

BOOK REVIEW/COMPTE RENDU

John Hagan and Wenona Rymond-Richmond, *Darfur and the Crime of Genocide*. Cambridge Studies in Law and Society. New York: Cambridge University Press, 2008, 296 pp. \$US 24.99 paper (978-0-521-73135-5), \$US 85.00 hardcover (978-0-521-51567-2)

John Hagan and Wenona Rymond-Richmond's book *Darfur and the Crime of Genocide* advances three objectives. First, the authors aim to establish that the violence that has tormented the Darfur region of Sudan since 2003 is genocide. Second, the authors attempt to set an agenda for a "criminology of genocide" in the face of the discipline's pervasive neglect of the "crime of crimes." Third, the authors advance a "scientific" criminology of genocide as a form of advocacy. That the three objectives of the book are linked is well illustrated in the epilogue where the authors assert that criminologists have neglected the responsibility "to protect"; however, by developing a "science of genocide," "criminologists need never again be bystanders to genocide" (p. 222).

This text is based on an analysis of the Atrocities Documentation Survey (ADS) of Darfurian refugees who fled to neighbouring Chad. Conducted in 2004, the ADS was the evidence on which then-US Secretary of State Colin Powell based his claim at the UN Security Council that the violence in Darfur was genocide. As a result of *realpolitik*, both the ADS and the genocide allegation were marginalized until March 2009 when the International Criminal Court issued an arrest warrant for Sudanese President Omar Al-Bashir on genocide charges. The authors mobilize quantitative evidence from the ADS to establish the elements of genocide, and also punctuate the text with lengthy quotes from victims/witnesses. In Chapters 1, 5, 6, and 7 particularly, the authors establish in gruesome detail that the violence perpetrated by Arab Janjaweed militia and Sudanese government forces against black African ethnic groups — in particular, the Fur, Masalit, and Zaghawa — is racially motivated, systematically orchestrated by the state, and undertaken to destroy black African groups and the conditions for their group life. The authors offer an instructive historical, political-economic and environmental context. The pressures of desertification (water and land scarcity, famine) introduced tensions between nomadic Arab pastoralists and black African agriculturalists. These intersected with a largely mythological black Af-

rican rebel movement (“Tora Bora”) justifying government violence that was galvanized by a grammar of race.

As perhaps the only monograph claiming to be a criminology of wartime crimes, *Darfur and the Crime of Genocide* is a welcome addition to a nascent area of inquiry within criminology. Among its contributions is an intriguing account of early ventures into war crimes by criminologist Sheldon Glueck. Principally known for delinquency research, Glueck helped to shape the post-WWII Nuremberg Tribunal. While Glueck soon abandoned the study of war crimes, Hagan and Rymond-Richmond propose in Chapter 2 to explain Nazi crimes by integrating a Glueckian concept of criminal conspiracy with the theory of “differential association” (in which group cultures make illegal activity acceptable) developed by the celebrated criminologist Edwin Sutherland.

Since the early post-War period, criminology has been curiously silent on the world’s most serious crimes. Nonetheless, a handful of important contributions in recent years have begun setting an agenda for a criminology of war crimes, perhaps most enthusiastically among restorative justice scholars. Two significant examples vis-à-vis Hagan and Rymond-Richmond’s stated project, are: Ruggiero’s 2005 article “Criminalizing War: Criminology as Ceasefire” (in *Social and Legal Studies*), which provides examples of how engaging war crimes with criminological theories can arrive at a theoretically informed pacifism; and, G. Yacoubian’s 2000 article “The (In)significance of Genocidal Behaviour to the Discipline of Criminology” (in *Crime, Law and Social Change*), which interrogates the failure of criminology to research the world’s gravest crime.

While Hagan and Rymond-Richmond powerfully echo *existing* calls within criminology to undertake research on wartime crimes, they are less persuasive in how they materialize this call. First, the authors decry criminology’s absence in war crimes research, yet provide no robust explanation for how criminology is particularly well-equipped to study war crimes. What, indeed, are the tools that criminology uniquely brings to bear on this research object that are so gravely lacking among the scholars in political science, philosophy, peace studies, gender studies, and law who have, thus far, dominated the study of war crimes? The explanation offered in Chapter 3 is that the ADS of refugees is a victimization survey (a tool commonly used by criminologists); that the health research that is more commonly conducted with refugees neglects the experience of violence that first led to displacement; and that criminological research can establish legal culpability. However, criminology holds no monopoly on survey research; survey research on political victimization is not

intrinsically criminological; and, unlike prosecutors or police, it is not the task of academic criminology to investigate and prove guilt.

Second, the authors' explanation for criminological silence on war crimes oscillates between a discussion of criminology generally and American criminology particularly. This slip obfuscates the research on violent conflict that non-American criminologists have already begun (e.g., John Braithwaite in Australia and Stephan Parmentier in Belgium). In the American academic context, the authors correlate criminology's neglect to American political feelings. For example, the authors claim that the US's history of genocide of aboriginal peoples has led to a generalized neglect of the study of genocide (p. 36), an explanation which amounts to little more than collective psychological imputation. To understand criminology's neglect of war crimes requires more profound questioning: Can research and theorizing of "ordinary" criminality be transplanted to situations of mass political violence? Does the application of criminological tools for ordinary crime risk depoliticizing profoundly political acts by implying that political violence is *like* ordinary crimes? Alternatively, what role is there for radical strands in criminology that reject "crime" as an objectively existing category and that are critical of criminalizing discourses and practices? Bracketing the moral/ethical mobilization of the term "crime" as a powerful condemnatory discourse, should mass violations of human rights even be conceptualized as "crime" or are they qualitatively different from the mere transgression of codified law? Despite their call for a criminology of genocide, the authors do not address questions of this nature.

Third, the authors' own "doing" of criminology is uneven here. While the previously discussed integration of concepts from Glueck and Sutherland is intriguing, the authors cannot "apply" their perpetrator theory since the ADS is victim data. In any case, the power of their proposed theory is its collective dimension, but the authors do not engage the long-standing debate in legal and political philosophy on collective versus individual responsibility for war crimes. More troubling, however, is the superimposition of global Northern research on crime onto the complexity of global Southern politics. In Chapter 8, the authors discuss research findings from studies conducted in Toronto, Vancouver, and Glasgow that show that punitive approaches to street youth lead to greater marginalization and criminal involvement. The authors ask: "What can the street experiences of homeless youth in the Global North tell us about the Global South?" Without answering this question, the authors treat criminal-racial violence in Darfur as parallel to legal-racial violence (e.g., at the hands of police) in the contemporary US. The gravity of genocide is not only

greatly diminished by the comparison, but a powerful critique of North American racism is not aided by the analogy.

The authors' call for criminological advocacy is consistent with social justice and social change sentiments that animate much contemporary social research. The authors locate their work compellingly in opposition to a politics that privileges interests over lives, singling out US ambivalence on Darfur: Colin Powell's early condemnation of the genocide was *accompanied* by the conclusion that little be done about it. Later, the Bush Administration downplayed violence in Darfur in light of Sudan's cooperation in the War on Terror. Advocacy against *realpolitik* is an important theme in this book, but the authors claim that criminologists are "bystanders" to atrocity by virtue of typically choosing other research areas is overstated.

While this book builds a powerful case that genocide has been taking place in Darfur, a more compelling case needs building for what a criminology of genocide would look like.

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