published a special issue on the genocide in Rwanda in 2005 [vol. 3, nr. 4, p. 799-1033]. There are among others a contribution by Paul J. Magnarella who gives an overview of the background and history of the genocide in Rwanda in which he focuses on the role of propaganda which he places in a historical dimension. In his contribution Jean Mukimbiri applies Lecomte's seven stages of genocide on the Rwandan genocide and concludes that despite typical particularities these stages fit the Rwandan genocide too. The stages being: (1) definition of the target group; (2) registration of the victims; (3) designation of the victims; (4) restriction and confiscation of good; (5) exclusion; (6) systematic isolation and (7) mass extermination.

Three contributions focus on the role of the bystanders. Ingvar Carlsson who was former prime minister of Sweden and head of the UN Independent Inquiry on genocide in Rwanda gives the reasons behind the inadequate response of the UN at the time of the Rwandan genocide. Linda Melvern discusses mainly the secret and informal sessions of the UN Security Council in which the members did not want to use the word genocide and came up with compromises leading to watered-down statements on the atrocities.

Romeo Dallaire, former force commander of UNAMIR wrote an article together with Kishan Manocha and Nishan Degnarain which is focused on the role of third parties, especially France, the United Kingdom and the United States. Their contribution is called: the major powers on trial. Two articles by William A. Schabas and J. Fierens discuss the role of the Gacaca courts in Rwanda and several others which are also of a more legal nature, appraise the role of the ICTR and/or discuss the ICTR case law. Authors include Luc Reydamas, Payam Akhavan and Kelly Dawn Askin.

The *British Journal of Criminology* has devoted a special issues to state crime in 2005 [vol. 45, No. 4, p. 431-597]. The first article by Tony Ward (p. 434-

445) focuses on the exploitation of forced labor in Congo Free State between 1885-1908. Ward explains how 'a rational pursuit of economic and political goals' leads to violence and cruelty. Crucial in the explanation of exploitation are the extreme goal oriented vision, a the lack of legitimate means, and a culture of deviance in which brutality becomes acceptable. These factors reinforce each other in a 'viciously circular fashion'. In their contribution Ronald C. Kramer and R. J. Michalowski (p. 446-469) contend that it is necessary to use a broad definition of state crime so that a variety of social harms can be analyzed. They discuss some definitional issues and the need for an integrated approach and link this approach to the three catalysts for action and conclude that: 'Organizational deviance is most likely to occur when pressures for goal attainment and/or faulty operating procedures intersect with attractive and available illegitimate means in the absence or neutralization of effective social control.' By using these parameters they conclude and analyze the invasion and occupation of Iraq as a form of state crime.

Jude McCulloch and Sharon Pickering (470-486) discuss the measures of suppressing the financing of terrorism and contend that Western governments have exploited the fear of terrorism and created a context conducive to state crime as these measures cripple many societies by undermining the structure of civil society. Ruth Jamieson and Kieran McEvoy (p. 504-527) emphasize the need to focus on specialized forces and their collusion with indigenous paramilitaries as well as private mercenaries and military firms when studying state deviance. In their article in which they describe state crime by proxy and juridical othering the authors conclude that states deliberately distance themselves from actors who conduct illegal activities on their behalf. Penny Green (p. 528-546) focused her study on the 'dynamic relationship between state power, corruption, corporate power and (...) organized crime and concludes that state criminality was the fundamental cause of the disaster of the earthquakes in Turkey several years ago. Andrew Jefferson (p. 487- 503) wrote an article on the reform of Nigerian prisons and contends that in order to be able to support long-term transformation it is important to qualify these states as different rather than as deviant. The contribution of Bill Rolston and Phill Scraton (p. 547-564) focuses on public inquiries into the abuse of state power in England. Declan Roche wrote an article on the relationship between truth commission amnesties and the International Criminal Court and Elizabeth Stanley focused on truth commissions and the recognition of state crime.

### *New Journal*

As of this summer the International Association of Genocide Scholars (IAGS) has issued an official journal called *Genocide Studies and Prevention – an international journal*. Editors are Alex Alvarez, Herbert Hirsch, Erik Markussen and Samuel Totten. It will published three times a year. Submissions of manuscripts which will be subject to double-blind peer review can be sent to [gspjnl@yahoo.com](mailto:gspjnl@yahoo.com).

The first issue was focused on the Genocide in Darfur with articles by René Lemarchand about the crisis in Darfur; Kelly Dawn Askin on the accountability of leaders before the ICC; Jerry Fowler on the legal implications; Scott Straus who makes a comparative analysis of the genocides in Rwanda and Darfur; Samuel Totten on the US Investigation into the Darfur crisis and Major Brent Beardsley on the endless debate over the "G-word".

The second issue of the journal focused on the Armenian Genocide with contributions by William A. Schabas on the interpretations of the crime of genocide; Vahakn N. Dadrian on trigger mechanisms; Taner Akcam on the Ottoman Documents, Simon Payasalian on the destruction of the Armenian church; Ugur Ü Üngör on the processive nature of genocide and Matthias Bjornlund on a Danish diplomat in Constantinople during the Armenian Genocide.

### *Dutch publications*

There were two publications which stressed the importance of supranational criminology and the need to place it on the criminological research agenda. Roelof Haveman (2005) published his article 'Supranationale Criminologie' in the Liber Amicorum of Jan Reijntjes 'Praktisch strafrecht'. Alette Smeulers (2006) published an article on the criminological state of denial in the leading Dutch journal on criminology: Tijdschrift voor Criminologie, p. 275-289.

*Justitiële Verkenningen* (2006/04) devoted a special issue to international criminal tribunals with an interesting contribution by Frederiek de Vlaming called 'Het geweld in Joegoslavië: tussen traditie, grote omwentelingen en kleine afrekeningen' [Violence in former Yugoslavia: general explanations and individual motives.] This article focused on the violence in the Bosnian region Pijedor. De Vlaming tries to understand how an ambulance doctor, Milomir Stakic could become one of the leading figures in the violations committed in these region and concludes that the violations are a result of individual personal

choices. These choices have been made within a system in which the norms have been broken down. Apart from mostly legal contributions by amongst others Sluiter, Van den Herik, Knoops, Nollkaemper and Nouwen there were furthermore two contributions focused on the role of the victims by Heikelien Verrijn Stuart and Beatrice Pouligny.

Verrijn Stuart addresses the possibility of active participation of the victims in the proceedings for the ICC which she considers to be a major leap forward. But the author warns: 'there is still a long way to go from theory to practice.' Pouligny focuses on the forgotten dimensions of transitional justice: the victims. Pouligny illustrates some of the dilemma's with the following quote from a victim: 'Milosevic is not the one who raped me, that is the man passing by my window every day.' According to the author it is furthermore very important to take cultural dimensions into account when deciding on which mechanisms of transitional justice are to be used.

The *inaugural speech* of historian Bob de Graaff (Utrecht University) was entitled: 'Op de klippen of door de vaargeul? De omgang van de historicus met (genocidaal) slachtofferschap. It discussed how historians should deal with the victims of genocide' It was published in a small booklet in 2006. Bob de Graaff furthermore published a book on the war in former Yugoslavia in cooperation with Ton Zwaan: 'Genocide en de crisis van Joegoslavië 1985-2005. Nationalisme, staatsmacht en massamoord' (2005). This book is partially based on the Srebrenica report which was written by the NIOD – Dutch Institute for war documentation in 2002. See for references of this report:

<http://www.srebrenica.nl/en/proloog.htm>

The Dutch School of Human Rights published a book on humanitarian intervention and sovereignty. The book was edited by Ducco Hellema and Hilde Reiding (2005). The book is divided into three subsections. One on history with contributions of Duindam, Kuitenbrouwer, van Vuurde, van Ginneken and Baudet. One section on actual problems with contributions from Baehr, Flinterman, Malcontent, Grünfeld and Hellema and a section with four case studies. One on the Balkan by de Graaff, one on Kosovo by Eysink, one on Lombok by Goor and one on East Timor by Glasius.

## Miscellaneous

The supranational criminology group would like to help organizing one or more sessions on supranational criminology and more specifically the

Balkan war at the upcoming conference of the European Society of Criminology (ESC) in Bologna, Italy, 27-29 September 2007. Scholars interested to organize such sessions, or willing to present a paper are encouraged to contact us: [info@supranationalcriminology.org](mailto:info@supranationalcriminology.org)

## Subscription

The newsletter will be sent electronically to all who have signed up on the website. Scholars who conduct research in the field of international crimes, such as genocide, war crimes, crimes against humanity and other gross human rights violations, international (criminal) law or any other relevant subject matter might be enlisted on the website. If you are interested: please contact us: [info@supranationalcriminology.org](mailto:info@supranationalcriminology.org) and give your names, position, institutional affiliation, e-mail address, research interest and website and we will enlist you as a scholar within two weeks.

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